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University of San Diego

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Please return to:
News Bureau
DS274



University of San Diego

Office of Communications

News Bureau

Nov. 16, 1988

To Members of the Cabinet

In this month's packet is something new: a monthly report of local television and radio news coverage of USD.

We've always worked with the electronic media, but never have kept a record of TV and radio coverage.

This should give you a more comprehensive view of USD publicity.

Next month, we'll be sending you press clippings of UCSD and SDSU feature stories for added perspective on how the local print media covers higher education.

We'll try this for a few months, then reassess the usefulness of this expanded news analysis.

Your comments are welcome.

John L. Nunes
News Bureau Director



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"UNIVERSITY OF SAN DIEGO"

SCHEDULE OF BROADCAST ACTIVITY

NOVEMBER 1 - 30, 1988

VIDEO MONITORING SERVICES OF AMERICA, INC.



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M- Mention
R- Reader
V- Visual
I- Interview
SI- Studio Interview
PC- Press Conference

MONITORING REPORT

SUBJECT: "UNIVERSITY OF SAN DIEGO" SCHEDULE OF BROADCAST ACTIVITY
DATES: NOVEMBER 1 - 30, 1988

PROGRAM	STATION	DATE	TIME	DESCRIPTION
NEWS EIGHT	KFMB-TV	11/10/88	11:00PM	Justice Department asks for review of Rowe vs Wade abortion decision I - Joan Patton, Right To Life Council V - U.S. Supreme Court session I - Larry Alexander, USD law professor V - Right To Life rally
SUN UP SAN DIEGO	KFMB-TV	11/11/88	8:00AM	Reagan administration making a last attempt to outlaw abortion M - U.S. Supreme Court to make decision on the matter I - Deborah Fleming, San Diego Womancare I - Joan Patton, San Diego Right To Life Council I - Larry Alexander, USD law professor V - Protestors against abortion
TEN NEWS AT FIVE	KGTV-TV	11/30/88	5:00PM	USD plays basketball home opener against Cal Lutheran I - Hank Egan, USD head coach
NEWS SAN DIEGO	KNSD-TV	11/30/88	5:00PM	USD hosts Cal Lutheran tonight in college basketball M - Toreros home opener M - USD coming off one of biggest wins ever against New Mexico I - Hank Egan, USD head coach V - USD Sports Center
TEN NEWS NIGHTCAST	KGTV-TV	11/30/88	11:00PM	USD beats Cal Lutheran in home basketball opener tonight V - Game highlights M - Will play Saturday at UCSanta Barbara

-2-

NEWS SAN DIEGO

KNSD-TV

11/30/88

11:00PM

USD beats Cal Lutheran tonight
in basketball season opener
V - Game highlights

#

CABINET BOOK

NOVEMBER 1988

Cover Story

Auto Insurance: Sorting Out the Initiatives

by Mark Gabrish Conlan

2455
The five auto insurance propositions on the November 8 ballot in California — 100, 101, 103, 104, and 106 — "may or may not be the most important set of initiatives on the California ballot, but they certainly are the most confusing," So said Howard Miller, former law professor at USC, at the start of a debate on the five initiatives he moderated September 18 at the University of San Diego. Only an understanding of the basic thrust of each initiative — as well as an awareness of who is backing each proposal and which interest groups each favors — will allow voters to make an intelligent choice between them.

The Battle Camps

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"I've been coming to California for years and hearing complaints that insurance rates are higher and people are being deprived," says Ralph Nader, legendary consumer advocate and prime sponsor of Proposition 103. Jeffrey O'Connell, University of Virginia law professor and co-author of the book which first proposed no-fault auto insurance, likewise protests that the no-fault issue first came up in California as early as 1968, only to be rejected by a legislature dominated by attorneys.

Nader and O'Connell, who debated each other at the USD forum, represent the opposite poles of the issue. Nader stands for the belief that the high cost of auto insurance in California is due to the insurance companies themselves, who he argues are allowed to set whatever rates they want without regard to what consumers can afford to pay or what the actual costs of providing insurance might be. O'Connell's position, backed by the insurance companies themselves, is that the high rates are due to a costly tort system — by which you can't recover damages from an auto accident without first filing a lawsuit to establish which party was at fault — and to overpaid lawyers who push suits so they can recover large settlements for their clients while pocketing high percentages of those settlements for themselves.

Given that difference, it's easy to divide the five initiatives into two groups. Three propositions — 101, 104, and 106 — are backed by various segments of the insurance industry. All would put limits on the fees lawyers can charge to represent plaintiffs in auto accident claims. In addition, Proposition 104, the most far-reaching of the insurers' initiatives, would abolish the current tort liability system for paying auto claims and substitute a "no-fault" system. Under Prop. 104, your own insurance company would pay off your claim, up to specified limits totalling \$30,000, regardless of who was at fault in the accident.

The other two propositions, 100 and 103, seek to control the insurance companies' ability to raise their rates at will. Currently, insurance companies can set any price for insurance that they want; the state's insurance commissioner can review rate increases, but only after they go into effect. While the law prohibits

companies from charging "excessive" or "unfairly discriminatory" rates, the commissioner's only recourse, in case s/he feels that law has been violated, is to file suit against the company — and only one such suit has been filed in the last 20 years. Proposition 100 would require the state insurance commission to review and approve rate changes in advance; 103 would go farther and make the insurance commissioner an *elected*, not an appointed, official.

Tort vs. No-Fault

Nader's arguments in favor of 103 present the tort liability system as a protection of people's legal rights almost on a par with the First Amendment. "The tort system," he says, "has generated compensation, deterrence, disclosure, and the most majestic statements from our jurists of the responsibilities of the powerful towards the weak." Nader defends the contingency-fee system — by which a lawyer who represents the injured party in an auto accident gets a percentage of the settlement if s/he wins, and nothing if s/he loses — as "opening the use of the system ... so poor and middle-class people can achieve representation in these matters to take on businesses or municipalities who are negligent."

O'Connell argues that the tort system, whatever its virtues in product-liability law, medical malpractice, or other kinds of claims, is "wildly unproductive" as a way of compensating people injured in auto accidents. "Trying to decide who is at fault in a typical traffic accident is hard work," says O'Connell. "It can't be easy, or why would lawyers charge so much for it?" O'Connell adds that auto insurance "is the only type of insurance based on fault, and which pays damages for pain and suffering. When I die, my life insurance company does not say I smoked too many cigarettes or ate too many fatty foods. They simply ask, 'Am I dead?' — and they don't need lawyers to tell them that. Also, when I die, my wife isn't going to get paid for 'pain and suffering,' assuming she experiences any."

"[These] may or may not be the most important set of initiatives on the California ballot, but they certainly are the most confusing."

— Howard Miller

The whole question of "pain and suffering" damages is one of the flash points of the whole controversy. Insurance companies tend to blame effective lawyers and tender-hearted juries for passing large "pain and suffering" awards, which in turn allegedly raise insurance rates for everyone. Already, California voters passed in June 1986 an insurance industry initiative, Proposition 51, which abolished the "joint and sev-

eral liability" doctrine for pain-and-suffering claims — a method under which, if an uninsured motorist was 90 percent responsible for your accident and the city you were driving in had the other 10 percent liability (i.e., by failing to put up a stop sign or by leaving a road in bad repair), you could recover your entire pain and suffering award from the city. Voters in that election essentially accepted the insurance companies' arguments that these massive settlements — of which contingency-fee attorneys often received 30 to 50 percent — were responsible for the rate increases of up to 1,400 percent that companies were then imposing on some forms of insurance.

Contingency Fees

Proposition 104 would abolish pain and suffering damages altogether, unless the accident resulted in death or "serious and permanent" injury — a "verbal threshold" advocates of 104 argue is necessary to make the no-fault concept work. Under the no-fault plan, the "basic" benefits — paid to everyone, regardless of fault — would be limited to \$10,000 in medical expenses, \$15,000 in lost wages, and \$5,000 in funeral expenses in case the accident resulted in death.

"The tort system has generated compensation, deterrence, disclosure, and the most majestic statements from our jurists of the responsibilities of the powerful towards the weak."

—Ralph Nader

While you could still sue, as under the current system, if your economic losses were greater than the basic no-fault limits, Prop. 104 would also impose limits on your attorney's fees to 15 percent of the basic no-fault award, 33 percent of any additional amount recovered up to \$50,000, 25 percent of anything from \$50,000 to \$100,000, and 15 percent of any recovery over \$100,000. Proposition 106, which deals exclusively with contingency fees, sets even more stringent limits: 25 percent of any award up to \$50,000, 15 percent between \$50,000 and \$100,000, and 10 percent of any award above \$100,000.

Proposition 100 advocate Harvey Levine, professor of law at USD and member of the San Diego Trial Lawyers Association, criticizes limits on contingency fees because, as he claims, "They are tying the hands, not of lawyers, but of victims to retain a lawyer." Nader agrees, accusing advocates of 104 and 106 of seeking to limit the ability of plaintiffs to hire attorneys to represent them — while setting no limits on the ability of insurance companies to hire their own law-

yers, paid on a wage of \$100 or more per hour instead of a contingency fee, to defend the companies' treasuries against plaintiffs' claims.

Proposition 101, sponsored by Assemblymember Richard Polanco and the Coastal Insurance Company — an outfit which specializes in covering high-risk drivers — rejects the no-fault alternative in favor of a four-year emergency plan that would limit company rate increases to increases in the "Physicians' Services" component of the California consumer price index. Like the other two industry-backed measures, Prop. 101 would limit attorneys' contingency fees — in this case, to 25 percent of the economic damages awarded, whatever they may turn out to be. Pain and suffering awards would also be limited to 25 percent of the economic damages.

The least-publicized of the five propositions, 101 nonetheless has an impressive list of legislative endorsers; the ballot argument for it is signed by Polanco, Assembly Speaker *pro tem* Mike Roos, and State Senator John Seymour. Its proponents try to present it as a "Third Force" alternative, giving in neither to the insurance companies nor the trial lawyers.

Splits Within Camps

The very existence of Prop. 101 indicates that the insurance industry's support of no-fault is by no means unanimous. 104 supporter O'Connell, in fact, attempts to portray no-fault as a benefit insurance companies are reluctantly offering consumers in order to remain free from the kinds of regulation 100 and 103 would impose. O'Connell also opposes 106, calling it "one-sided" and adding, "106 says the basic problem is lawyers, and 100 and 103 say the problem is completely that of the insurance industry."

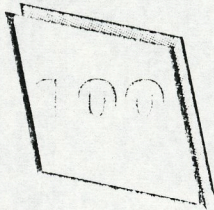
At least one major insurance company, State Farm, has refused to join the campaign for 106. "We perceive it as not an insurance issue," said a State Farm spokesperson in late September, stating that the firm's letters to policyholders would take no position on 106. A representative of the Southern California Auto Club — auto clubs in general have been among the strongest sources of support for 104 — said they too would stay neutral on 106 because it "is unlikely to significantly reduce auto insurance premiums."

Divisions exist within the anti-industry camp, too. While Props. 100 and 103 are similar in essence, dramatic differences exist. Both would require, for example, that insurance companies offer 20 percent discounts for "good drivers" — but, while Proposition 103 defines a "good driver" as one who has had held a license for the last three years and has had only one moving violation, the "good driver" definition of 100 excludes anyone ever convicted of driving under the influence of alcohol or drugs. It's this discrepancy that accounts for the anti-103 argument that drunk drivers could qualify for its "good driver" dis-

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NOVEMBER 8, 1988



Auto Insurance: Sorti

Continued from

counts, which they could not under Prop. 100.

Other differences between 103 and 100 reflect their origins. While the California Trial Lawyers Association (CTLA) — the insurance companies' principal adversary in legislative lobbying efforts as well as in the June 1986 campaign over Prop. 51 — withdrew their own initiative in favor of 100, a number of Prop. 100's features are long-standing items on the trial lawyers' wish list. Prop. 100 would ban any limit on lawyers' contingency fees, including the ones 101, 104, and 106 are attempting to set.

"When I die, my life insurance company does not say I smoked too many cigarettes or ate too many fatty foods. They simply ask, 'Am I dead?' — and they don't need lawyers to tell them that."

— Jeffrey O'Connell

More significantly, 100 also contains a provision that says, "Persons who wrongfully cause damages to others in

the ownership or operation of a motor vehicle should be held legally responsible for the full extent of the injuries they cause." According to the California legislative analyst's official ballot-pamphlet analysis of the proposition, this passage "could be interpreted to affirm the current system of at-fault motor vehicle liability, thereby restricting other systems such as 'no-fault' insurance." According to Prop. 103's authors, nothing in their initiative would preclude the legislature or the voters from adopting a no-fault system later.

Regulation Issues

If certain parts of Prop. 100 contain items from the trial lawyers' wish list — freedom from regulation of their rates and freedom from later passage of a no-fault bill — Prop. 104 also contains large amounts of the insurance companies' wish list. Basically, it would "freeze" into initiative law, changeable only by a two-thirds vote of the legislature or a vote of the people:

- the current prohibition against advance regulation of insurance rates;
- the insurance industry's current exemption from California antitrust law;
- the current laws allowing insurance companies to share information for rate-setting purposes;
- the current law banning banks from

writing insurance policies;

- the current law that forbids any insurance agent from charging less than 20 percent commission on a policy; and

• the current ability of insurance companies to set auto insurance rates on the basis of geographical location ("territorial rating"), regardless of the driving record of the individual seeking insurance.

Supporters of Prop. 104 claim that these industry protections are actually desirable. "If you didn't have laws like that," says Allen M. Katz, principal author of Prop. 104, "you'd eliminate the small, independent insurance agencies. Certain large agencies would be able to afford the kickbacks, so people would always go to the large agencies and you'd end up with four or five big agencies writing all the policies in California." Katz also argues that smaller insurance companies could not afford to stay in business unless they could share actuarial information with the majors and thus have a rational basis on which to set their rates.

Propositions 100 and 103 are attempting to enact many of the very same regulations 104 seeks to forestall. Both would allow banks to write insurance policies — an attempt, say proponents, to get more businesses into the insurance field and thus boost competition. In addition, 103 — a rare sort of initiative in that it gets rid of more old law than it enacts new law — would abolish the industry's antitrust exemption and would allow insurance agents to give discounts on their commissions. ("Since when is a discount a kickback?" says Nader, responding to Katz.)

Both 100 and 103 would also restrict the insurance companies' ability to use territorial rating. According to them, the individual auto insurance buyer's driving record would be the chief factor determining his or her premium cost. Companies could use territorial rating only if they could demonstrate a consistent correlation between living in a certain area and having a bad driving record. It's this clause in the initiative that has led to the insurance companies' charge that Props. 100 and 103 would raise rates to consumers everywhere else in California in order to give drivers in Los Angeles a discount.

The Bottom Line

All the insurance initiatives are being pushed to voters as offering substantial reductions in current insurance rates. Four of them, in fact, do contain provisions that at least appear to guarantee lower rates. Prop. 100 offers "good drivers" a 20 percent reduction in liability, medical, and collision insurance rates based on the rates in effect last January 1. 103 promises an immediate rollback of 20 percent from the rates in effect on November 8, 1987 (a year before the election) and a guarantee that "good drivers" will pay 20 percent less from then on. 101 offers a 50 percent rollback in bodily injury liability and uninsured motorist insurance from whatever levels will be in effect this October 31. 104 promises a reduction of 20 percent on bodily injury liability and uninsured motorist coverage costs from the levels that will exist on July 1, 1989.

While Prop. 106 does not promise any specific rate rollback, its supporters argue that by reducing lawyers' fees, it will also reduce the number of lawsuits filed, which will cut insurance companies' costs and thus lead to lower rates. This is an argument also put forward by backers of 104, who argue that no-fault will be cheaper to administer in the long run.

The only attempt at an independent survey of the effect of each proposition's probable effect on rates was commissioned by a Sacramento TV station, KXTV, who asked actuaries based in the Midwest to study the issue. This report claimed that a Sacramento couple with two cars and good driving records would save an average of 30 to 37 percent under 100, 21 percent under 101, 25 percent from 103, and only 6 percent from 104. Naturally, these figures were seized on by the Prop. 100 cam

ting Out the Initiatives

ed from page 4

2/55

paigned and have been used in their ads ever since. However, geographical, political, and judicial variables may make attempted comparisons like this meaningless.

Supporters of 100 and 103 scoff at the idea that any initiative sponsored by the insurance industry would actually lower rates. They point that the rollbacks promised by 101 and 104 only apply to two types of auto insurance; as Nader and Rosenfield claim in the official ballot argument against 104, "The companies will be free to charge you whatever they wish for the rest of the coverage you must buy."

Rosenfield further claims that, in an insurance agents' meeting last March 14, American Agents Alliance director Donald Stewart conceded that 104 "guarantees no cost savings," and added that companies "can change their rates the day before the election" to offset any rate cuts they might have to offer under 104. Finally, 101 and 104 opponents point out that their rate reductions are only temporary; 104's rollbacks expire in two years, 101's after four years.

Insurance companies and other opponents of 100 and 103 argue that their promises of rate reduction are equally illusory. O'Connell insists that there is no actuarial basis for the "magic figure of 20 percent," and that regulation itself, "which I firmly believed in 25 years ago, is a much less workable form of control than we thought it was in the days of the New Deal. New York had perfect regulations — and an auto insurance mess. Then they went to no-fault, and now they don't have a mess."

Other industry advocates point to the "escape hatches" provided in 100 and 103, which provide that the 20 percent rollbacks will not take effect if they would force the companies to lose money. While the clauses are designed differently — 100's escape clause allows

the insurance commissioner to exempt a company from the rollback if the company shows that it would therefore not be able to show a profit on its auto insurance business, while 103's requires the company to demonstrate that there would actually be a danger of its becoming insolvent before it can be granted an exemption — either clause could be used as a way for the insurance companies to avoid the rebates.

In fact, incumbent California insurance commissioner Roxani Gillespie, an appointee of Governor George Deukmejian, told a state legislative committee in mid-September that she would not enforce the rollback provisions of 100 or 103, if either passed, because she already felt they would drive several major firms toward insolvency. Rosenfield called a press conference September 22 to denounce Gillespie, and called on Deukmejian to fire her. While Deukmejian's office expressed its full confidence in Gillespie, the commissioner relented and said, "We will enforce whatever is mandated by the voters in November."

Voters' Mystery

Just what the voters will mandate remains a mystery. Polls done in mid-September by the Mervin Field organization indicated substantial majorities for the two anti-industry initiatives — 74 percent "yes" to 12 percent "no" on 103 (14 percent undecided) and 54 percent "yes" to 22 percent "no" on 100 (24 percent undecided). Of the three industry-backed plans, only 106 led — by 49 percent "yes" to 31 percent "no" (20 percent undecided). 104 trailed by 50 percent "no" to 28 percent "yes" (22 percent undecided) and 101 was losing by 38 percent "no" to 32 percent "yes" (30 percent undecided).

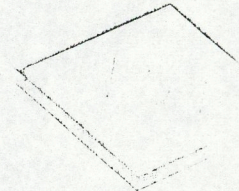
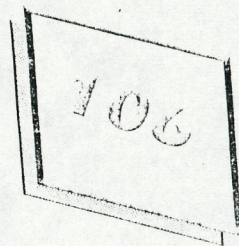
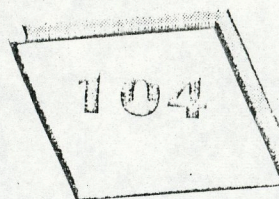
While these poll results provoked an

hysterical attack from Clint Reilly, the industry's campaign coordinator for 104 and 106 — Reilly said Field, who has been polling California voters for over 30 years, was "not a professional" — Field himself warned that these early poll results may not mean much of anything at all. The insurance industry has budgeted \$45 million in this campaign — the total budget from all sides is \$70 million, making it the most expensive non-Presidential election campaign in American history — and California elections are well-known for grass-roots initiatives that lead comfortably up to the final weeks, get blasted in a media blitz, and go down to defeat.

"[Allowing discounts] would eliminate the small, independent insurance agencies. Certain large agencies would be able to afford the kickbacks, so people would always go [there]."

— Allen M. Katz

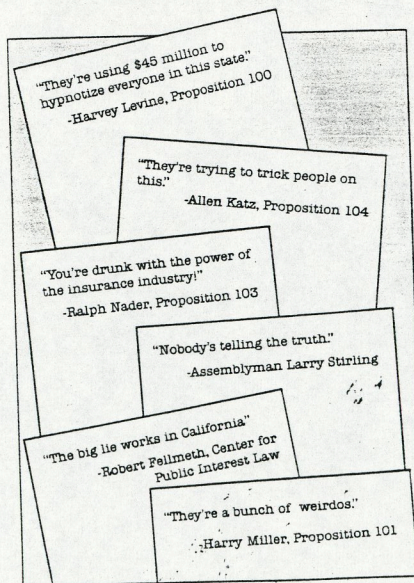
Field suggests that that history may repeat itself. Pointing out that Prop. 103 has by far the smallest campaign budget of any of the five — its supporters are counting on Ralph Nader's personal popularity, more than anything else, to put it over — the pollster says, "If there's going to be a campaign to defeat 103, then it's highly likely that's going to succeed, given the money. ... In fact, I can see them all going down if they all become targets for any kind of a campaign, particularly as the public comes into the decision zone."



Untangling the Insurance Initiatives

By Brian Alexander

Who's behind what?
Who's financing what?
And what will it mean to you?
The box you check on November 8
will affect your auto-insurance rates
for years to come. A guide through
the five linguistically brain-
numbing insurance initiatives.



WELCOME TO THE California Auto-Insurance Super Slam, a steel-cage grudge match with the survivor carting away an \$8.6-billion purse. In what's become the most expensive non-presidential election in American history, befuddled California voters are expected to choose on November 8 which of five competing insurance propositions they want enacted into law. Their decision involves complex legal and insurance-related issues, and will affect their automobile-insurance rates for years to come. And in all likelihood, their decision will be based on \$60 million worth of 30-second televised rhetorical half-truths.

The five competing insurance initiatives on the ballot are being proffered by opposing armies of trial lawyers, insurance companies, dissident mavericks, and consumer groups. Briefly, they are:

Proposition 100, commonly known as the trial-lawyers' initiative, proposes reducing rates and changing the manner in which they can be set or raised. Trial lawyers, realizing they are about as popular as Jane Fonda at an American Legion convention, insist that Proposition 100 is not really their initiative. In fact, it was mostly written by Steve Miller, a consumer activist, in conjunction with the state attorney general's office. But the California Trial Lawyers Association is footing most of the bill for the proposition's passage, with only marginal aid from the state's bankers, so it's hard not to think of it as the trial-lawyers' initiative.

Proposition 101, one of two proposals sponsored by insurance companies, is commonly known as the Polanco initiative or the Coastal Insurance initiative. Richard Polanco is an assemblyman from Los Angeles's 55th district. Coastal Insurance, which is backing the initiative, owns the heavily advertised Public Insurance Service and FGS Insurance firms.

Proposition 103 is commonly known as the "good driver" initiative or the consumer initiative, and calls for a nearly complete restructuring of the insurance industry in California. Among other changes, it would give consumers greater say in the regulation of insurance rates. This is the one proposition supported by consumer activist Ralph Nader.

Proposition 104, a no-fault proposal, is commonly known as the insurance-companies' initiative. Since the insurance companies know they are about as popular as—well, as lawyers—they wish it weren't called that. But insurance-

industry officials wrote the initiative and the insurance companies are financing it, so it would be tough to call it anything else.

Finally, there's Proposition 106, another insurance-company initiative. It's the most easily understood of the insurance-related initiatives, so it may turn out to be the favorite choice of voters. This initiative would create a form of price control for the legal profession by placing restrictions on attorneys' contingency fees. That's the amount of money an attorney takes from the amount of compensatory damages awarded his client by the court. (The insurance companies, however, oppose price controls for themselves.) Most voters, feeling the way they do about lawyers, seem to favor 106 heavily. But, as explained later on, insurance reform is more complicated than just capping fees or rewarding good drivers.

VOTERS WHO ACTUALLY try to read propositions 100, 101, 103 and 104 will be confronted with paragraphs like this one from Proposition 104:

"A provider which accepts an assignment of medical expense benefits for products, services, or accommodations provided or to be provided to a victim shall not receive or demand any additional amount for such services from such victim except to the extent that payment of the reasonable value of or reasonable charges for such products, services, or accommodations as were reasonably necessary is prevented by exhaustion of the aggregate benefit limits or the time limits for furnishing covered products, services, or accommodations applicable under the insurance for the victim's benefits."

There are more examples, but you get the idea. In light of the linguistic complexity of these initiatives, voters should ask two questions. First, how did we get into this mess and, second, whom do I believe?

Despite the diverse opinions on how it should be solved, there is wholesale agreement on how we got into this mess. Almost everyone agrees the California Legislature dropped the ball.

Harvey Levine, the president-elect of the California Trial Lawyers Association (CTLA), says the "legislative approach is in gridlock." Attorney Howard Miller agrees, saying "the California Legislature has become an institution that simply cannot decide important issues at all."

Assemblyman Larry Stirling explains that the Legislature

never has been able to reach a consensus on the issue of insurance reform. Such reform is very complicated and the Legislature, Stirling says, "is not a body of intellectual giants."

It was the Legislature's stonewalling on one reform proposal that eventually started the free-for-all facing voters this month [November]. Assemblyman Polanco's district in Los Angeles includes areas with very high auto insurance rates. He wanted to do something about it and, according to Stirling, introduced a reform package that soon stalled. Coastal Insurance President Harry Miller liked Polanco's reform ideas and offered to finance an initiative drive to put them before the voters.

Stirling compares what happened next to the shooting of Archduke Ferdinand, which plunged Europe into World War I. Each competing interest jumped into the fray, writing initiatives protecting its own interests. The insurance companies skewered the lawyers. The lawyers skewered the insurance companies. The consumer groups skewered the insurance companies and created themselves a new state office of Insurance Consumer Advocate.

The lawyers, the consumer groups and the insurance companies, however, foresaw the coming deluge of competing reform packages and tried to head it off. Throughout the fall of 1987, the opposing groups met and struggled to arrive at a compromise. A memorandum of understanding was floated at a meeting in Pebble Beach that contained some elements found in Propositions 100 and 101. According to news reports, most California-based insurers wanted to support this compromise. But larger, out-of-state insurance companies, led by State Farm of Bloomington, Illinois, would not support it despite the fact that the assembled companies voted 36 to 22 to support the elements in the compromise that eventually became Proposition 101.

State Farm insisted on the no-fault option and the essentials of what has become Proposition 104. Since State Farm is by far the state's largest auto insurer, and would have to bankroll whatever initiative was devised, it held a lot of power and the other companies swayed. All except Harry Miller at Coastal Insurance.

Allen Katz, the Los Angeles attorney who wrote most of Proposition 104 for the insurance companies, maintains "it is unfair to say that it was an ultimatum" from State Farm that

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OVER

Trial lawyers, realizing they're as popular as Jane Fonda at an American Legion convention, insist Proposition 100 isn't really their initiative. And insurance companies, knowing they're as popular as lawyers, wish Proposition 104 wasn't called the insurance-companies' initiative.

pushed most other companies to back no-fault. Harry Miller disagrees, saying the other groups jumped into the initiative business solely to defend themselves against each other.

"I was at the meeting," Miller says. "That's exactly why they did it."

OF COURSE, THE easy way out of all this would be to vote against all the insurance initiatives. That's what Larry Stirling recommends. He favors rejecting all of them and calling the Legislature into an emergency session to deal with insurance reform. But given the history of legislative inaction, it seems doubtful the consensus Stirling admits is necessary has much of a chance of developing.

Other San Diego-area lawmakers are also reluctant to play their hands on this issue. Steve Peace, part of the so-called "gang of five" challenging Assembly Speaker Willie Brown, says he cannot support any of the initiatives because they all favor special interests, will not solve the problem and will not help consumers. Neither Sonny Mojonner and Lucy Killea have offered an opinion on the propositions. Likewise, Pete Chacon neither supports nor opposes any of the reforms. "I believe they have not gone through careful enough scrutiny since they have not gone through the Legislature," Chacon says. "I believe it's up to the public themselves to decide what they want to do since they have decided to go through the initiative process instead of the Legislature."

Cynics accuse the legislators of not wanting to offend the insurance industry, lawyers or bankers—all groups, which contribute heavily to assembly campaigns. Others suggest that the choice of siding with either lawyers or the insurance companies is a no-win situation for a politician.

At the center of this controversy is the concept of tort law. Simply put, tort law means "the righting of wrongs." But in recent times, this has been expanded to include the concept of compensation. So, not only can the victim of an auto accident get his broken leg repaired to right the wrong, he can also

force payment for the pain and suffering the broken leg caused if he can prove another person was at fault.

No-fault, in its most basic form, partly reverses this trend. Under no-fault, if a person suffers a broken leg in an auto accident, his insurance company will pay to have the broken leg repaired regardless of fault, but the victim receives nothing for pain and suffering.

Some legal experts say this makes a lot of sense. "If I die," argues Jeffrey O'Connell, professor of law at the University of Virginia, "my insurance company doesn't ask me if I'm at fault in any way. They don't ask did I smoke, or did I eat too many fatty foods. No, they just ask me if I'm dead." O'Connell maintains that trying to "quantify pain in every traffic accident" is absurd.

But others argue that by preventing people from seeking redress through the tort system, no-fault treats human beings like property. Even Allen Katz, who wrote 104, the insurers' no-fault proposition, seems to agree with this. Katz began to explain his view of no-fault by saying, "Proposition 104 treats injury cases more like . . .," but then stopped himself. He went on to say that when one has a television stolen, one does not receive payment for mental anguish.

Robert Feilmeth, of the University of San Diego Center for Law in the Public Interest, suggests a compromise. He argues for simple no-fault at levels less than \$10,000. In other words, if less than \$10,000 worth of personal injury or property damage was done, a no-fault plan would kick in. But, if damage in excess of that amount was inflicted, a plaintiff could seek relief in tort for pain and suffering.

The problem with this debate is that there is no-fault, and then there is no-fault. Twenty-six states currently have a no-fault system, but they are all different. Some have been disasters; Nevada overturned its no-fault law. Others, like Michigan's, are cited as successes.

Unlike the no-fault initiatives, Propositions 100, 103 and 106 keep the present tort system intact, though Proposition 106 would take away much of its appeal for attorneys. Proposition

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Insurance companies claim writing auto insurance in California is a break-even proposition at best. But if auto insurance brings such a poor rate of return, ask supporters of Proposition 103, why are banks clamoring to sell it?

104 would institute a no-fault program that attempts to be far more comprehensive than any existing or proposed no-fault law. To identify the strengths and weaknesses of each proposal it's necessary to examine each initiative carefully.

OFFICIALLY TITLED "The Insurance Reform and Consumer Protection Act of 1988," Proposition 100, a.k.a. the trial-lawyers' initiative, offers five major—though in some cases conditional—changes in California insurance law. First, it would reduce rates. Second, it abandons territorial rating schemes. Third, it regulates future increases in premiums. Fourth, it allows banks to begin selling insurance. And last, it removes the anti-trust exemptions currently enjoyed by insurance companies operating in California.

Proposition 100 promises to reduce rates for "good drivers" by at least 20 percent from their January 1, 1988 levels. A good driver is defined as anyone holding a license for at least three years who is free of chargeable accidents and who has no more than one violation point. But, if a company can show the insurance commissioner that its resulting rates would be inadequate, it could gain an exemption from this rollback after a public hearing.

Harry Miller of Coastal claims that "Proposition 100 will do nothing" to his rates. "I don't care if it passes or not."

Proposition 100 also rules out red-lining, or setting rates according to zip codes, unless a company can show that zip codes do relate to the number of claims. It states: "The commissioner shall not permit the use of any automobile rating plan that discriminates on the basis of geographic territories not justified by clear and convincing evidence to be a valid predictor of losses." Yet, in the very next section, 100 stipulates: "Every automobile rating plan shall, to the maximum extent practicable, provide that rates for any vehicle for which the principal operator has held an operator's license for at least three years, shall depend on driving record."

So which is it? Do territories set the insurance rates, or do

driving records? And if both apply, how does this differ from standard insurance practices already in effect?

Gene Erbin, who was involved in the drafting of Proposition 100, says that territory can be used to help set rates if a company can prove a connection between territory and claims. But he insists that under this proposition, driving records must be the main basis for the rate given, with good drivers always getting a rate 20 percent lower than those given drivers not rated as "good."

Proposition 100 also permits rate increases. After one year, companies can raise their rates up to 7.5 percent for private insurance and 15 percent for commercial insurance in any 12-month period. Companies must file these hikes with the state insurance commissioner, who may find that even though they are within the range mandated, they are not justified. A company can also file a rate hike above the prior approval range, but it must justify the hike to the commissioner. Petitioners opposing the hike can force a public hearing on the issue.

Currently, insurance companies don't have to notify the commissioner of a rate hike. There is no prior approval, a principle that is anathematic to the insurance companies. In fact, during the last 20 years, only one rate hike has been turned back as excessive.

Another thorn in the side of the insurance companies is the proposed office of the Insurance Consumer Advocate to be formed within the state Department of Justice. This office would receive rate filings at the same time as the commissioner and would have the power to review everything the commissioner sees. This includes all insurance company practices, figures on total policies written, income earned, losses, reserves, investment income and cancellations.

Current law gives insurance companies broad powers to act "in concert with each other and with others with respect to any matters pertaining to the making of rates or rating systems, the preparation or making of insurance policy or bond

CONTINUED ON PAGE 194

forms" and other insurance practices. It is this exemption from anti-trust laws that most galls consumer groups. Although coercive price fixing is against California law, consumer groups maintain that voluntary price fixing is plainly permitted. This, they argue, limits competition. Proposition 100 would repeal this anti-trust exemption.

The insurance industry maintains that it needs the ability to consult within itself in order to pool data on losses and risks. Though Prop 100 allows some such exchanges of data, it does not permit discussion of pricing.

Other features of Proposition 100 include regulations designed to guard against "Medi-gap" fraud, where expensive and superfluous medical-insurance policies are sold to senior citizens to supplement their Medicare coverage; a tax on each policy, to be paid by the companies, to fund a more beefy fraud investigation unit; and a self-supporting information system to provide rate information to consumers. If Proposition 100 is enacted, banks will be able to sell insurance and insurance agents will be permitted to give rebates on premiums as incentives. The industry feels that allowing rebates will result in larger agencies undercutting smaller ones, eventually leading to fewer agencies.

The insurance companies are running ads stating that if 100 passes, rates in all but a few counties—mainly Los Angeles—will go up. They argue that the state's other drivers will be forced to subsidize Los Angeles rates. In San Diego County, they argue, rates will increase by as much as 34 percent. Of course, rates don't just rise magically. Insurance companies will have to raise them. These ads are loosely based on a study done by the state's insurance commissioner, Roxani Gillispie, using data supplied by the Insurance Services Organization, an industry data service currently being sued by the attorneys general in 17 states for price fixing. Needless to say, proponents of Props 100 and 103 dispute her methodology and findings.

Two other elements of Proposition 100 are especially controversial. First, it

mandates that attorneys "shall advise prospective clients in writing that fees are not set by law, but are negotiable without restriction between attorney and client. Fees shall not be set by law." Second, it advises: "It is the intent of the people that the provisions of this act be construed to be in conflict with the provisions of any other initiative statute passed at the same election dealing with compensation for motor vehicle accidents." Thus, Proposition 100 will lock in the current method of setting lawyer contingency fees while at the same time sabotaging the provisions of the other initiatives, especially the no-fault propositions, with this so-called "Trojan Horse" clause.

PAULA WILLIAMS, A spokeswoman for the campaign firm handling Proposition 101, calls Miller "a latter-day philosopher of insurance." But, in fact, Miller sounds nothing like an insurance man.

"I don't think there'll be a private insurance industry in this state if we don't solve this problem by next year," he says with worried sincerity. He was strongly opposed to making auto insurance mandatory and two years ago he fought against the insurance industry's efforts to promote Proposition 51, the "deep pockets" initiative that promised to lower insurance premiums for cities and other consumers by limiting injury awards in lawsuits. (Insurance rates have yet to go down, despite 51's passage.)

Now he finds himself "truly opposed" to no-fault, a stance that makes him the target of "an absolute hate campaign" directed by large insurance companies. Miller is more worried by no-fault than he is by the consumer initiatives because no-fault will require smaller companies to deplete their reserves at a much faster rate. Large insurers like State Farm are heavily capitalized and able to begin paying out under the no-fault scheme right away. Miller fears he'll have to stop doing business altogether.

This maverick insurance executive backs Proposition 101, which begins by saying that auto insurance coverage is too expensive, and it blames much of this expense on "the bodily injury reparations

system in effect today." To solve the problem, Proposition 101 attacks both sides. First, using the rate scale in effect on October 1, 1987, it slashes the bodily injury liability premium by 50 percent across the board. It prohibits any rise in this rate that exceeds the physicians' component of the Consumer Price Index in California, which the insurance industry uses to set payments on medical claims. There are no exceptions. However, the other parts of insurance premiums, like collision coverage, would be left unregulated.

In return for cutting the liability premium, Proposition 101 places severe restrictions on recovery of non-economic losses. "No person or entity may recover non-economic losses in excess of 25 percent of economic losses for bodily injury," it states. The only exception is when an injury is serious and irreparable, or results in permanent disfigurement. "Serious" means that the injury prevents a victim from substantially resuming all of his or her normal activities. Permanent means that the injury's effects cannot be eliminated by further surgery or treatment over time. In addition, the proposition requires victims to first try obtaining compensation from other sources, such as workmen's compensation or health insurance. Only after these sources have been exhausted can they collect from auto insurance. Payments from these other sources are counted against economic loss. In other words, if an injury results in an economic loss of \$100,000 and \$50,000 of that total can be paid from other sources, the total economic loss under Proposition 101 is \$50,000. Non-economic losses (i.e., pain and suffering), then, would amount to 25 percent of that \$50,000.

Critics say the serious and permanent standard is too harsh. What happens, they argue, to a promising young piano player who may have a future career in music, but whose hand is injured in an auto accident and after surgeries he can still play the piano, but not up to his previous level, therefore losing a chance at a music career? They also maintain that the 25 per-

cent restriction on non-economic losses is far too low.

Lawyers don't like the proposition because it also prohibits attorneys from taking cases for a contingency fee unless the injury meets the serious and permanent standard.

This proposition would expire after three years, at which time the Legislature would decide whether it had worked or not. But some within the Prop 101 campaign already are seeing defects that need correction. Assemblyman Polanco, for instance, has said he will introduce corrective legislation making it clear that injured persons do not have to use up their sick leave and vacation time before beginning to count economic work losses. However, with a two-thirds majority needed to amend an initiative, progress on that issue may be difficult. For his part, Miller claims to be happy with the proposed law as written. "We're satisfied. We don't plan to change a thing."

NOBODY DOUBTS THAT Proposition 103 is the most stringent of the proposed reforms. It seeks to change the aspects of California insurance law that consumer groups have fought for years. It proposes to remove the insurance companies' anti-trust exemption and to replace the state's politically appointed insurance commissioner with an elected one. It calls for a new non-profit consumer corporation to keep watch on both the insurance industry and the commissioner.

It also requires prior approval of rates and public notification of proposed rate changes with hearings if anyone challenges the new rates. If a rate hike exceeds 7 percent, a public hearing is mandatory. It eliminates red-lining—or territorial rate setting—and bases premium rates on driving record, the number of miles driven, the years of driving experience and other factors. Good drivers would get at least a 20 percent discount than other drivers in comparable categories—such as age, marital status and so on—whose driving records are not as good. Finally, it rolls premiums back 20 percent from the levels established on

November 8, 1987.

These provisions make the insurance companies howl. First, they argue, writing auto insurance in California is a break-even proposition at best. The huge profits cited by Proposition 103 proponents include total company profits from all lines of insurance, not just auto. Indeed, figures released by state Insurance Commissioner Gillispie on September 16 show small profits or even losses on auto insurance, and the general counsel for the National Association of Independent Insurers has said that companies lost \$77 million on auto insurance last year.

The consumer groups respond that the commissioner simply accepted the insurance companies' accounting, and her figures do not take into account the revenue derived from investing auto premiums. Besides, say Proposition 103 supporters, if auto insurance brings such a poor rate of return, why are the banks clamoring to sell it?

Stirling, who has heard testimony on the subject, agrees with consumer advocates. He says auto premiums provide insurance companies with a pipeline of money, thus freeing them to invest reserves into bonds and real estate. Indeed, insurance-company income from these investments nearly equals the income they receive from premiums of all types.

State Farm has sent a letter to policy holders warning of dire consequences if Proposition 100 or 103 passes. The letter states, "We intend to stay in California," but it adds, "We do not think it realistic for us to promise we can do that if Propositions 100 and 103 are passed."

Is this a real or an empty threat? California accounts for 15 percent of the entire U.S. auto insurance market, and State Farm has about 3 million policy holders in this state. Proponents of 103 don't believe the company would abandon such a lucrative market, with or without the initiative's passage.

The elected insurance commissioner is another sticking point. Currently the commissioner is appointed by the governor and frequently has ties to the industry. Gillispie, for example, was general

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counsel to Industrial Indemnity before becoming commissioner. Harvey Rosenfield, the head of the Proposition 103 effort, claims she is far too sympathetic to the industry.

Yet electing a commissioner brings up its own set of problems. "I could turn around and spend the \$5 million I'm spending on this initiative and spend it to elect the commissioner," argues Harry Miller. "Who else would care \$5 million worth?"

On the other hand, an elected commissioner, for fear of losing the next election, might be too afraid to allow rate hikes even when they are needed by the industry to stay afloat.

The prior-approval clauses in 103, like the ones in 100, are fervently opposed by the insurance industry. Allen Katz maintains that prior approval of rates will reduce competition and make insurance more expensive. How will it reduce competition? "Companies might pull out of the state," claims Katz. And with fewer companies, there will be even less competition.

There are also technical problems with Proposition 103, Katz says. "There is a lot of amateurishness in the drafting of 103," Katz and the industry cite the good-driver discount as the prime example. The new law would give such a discount to any driver who has held a license for three years and has no more than one conviction. This could include a conviction for drunk driving. In addition, Prop 103 would also roll back rates on homeowner policies, one area that has remained relatively inexpensive and stable. Katz claims that this provision is "just punitive."

Even though Miller opposes Proposition 103, he says he can understand why a voter might favor it. "If I were a voter and Polanco [Proposition 101] were not on the ballot, I'd probably vote for 103 because I would have had enough. I'd say 'All you've done so far is screw me around.'" But, says Miller, the law itself is flawed. "They say insurers get 25 percent on investment income. Nobody gets that much. You'd have to be a goddamn

fool to write a law like this. It's moon-beam time."

ANYONE WHO DARES to read all of the lengthy and complex text of Proposition 104, the no-fault initiative, will discover that about half of it is given over to text reenacting existing California laws regulating the insurance industry. Among other existing conditions, Proposition 104 allows the anti-trust exemption, forbids prior approval of rate hikes, prevents banks from selling insurance and forbids agency rebates. This is especially important to the insurance companies since any change in this law, if passed, would require a nearly impossible two-thirds majority of the Legislature, and that's an especially difficult task. So, Proposition 104 effectively locks in most of the current laws.

The initiative does place caps on lawyer contingency fees and mandates a 20 percent reduction in the industry's statewide average for certain premium rates in effect on election day. Opponents see this as an empty gesture since six of the state's nine largest auto insurers have raised their rates since the beginning of the year. These rate hikes would not be affected and would offset much of the rollback.

Like 101, 104 requires injured parties to seek compensation for economic losses from workmen's compensation and other sources before collecting from their insurance company.

Mainly, Proposition 104 reduces the right to file a civil lawsuit to collect damages for pain and suffering in return for receiving payment regardless of fault. Would this tradeoff be a net gain?

"There's no gain we can see," says Assemblyman Stirling. "It replaces a 500- or 600-year-old civil-law system with a slogan."

Katz acknowledges that it wipes out part of our civil-law tradition but argues there is precedent for that. "It is... at the tort system is a product of evolution. However, we have a long history of statutory solutions for finding some other mechanism for solving problems." He cites workmen's compensation as just

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one example.

Katz argues 104 will "dramatically reduce the cost of the system. Eighty percent of the litigation is taken away." The savings, he claims, would be passed on to the consumer. Consumer groups would feel much better about that argument if there were something in 104 requiring such reductions. But, in fact, except for the initial two-year 20 percent reduction in the statewide average, the companies are free to charge what they wish.

Court cases would not be totally eliminated under no-fault. If an injury were found to be "serious and permanent," a victim could sue for pain and suffering. But again, what is "serious and permanent?" The companies use a definition similar to the one Proposition 101 uses. Consumer activist Ralph Nader believes this definition is far too strenuous, while Stirling believes it will result in "forum shopping"—in which attorneys seek trial locations where juries are likely to be more sympathetic to a particular injury—and a whole new class of cases aimed at determining whether an injury fits the "serious and permanent" definition.

If a dispute erupts between an insured and an insurance company, Proposition 104 requires the insured to submit to binding arbitration, not court. Such a case may be brought to court only if there is evidence of fraud by the arbitrator. The arbitration proceedings would be established under the direction of the insurance commissioner.

Proposition 104 also provides for a modicum of reform in the office of the insurance commissioner. It would allow a commissioner to leave office and go right to work for an insurance company, but prevents the ex-official from taking part in matters "that were pending under his or her official responsibility while in office, or in which he or she participated personally." This restriction would be effective for one year.

What has the lawyers so upset about this initiative—as well as Proposition 106—is the cap on their fees. Proposition 104 restricts lawyer contingency fees to 15 percent of the judgment awarded. For

pain and suffering losses, it caps lawyer fees at one-third of the first \$50,000, 25 percent of the next \$50,000, 15 percent over \$100,000. The last initiative, Proposition 106, has lawyer clauses nearly identical to those in 104. It caps fees at 25 percent of the first \$50,000, 15 percent of the next \$50,000 and 10 percent of anything over \$100,000.

With the addition of 106 to the ballot, the insurance companies can still claim a partial victory even if 104 fails. Indeed, polls show 106 passing handily since most Californians dislike lawyers and favor reducing their fees. But there is a catch. Ralph Nader and others argue that the regulations are unfair for two reasons. First, neither proposition limits what insurance companies can pay their lawyers, raising the specter of highly paid corporate lawyers representing an insurance company against a lone attorney receiving limited fees from the plaintiff.

Second, argues Nader, the contingency-fee system opens the courts up to people who might otherwise not be able to bring a suit. Limiting what a plaintiff attorney can make will be a disincentive for that attorney to take a case that may involve heavy outlays of cash and time. Even if an injured person can obtain a lawyer, stresses Nader, the attorney may not be the best. "It's inconceivable that you would tie the hand of a quadriplegic," exclaims Nader with his flair for the dramatic image, "and not enable that injured person to get a lawyer worthy of the case who will persist and fight and take on these corporate legal hordes."

But, would legal-fee caps reduce insurance rates? George Tye, a spokesman for the industry, told the San Diego Union that caps would not lower rates.

Like Proposition 100, 104 contains a "Trojan Horse" clause invalidating competing initiatives if it gets more votes on election day. Larry Stirling has doubts whether these Trojan-Horse clauses will hold up in court. If all the initiatives pass, Stirling warns, "it will be a morass."

So stay tuned for what may well be round two of the California Auto-Insurance Super Slam. ■

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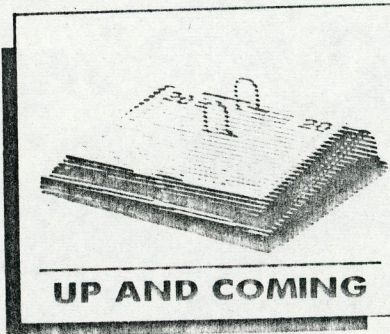
Banquet guests' dinner serves Meals On Wheels

By ²⁹⁵⁵Nancy Scott Anderson
Tribune Society Editor

SENIOR ADULT Services' annual Meals-On-Wheels banquet will be held Nov. 16 at the San Diego Hilton Beach and Tennis Resort. Richel and Tawfiq Khoury will be honored. The black-tie-optional dinner will begin with 6:30 p.m. cocktails. Bill and Lollie Nelson are chairmen. Tickets are \$125 each. For more information, phone 297-3260.

Renowned jazz musician Chuck Mangione with guitarist Mark Manetta will play Nov. 12 in La Jolla Museum of Contemporary Art's Sherwood Auditorium. The 8 p.m. performance will be preceded by a 6:30 cocktail buffet. Tickets are \$50 each and reservations are limited. For more information, phone 454-3541.

The Blackstone Ball will be a benefit this year. Jointly sponsored by the San Diego Bar Auxiliary and the Bar Association, the ball will be held Nov. 12 at the Sheraton Harbor Island Hotel. "Night at the Copa" is the theme for the black-tie dinner dance, which will benefit law-related charities and the San Diego Law Center at the University of San Diego. Cocktail hour is 6 p.m. Dinner will be served at 8. Music will be by the Mar Dels and Li'l Elmo and the Cosmos. Mary Jane Heggeness and Mary Cordaro



are chairwomen. Tickets are \$200 per couple. For more information, phone 436-2505 or 451-8955.

Multiple Sclerosis Brunch Society's fall women's event will take place Nov. 12. Open to women who buy tickets that admit them along with two eligible bachelors — anonymously invited — the fund-raiser will be held at Kentmere racing stables in Rancho Santa Fe. Hours are 8 p.m. to 1:30 a.m. Food, entertainment, music and champagne will be featured. For more information, phone 297-4363.

La Jolla Chamber Music Society will have a reception Sunday following the Civic Theatre performance of the State Symphony Orchestra of the Soviet Union. Conductor Yevgeny Svetlanov will be honored. For more information about the concert or reception, phone 459-3724.

NOV 2 1988

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Benefit audience showed its own 'Opulent Options'

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CLARE WHITE assessed her fellow guests before the University of San Diego auxiliary luncheon and said it looked as if the fashion show had already started. With an eye fine-tuned by years writing about design, she should know.

The women, 700 assembled in Town and Country Convention Center on Oct. 26, created a splendid crowd of bright colors punctuated with black and ivory with enough rusts and ambers to acknowledge autumn.

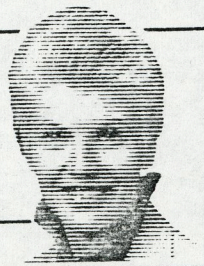
Skirt lengths were cases in fashion editors' points with everything from knee grazing to ankle brushing showing up on legs covered in tinted hosiery. Scarves — silk or wool challis, paisley or striped, slung like serapes over shoulders or tied rakishly around necks — replaced hats as favorite accessories, and lots of ladies wore gloves.

Sheiley Clayton and Karen Nugent put on the benefit titled "Opulent Options" for its showpiece — a fashion presentation by Nordstrom — and did a bounteous looking ballroom to keep the theme. Centerpieces were tall topiary trees with slim sphagnum moss-covered trunks supporting fat clusters of green balloons tucked with fuchsia ribbons. Lunch of a lavish sliced chicken breast and mushroom salad was followed by poached pears in orange sabayon.

Auxiliary president Betty Brock led the program, which included an invocation from the Rev. Nicholas Reveles and remarks by

**NANCY
SCOTT
ANDERSON**

SOCIETY EDITOR



USD vice president John McNamara. University provost Sister Sally Furay drew names for door prizes.

Committee members included Christiane Guittaro, Marie Kleisner, Genevieve Bennett, Lynn Silva, Margaret Bartek, Betty Brock, Marion Maynard, Margaret Buckley, Marcie Amory, Jean Hancock, Fern Murphy and Rochelle Capozzi.

Others working on the lunch, which will benefit financial aid projects at the school, were Pat Keating, Betty Saville, Helen Egan, Marilyn Benstead (who also underwrote the centerpieces), Coleen Donovan, Joan Streicher, Ruth Halboth, Ellen Rippo, Deborah Lepper, Elinor Taney, Mary Elise Daley, Darlene Ventimiglia, Salley Crahan, Susan Wilson, Marcia Younie, Kay Rippee, Melinda McGlinn, Debbie Malloy, Linda Saxon, Claire McNamara, Carole O'Connell, Loretta Wilkins, Catherine Barber, Alison Tibbitts and Doris Hughes.



Tribune photo by Bob Redding

Flora Wiram, left, and Melinda McGlinn were part of the fashion-conscious crowd.

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High school students take SAT on Saturday

By LYNN PIERCE

Staff Writer

California students are digging up Number 2 pencils this week in preparation for the Scholastic Aptitude Test.

The 62-year-old test still serves as an achievement yardstick — even if it measures only part of the academic picture.

To be administered Saturday — locally, at El Camino High School in Oceanside and at Palomar Community College in San Marcos — the SAT test is a

college entrance exam covering algebra and geometry as well as vocabulary and verbal reasoning.

While considerable attention is paid to test results by school officials, colleges downplay its importance in admission decisions. Still, area students apparently have been giving the test their best shot, as scores locally and statewide surge upward.

Students can earn a possible 800 points on the verbal section and 800 on math; currently, the national average is a score of 428

on the verbal section and 478 in math, a total score of 906.

The recent upswing in students' SAT scores is one of the focal points of a flashy, just-published promotional brochure issued by State Superintendent Bill Honig. In it, he notes that California students' SAT test results steadily declined from average total scores of 957 in 1971 to 899 in 1981. By 1987, however, the average total scores had risen to 906.

In North County, administrators proudly point to

students' SAT scores, well above the national and state averages.

At Vista High School, for example, students' average total SAT score in 1986 was 922, and in 1987, 1012. At El Camino High School, the average total score in 1986 was 898, but average total scores in 1987 were 936. Fallbrook High School reports average total scores of 939 in 1986 and 931 in 1987.

Officials at San Diego County colleges and universities are

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SAT

► From Page B-1

noting high average total SAT scores of incoming freshmen. At UCSD, more than half of new students' SAT scores this year totaled 1170 or higher. At SDSU, more than half the new students' SAT scores totaled 1050 or higher this year. At SDSU, the average total score was 908.

But despite the focus on numbers, College Board representatives as well as area college officials and high school counselors stress that the SAT is only one of several factors taken in account when a student is being considered for admissions.

And at community colleges, a student merely has to be 18 and a high school graduate in order to enroll. SAT scores are not required.

"It's certainly a factor, but it's just one factor," said Gayle Brower, head counselor at Vista High School. "I think it's of a little less importance than it used to be. They (colleges and universities) are looking for people who are well-rounded."

Ron Bowker, registrar and

admissions officer at UCSD, said university officials there take into consideration students' grades, honors and accelerated courses taken, courses taken beyond required courses, and test scores. He did note, however, that students with average total SAT scores lower than 1000 are rarely admitted.

"Generally, the very good students will do very well on the test. It is important," Bowker said. "But that in itself won't get you admitted, even outstanding scores in and of themselves."

USD counselor Jennifer Moe said admissions officials on campus first look at grades to determine who they will admit. She added that the current incoming students' average SAT score of 1050 was not a requirement.

Rick Moore, director of communications at SDSU, pointed out that the 19 California state universities including SDSU are required by law to admit the upper third of the state's high school graduates. By contrast, University of California campuses, UCSD included, are required only to admit the upper eighth.

San Diego, Calif.
Southern Cross
(Cir. W. 27,500)

NOV 3 1988

Allen's P. C. B Est. 1888

USD Founders Gallery displays new exhibit

SAN DIEGO — An exhibition of abstract etchings, wood-cuts and drawings of the human figure are to be featured Nov. 11 through Dec. 15 in Founders Gallery at the University of San Diego. 2955

An opening reception for "Michele Burgess, Prints and Drawings," will be held Nov. 10, 5-7 p.m.

Burgess, who received a Master of Fine Arts from Cranbrook Academy of Art in Michigan, is a USD alumna.

For further information call 260-4682.

Imperial Beach, CA
(San Diego Co.)
Imperial Star Beach
News
(Cir. 2 x W. 2,730)
(Cir. S. 2,568)

NOV 3 1988

Allen's P. C. B Est. 1888

National City, CA
(San Diego Co.)
Star News
(Cir. 2 x W. 3,336)
(Cir. S. 3,301)

NOV 3 1988

Allen's P. C. B Est. 1888

Chula Vista, CA
(San Diego Co.)
Star News
(Cir. 2 x W. 24,418)

NOV 3 1988

Allen's P. C. B Est. 1888

Difficult ²⁴⁵⁵ to believe accusations

A local media reporter contacted me recently about my experience while working for Congressman Jim Bates. The reporter wanted to know if I was a victim of sexual harassment while in the employ of the congressman. To date I haven't seen or heard one word of my interview in the media.

To give a bit of background — I worked for Congressman Bates for over two and a half years after graduating from UCLA with a degree in political sociology. I worked both in the field and in his office as a field representative. I left his employ to attend USD School of Law, graduating last May. I am currently working at a law firm and awaiting the results of my California Bar Examination.

It's true I heard complaints from other employees about how hard the congressman worked us. He believed everyone had to pull their fair share in seeing that his constituents received representation. However, in all the time I worked for the congressman, I never experienced, witnessed or

heard any incidents of sexual harassment. Bates showed respect for his staff, both female and male, and was never less than a gentleman.

It's true the congressman has a good wit, but none of the humor of that office was any different than that of other offices where I have worked or had associations. I can't conceive of anyone taking offense to any statement the congressman might have made. It was a nice place to work, with a lot of comradery and good-natured humor, but nothing in bad taste.

I find it hard to believe that anyone would give credence to the complaints of a former staff member, now in the employ of a Republican congressman, who suddenly and mysteriously "confesses all," eight months after these so-called terrible incidents took place.

It is obvious this is just another pre-election ploy to discredit a man who has done everything possible to serve his constituents proudly and honestly over the years.

I always felt objective reporting covered both sides of a story. This just doesn't seem to be the case in this instance.

AMY VANDEVELD
Chula Vista

San Diego, CA
(San Diego Co.)
Reader
(Cir. W. 100,000)

NOV 3 1988

Allen's P. C. B Est. 1888

Prints and Drawings by USD
graduate Michael J. J. go on
view at an artist's reception, next
Thursday, November 10, 5 p.m. to
7 p.m., Founders Hall, USD,
Alcalá Park, Linda Vista Road,
Linda Vista. The gallery is open
from noon to 5 p.m. Monday
through Friday. The exhibit
remains on display through
December 15. 260-4600.

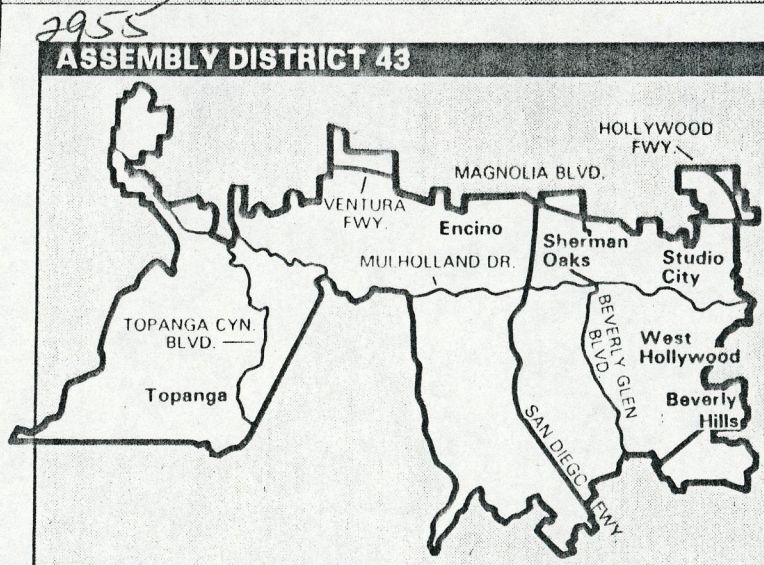
Los Angeles, CA
(Los Angeles Co.)
Times (Valley Ed.)
(Cir. D. 1,064,392)

NOV 3 1988

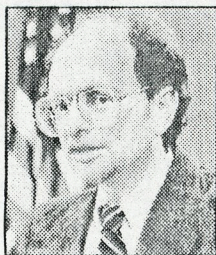
Allen's P. C. B Est. 1888

Candidates & Issues

One in a Series



The district includes all of Beverly Hills and parts of Studio City, North Hollywood, Sherman Oaks, Encino, Tarzana, Reseda, Woodland Hills, Canoga Park, Calabasas, Pacific Palisades, Brentwood, Westwood, Bel-Air, West Los Angeles and West Hollywood in Los Angeles County.



Assemblyman Terry B. Friedman, 39, was first elected in 1986. A longtime party activist, he has one of the most liberal voting records in the Assembly. An attorney, he was executive director of Bet Tzedek Legal Services, which provides legal aid for low-income elderly, prior to his election. He is a graduate of UCLA and the UC Berkeley Law School. He is married to Elise Karl.



Tom Franklin, 30, a Beverly Hills Republican, is making his first bid for public office. A conservative, he was president of the Beverly Hills Republican Assembly for 2 years and has been active in GOP politics for 8 years. He is an attorney who has a general business practice. He is a graduate of USC and the University of San Diego Law School. He is single.

Robert Townsend Leet, a Tarzana Libertarian, and **Margery Hinds,** a Los Angeles Peace and Freedom candidate, are also in the race.

■ **SUMMARY:** Friedman is emphasizing his efforts to preserve the Santa Monica Mountains. Franklin maintains that the incumbent is too liberal for the district, particularly on crime issues.

■ THEIR VIEWS

Questionnaires were distributed to candidates in September and were returned in October. Answers have been edited to fit the available space.

Q. Do you favor additional limits on campaign contributions to make officeholders less beholden to special-interest groups?

Friedman: Yes.

Franklin: No.

Leet: No.

Hinds: Yes.

Q. Would you support a ban on speaking fees for legislators from special-interest groups?

Friedman: Yes. I support a comprehensive reform package to eliminate conflicts of interest produced by outside income.

Franklin: No.

Leet: No.

Hinds: Yes.

Q. Who is your first choice for Assembly Speaker?

Friedman: Willie Brown.

Franklin: Any Republican not closely allied with Assembly Minority Leader Pat Nolan.

Leet: No answer.

Hinds: Evelina Alarcon.

Q. Briefly, what, if anything, should the state do to ease traffic congestion?

Friedman: Support mass transit in Los Angeles, and discourage growth and overdevelopment.

Franklin: Provide funds for highways and rapid transit. Encourage trucks and other large vehicles to stagger their highway use. Provide incentives for car-pooling.

Leet: Set higher prices on toll
Please see VIEWS, Page 15

VALLEY NEWS

VIEWS: 43rd Assembly

2985
Continued from Page 9

roads for peak use and lower prices for off-peak hours and encourage deregulation.

Hinds: Trolleys on existing rail tracks, subways, more buses, flexible work hours.

Q. Do you favor an increase in the gasoline tax to pay for road improvements and construction?

Friedman: Yes, but only if part of an overall plan to address needs under-funded by the state, including education and health care.

Franklin: Only if it was a small increase and was temporary.

Leet: No.

Hinds: No.

Q. Should the state offer tax incentives to encourage private industry to institute staggered hours, carpooling and other measures to reduce traffic?

Friedman: Yes.

Franklin: Yes.

Leet: No.

Hinds: No.

Q. Do you believe that the state should try to contain the cost of automobile insurance? If so, how?

Friedman: Yes, by regulating the insurance industry, electing a state insurance commissioner, reducing premiums for good drivers, ending territorial rating and abolishing antitrust exemption for insurers.

Franklin: Apply antitrust laws to encourage competition. Confiscate cars of uninsured motorists who have accidents. Toughen registration requirements.

Leet: Not directly. Abolish regulations, including mandatory insurance, to allow more types of providers to sell insurance.

Hinds: Yes, through an insurance commission and an elected insurance commissioner.

Q. Do you support a "no-fault" automobile insurance system, under which a driver would be compensated for damages by his or her own insurance company regardless of who caused an accident?

Friedman: No.

Franklin: No.

Leet: No.

Hinds: No.

Q. Do you favor a mandatory reduction of insurance rates for all drivers and homeowners unless an insurance company can show that this would threaten its solvency?

Friedman: Yes.

Franklin: No.

Leet: No.

Hinds: Yes.

Q. Do you support imposing a limit on the percentage of an insurance settlement that a lawyer may accept as a fee?

Friedman: No further limits should be imposed without full protection for consumers and victims.

Franklin: No.

Leet: No.

Hinds: No.

Q. Should the state raise the spending limits imposed by the Gann Initiative on state and local governments to make more money available for health, education, transportation

Friedman: Yes.

Franklin: No.

Leet: No.

Hinds: Yes.

Q. Do you believe that the Legislature should take urgent action to improve the performance of public schools? If so, what? (Money for lower class size? Higher pay for teachers? Testing to ensure teachers' competency? More demanding graduation requirements?)

Friedman: Yes, especially funds to lower class size and pay teachers appropriately to attract and retain good teachers. Also, ensure demanding graduation requirements and teacher competency.

Franklin: Increase teachers' salaries. Provide money primarily for basics. Test teacher competency. Remove students who disrupt the learning environment.

Leet: Yes, through tax credits and, eventually, a private sector system.

Hinds: Yes. Additional spending to lower class sizes and higher pay for teachers.

Q. If it can be done legally, should the state help parents pay to send their children to private schools?

Friedman: No.

Franklin: Yes, through tuition tax credits or vouchers.

Leet: No.

Hinds: No.

Q. Do you support significantly greater state funding for AIDS research, counseling, testing and treatment?

Friedman: Yes.

Franklin: Yes.

Leet: No. Favors private sector alternatives and removal of regulations that reduce availability of new drug treatments.

Hinds: Yes.

Q. Should public health officials trace the sexual contacts of anyone with AIDS or the AIDS virus?

Friedman: No.

Franklin: No, unless done with the consent of the patient.

Leet: Only if it can be done without invasion of privacy.

Hinds: Yes, as long as that information is kept confidential.

Q. Do you support more state funding to aid the homeless?

Friedman: Yes.

Franklin: Yes.

Leet: No. Favors delivery of social services through private charities.

Hinds: Yes.

Q. Do you support the death penalty for any crimes? If so, which?

Friedman: No. I support life without parole instead.

Franklin: Yes. First-degree murder; repeat violent felonies, including rape and large-scale dealing of certain drugs, such as PCP.

Leet: I support restitution by criminals to all victims.

Hinds: No.

Q. With the state's prisons at capacity, should the state build more prisons, shorten sentences or punish nonviolent criminals in other ways?

Friedman: Build more prisons and restructure sentencing to give violent criminals long prison terms and severely punish certain nonviolent criminals in other ways.

Franklin: Build more prisons and increase capacity of existing prisons.

Leet: Restitution, private prisons.

Hinds: Shorten sentences and punish nonviolent criminals in other ways.

Q. Do you think that a woman should have the unrestricted right to an abortion during the first 3 months of pregnancy?

Friedman: Yes.

Franklin: Yes.

Leet: Yes.

Hinds: Yes.

Q. Do you believe that the state should impose additional restrictions on the right to own a handgun? If so, what?

Friedman: Yes. Full registration, lengthy waiting periods and background checks.

Franklin: No.

Leet: No.

Hinds: No.

Q. Should motorcyclists be required

to wear helmets?

Friedman: Yes.

Franklin: No.

Leet: No.

Hinds: Yes.

Q. Should the state re-establish Cal/OSHA, the state's worker safety agency that Gov. George Deukmejian

eliminated?

Friedman: Yes.

Franklin: No.

Leet: No.

Hinds: Yes.

Q. Would you support a bill automatically extend develop-

November 3, 1988 / Part II 15

building permits for 6 months when cities pass slow-growth measures?

Friedman: No.

Franklin: Depends on the exact provisions of the legislation.

Leet: I would seek to prevent slow-growth measures.

Hinds: No.

Salinas, CA
(Monterey Co.)
Californian
(Cir. 6xW. 23,602)

NOV 4 - 1988

Allen's P. C. B Est. 1888

Education 2955 @

Michael S. Clune, son of Mr. and Mrs. William Clune of Salinas, recently was awarded \$750 by the Government Employees Insurance Company for academic achievement.

Clune, a University of San Diego junior, was among 28 achievement awards handed out by the company to students majoring in studies related to insurance.

Clune is majoring in business administration, has maintained a 3.7 grade point average and plans a career in management at a financial institution. He is editor of Vista, the university newspaper, and is a member of the student alumni association and American Marketing Association.

□ □ □

San Diego, Calif.
Union
(Circ. D 217,324)
(Circ. S. 339, 788)

NOV 6 1988

Allen's P. C. B Est. 1888

VOCAL CONCERT — Soprano Florence Fogelson Blumberg, accompanied by pianist Ilana Mysior, will perform music by Mozart, Poulenc, Wolf and Falla at 8:15 p.m. next Sunday in the French Parlor of Founders Hall at the University of San Diego. 2955

San Diego, CA
(San Diego Co.)
San Diego Business
Journal
(Cir. W. 7,500)

NOV 7 1988

Allen's P. C. B Est. 1888

The University of California, San Diego, is offering a program on real estate for high-tech companies from 7:30 to 10:30 a.m. at La Jolla Village Inn, Interstate 5 at La Jolla Village Drive, La Jolla. Registration is \$45. Sponsors and company members pay \$25. To enroll call 534-6114.

2955

NOV 7 1988

Allen's P. C. B. Est. 1888

Change of Venue

1955

Stephen E. Solomon has been named of counsel to the Los Angeles law firm of **Gipson Hoffman & Pancione**. With an LL.B. degree from Stanford Law School, Solomon brings to the firm a broad general tax background, as well as expertise in corporate, real estate and partnership taxation. Gipson Hoffman & Pancione is a general business law firm.

Morgan, Lewis & Bockius has announced that two partners in its Los Angeles office

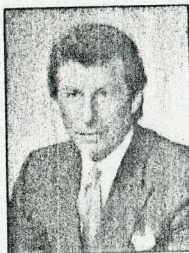
were recently elected to leadership positions in the Urban Land Institute. **David G. Ellsworth** has been named to the ULI's Recreational Development Council and the newly-

created International Committee. A 1965 graduate of the University of Southern California Law School, Ellsworth is one of the leaders of the firm's real estate practice and has over 21 years of experience in all facets



David G. Ellsworth

of real estate law. **Richard F. Davis** has been reappointed to the ULI's Development Regulations Council Executive



Richard F. Davis

Group for a term of office running through June 30, 1990. Davis' practice focuses on business transactions involving the acquisition, development, financing and sale of major U.S. and foreign real estate projects. He is a 1979 graduate of UCLA School of Law. The Urban Land Institute, founded in 1936, is the leading real estate industry trade organization in the United States, with over 7000 members.

Thelen, Marrin, Johnson & Bridges has opened an office in Hong Kong. **D. Stanley Rowland** has relocated from the firm's San Francisco office to Hong Kong as the resident partner. A graduate of Cornell Law School, Rowland specializes in trans-national acquisitions and investments and the development and financing of international projects. Joining him in Hong Kong is asso-

ciate **Gregory C. Wajnowski**, a graduate of Columbia University School of Law. Wajnowski, who studied Chinese law at the Beijing University Faculty of Law, is one of six Thelen attorneys who are fluent in written and spoken Chinese. He will continue to specialize in international joint ventures, trade agreements and project development.

Stephen Paul Bartol has joined the law firm of **Farano and Kieviet**. A 1982 graduate of the



Stephen Paul Bartol

University of San Diego Law School, Bartol was previously associated with Casello, Cone & Kassel in Orange. In the Anaheim office of Farano and Kieviet, he will practice in the

area of general litigation. **Thomas Morningstar** has become associated with the Santa Ana-based law firm of **Wood, Ward & Garnett**. A graduate of San Diego School of Law in 1988, Morningstar specializes in taxation, business, corporate and commercial law and insurance defense.

Stephen R. English, a partner in the litigation section of the Los Angeles office of **Morgan, Lewis & Bockius**, has been appointed President of the Board of Directors of Public Counsel. With a J.D. degree from Harvard University in 1975, English focuses his law practice on business and construction matters. He has been involved in providing *pro bono* legal services to the Los Angeles area community for the last 10 years.



Stephen R. English

NOV 7 1988

Allen's P. C. B. Est. 1888

USD Hosts AIDS Seminar For Business Leaders

Today, the ^{29th} University of San Diego hosts a short seminar at Mercy Hospital on what the business community should know about AIDS. Mercy Administrator Richard Keyser planned the hour-and-a-half seminar at the request of USD's President **Author Hughes, Ph.D.**, and **Kim Fletcher, Home Federal's** board chairman, said Keyser.

"The focus is on several issues: What is the current status of the disease; what is being done in the community for people with AIDS;

Diego Development Review Mercy Service Corp.'s plans to expand the Mercy Magnetic Imaging Center, which houses a Magnetic Resonance Imaging machine.

UCSD's CONNECT will present "Real Estate for High-Tech Companies: Avoiding the Economic Pitfalls, What the CEO and CFO Need to Know" Thursday at the La Jolla Village Inn from 8 to 10:30 a.m. Speakers include: **Howard Birndorf**, now of Progenix; **Bill Jarr**, a partner in McGladrey &



MedTech Transactions

by Lorraine Parsons

what are implications for you and your business; and what are global implications in terms of health care costs and funding for healthcare," said Keyser. For example, executives may wonder if their insurance companies are going to require that employees be tested before they sign up for insurance, he noted.

Subjects will be covered in a "broader context," and rather than tackling every subject definitively, those in the health field will "make it known (to business leaders) where they can get help," said Keyser. The names of the speakers, which include a Mercy physician, an attorney and a representative of the AIDS Task Force, were not available.

The seminar starts at noon with lunch in the Education Center at the hospital. It ends at 2 p.m.

Mercy Carepoint Family Medical Group has hired **Marshall Spevak** to coordinate the occupational health component for its North County clinics. Formerly he acted as a sales representative for Medical Economics Co., Atlanta's largest medical publisher in the world. As occupational health representative, Spevak will serve as liaison between the three centers in Vista, San Marcos and Poway and the North County business community.

In the meantime, Mercy reportedly is continuing to search for a medical director and president to replace **Dr. Ken Selzer**, president and medical director of Carepoint. Selzer said he plans to move on to another type of opportunity in the health care field. The City of San

Pullen; and **Steve Williams**, the former managing partner of **Trammell Crow Co.** Breakfast and registration starts at 7:30 a.m. The late fee is \$45 and \$25 for members and sponsors.

Tri-City Medical Center hosts two education classes this week. On Wednesday, a two-part seminar titled "Introduction to EKG," running from 8 a.m. to 4:30 p.m., starts and continues on Nov. 16. The fee is \$25 for non-employees and a \$5 refundable deposit for employees. Friday, a one-day seminar runs from 9 a.m. to 1 p.m. on "Renal Assessment" for nurses. This program runs \$20 for non-employees and \$7 for employees.

Mesa Vista Hospital presents "AIDS: The Psychological and Social Impact and Issues in Treatment" Friday from 11:30 a.m. to 1 p.m. at Montgomery Field's Holiday Inn. **Dr. H. Randall Hicks** will speak as part of the hospital's Grand Rounds series.

The Upledger Institute, a health and research center in Palm Beach Gardens, Fla., will host an Introductory CranioSacral Therapy workshop at the Embassy Suites hotel on La Jolla Village Drive Thursday through Sunday. The therapy is supposed to have proved effective in the treatment of back pain, migraines, TMJ, scoliosis, dyslexia, autism and other dysfunctions of the nervous system. The institute said that a number of professions, including osteopathic physicians, medical doctors, chiropractic doctors, dentists, nurses and physical therapists, can use this therapy.

San Diego, CA
(San Diego Co.)
Daily Transcript
(Cir. D. 10,000)

NOV 8 1988

Allen's P. C. B. Est. 1888

Education Vital

AIDS Impact On S.D. Firms Keeps Growing

²⁹⁵⁵
By LORRAINE PARSONS

San Diego Daily Transcript Staff Writer

By 1991, one of every 100 workers in San Diego will have tested positive for the HIV or AIDS virus.

That is a frightening statistic, especially for community business leaders who are trying to evaluate the impact AIDS will have on hiring policies, insurance coverage and employee productivity. Few businesses, though, have implemented a consistent policy on educating employees about AIDS and dealing with those who have it, said speakers at a meeting yesterday for company executives that dealt with AIDS in the workplace.

"I really think it is time to formulate a policy, and obviously so do you, or you would not be here," said Ellen Kealy, an attorney in Mercy Hospital's risk management department. Mercy Administrator Richard Keyser planned the two-hour program, which was sponsored by the University of San Diego and Home Federal.

The reason for concern among employers is obvious. Statistics ranked San Diego recently with the second highest jump in incidence of AIDS. By 1991, 50,000 San Diegans will have been in-

(Continued on Page 14A)

AIDS Impact On Firms—

(Continued from Page 1A) 2955

fects with the disease. Health costs for treatment of patients with AIDS will soar into the billions of dollars by 1991, said UC San Diego's director of epidemiology, Marguerite Jackson, a member of the County Task Force on AIDS.

Medical bills for those in the last stage of the disease — the period of "full blown AIDS" which lasts for many a year and a half — can range from \$50,000 to \$150,000. For employees with health insurance, that burden is shouldered by the insurance company. For employees or patients without insurance, that burden is eventually shouldered by the taxpayers, including businesses. "Government will put the strain back onto the businesses," said Veronica Gomez of the San Diego AIDS Project.

Those amounts do not take into account costs of so-called "down time," the time that is lost to sick days and decreased productivity. Some with AIDS have "a month and a half of actual down time" from pneumonial infection and do not have another bout for more than a year; others recover from pneumonia, contract another complication after only a couple months and never return to work, said Dr. Keith Vrhel, a doctor on Mercy's staff who specializes in treatment of AIDS patients.

How can employers deal with this? Speakers hastened to stress that Proposition 102, which is on today's ballot, is not the answer. If 102 passes into law, it would mandate that health providers report those who test positive with the HIV virus. It might even take it one step further and allow insurance companies to indiscriminately test potential enrollees for AIDS, said Vrhel. They then might deny coverage to those individuals who test positive. "The economic impact of 102 could easily be \$1 billion a year," said Jackson.

According to yesterday's speakers, the answer is education and implementation of a coherent and concise in-house policy on AIDS. "There is a lot of fear" in the workplace, noted Gomez. Only education will counter and ease fears among fellow employees and managers about how the disease is contracted and whether and/or when it curtails an employee's ability to work.

For instance, the disease is not passed by casual contact, the type of contact most prevalent in the workplace, said Vrhel. Health care

workers probably have the greatest risk of contracting the disease through such incidents as pricking themselves with a needle used on an AIDS patient, but facilities are trying to eliminate that danger and others through greater safety measures.

If an employee with AIDS, then, does not pose an endangerment to the health of other employees, companies which do not hire an applicant because he tested HIV positive risk breaking federal and/or state discrimination laws and a potential lawsuit, said Kealy. Several court rulings have upheld that the AIDS virus, and other contagious diseases, fall within the realm of "handicapped," she said.

For many with AIDS, work productivity is undiminished, noted Vrhel. "There is no significant impact in the early stages of the disease" on health or ability to work, he said. In fact, the early stages of the disease can go on for years before a patient develops "full blown AIDS." Early intervention with AZT treatment means also that some of those who test positive will get the disease later or, in a few instances, not get it at all, said Vrhel.

Intervention does not always work, even temporarily. For those employees, the employers should make every effort to reasonably accommodate them, including job restructuring, part-time employment and modified work structure, said Kealy.

Several organizations in San Diego are offering information on AIDS and how to deal with it in the workplace, including the Red Cross and the San Diego AIDS Project, said Gomez. The San Diego AIDS Project is currently working on a plan to have countywide seminars in the near future.

Santa Ana, CA
(Orange Co.)
Orange County Reporter
(Cir. D.)

NOV 9 1988

Allen's P.C.B. Est. 1888

INS Lightens Up on Documentation Firms Asked to Give for Legal Aid Grants

3007 2955
SAN DIEGO

Hundreds of farm workers in San Diego and Imperial counties were mistakenly told to submit more documentation than they need to support their federal amnesty applications, immigration officials said.

The U.S. Immigration and Naturalization Service has begun notifying affected applicants in letters outlining the scaled-down documentation that must be submitted under the federal alien legalization program, INS deputy district director Clifton Rogers said last week.

Undocumented farm workers are eligible for amnesty if they worked with perishable crops for at least 90 days between May 1985 and May 1986. They are required to submit "sufficient evidence" to show their employment during that time "as a matter of just and reasonable inference" under the law.

Applicants in San Diego and Imperial counties, however, were directed by the INS to provide the names of every laborer who worked for the same labor contractor they did during the eligibility period and the exact number of days the applicant worked.

Some also were asked to provide notarized affidavits listing the names of all firms and individuals who bought their employers' produce during the yearlong eligibility period, and names of sheds where the produce was packed.

The INS began sending out notices of the corrected documentation requirements after immigrant rights advocates complained.

"We made a mistake, and we're correcting it," Rogers said.

Advocates throughout California, which has the largest number of amnesty applicants of any state, contend INS officials are concentrating on eliminating fraud in the farm worker amnesty program that they are disqualifying some legitimate applicants and discouraging many others.

"The position of the INS seems to be that anyone who waited this long to apply has got to be using fraud," said Christine Brigagliano, an attorney with the California Rural Legal Aid Foundation, a San Francisco-based advocacy group which operates a telephone hot line for such complaints.

Hoping to raise more than \$1 million a year for public interest fellowships, the National Association for Public Interest Law and its affiliates at more than 40 law schools are asking the nation's top law firms to join them in raising funds to provide legal assistance to the poor.

NAPIL, a coalition of student-funded fellowship programs founded in 1986, this month has challenged 300 law firms, including 40 in California, to match donations to the program from their summer associates.

Last year, students at more than three dozen ABA-accredited, NAPIL-member schools contributed more than \$800,000 of their own money to create summer training jobs in public interest law and to provide seed money to launch new projects.

The money was raised by encouraging students at the schools to contribute a fraction of their summer or annual earnings to enable their peers to work for the various non-profit agencies. Last year, students funded more than 300 summer positions and full-year fellowships under the program.

California law schools that are NAPIL members include the Universities of California at Davis and Los Angeles, the university's Hastings College of the Law, USC, the University of San Diego and Santa Clara University.

"Despite our success, we are unable to meet the growing demand for funding from students and public interest organizations," said Michael Caudell-Feagan, executive director of the organization, based in Washington, D.C. "The Public Service Challenge is designed to create new opportunities by providing a way for firms to reach into law schools and demonstrate their commitment to public service."

The fund raising drive began with an Oct. 23 solicitation mailing sent to the nation's 300 largest law firms. A follow-up mailing targeting another 250 firms nationwide is slated for late January, said Feagan.

NAPIL hopes that if law firms match the donations of students, more than \$1 million will

be raised in 1989 for public interest law fellowships.

The organization is asking firms to provide annual grants varying in amount depending on firm size. For instance, for every five summer associates hired by a law firm, NAPIL asks it to contribute \$1,000, up to a total of \$10,000.

"A firm with 25 summer associates would provide \$5,000, less than most firms pay one student for a 10-week summer," a three-page letter sent to the law firms from NAPIL reads. "Since NAPIL will cover the administrative costs of the program, every cent contributed to the Public Service Challenge will go directly to projects providing legal services to those in need."

The drive is being aided by leaders of the American Bar Association.

In an Oct. 21 letter, Robert MacCrate, immediate past president of the ABA and an adviser to the project, encourages attorneys to do their share to help the poor and disadvantaged.

"The Public Service Challenge provides an extremely effective way for firms to give concrete meaning to our own public service commitment. Our example will encourage students to expand their efforts and to make public service an integral part of their professional lives," MacCrate wrote.

Among the firms already contributing to the challenge are Arnold & Porter; Kutak, Rock & Campbell and Sullivan & Cromwell.

"These three firms are only the beginning," said Myra Nakelsky, a student from Hastings and vice-president of NAPIL. "Our goal is to raise at least one-half million dollars from firms before Feb. 1."

NAPIL supervises 42 local chapters at schools across the country. Each chapter asks students to tithe 1 percent of their summer earnings toward grants for students interested in public interest work.

Among the 42 law schools participating in the NAPIL program are Harvard, the University of Chicago, Duke University, Georgetown, the University of Michigan, the University of Virginia and Boston University.

San Diego, CA
(San Diego Co.)
Daily Transcript
(Cir. D. 10,000)

NOV 9 1988

Allen's P. C. B. Est. 1888
* * *

County Bar directors meet to-
night to work on a new budget, not
altogether an unpleasant event
since the organization has main-
tained a healthy financial posture.
One hot topic: whether to continue
funding the USD Law Center.
* * *

San Diego, Calif.
Southern Cross
(Cir. W. 27,500)

NOV 10 1988

Allen's P. C. B. Est. 1888

S.D. Oceans Foundation gives grant to USD

ALCALA PARK 2956 The San Diego Oceans Foundation presented the University of San Diego with a \$10,000 grant last month to establish a graduate scholarship fund for the school's Marine Studies program.

USD President Author Hughes accepted the check from Seth Brown, president of the foundation.

"It is our hope that the San Diego Oceans Foundation Endowed Marine Studies Scholarship fund will one day exceed \$100,000 and will finance the studies of many deserving students over the years," said Brown.

The scholarships, the first of which is scheduled for the fall of 1989, are intended for USD students whose studies will help improve management of the ocean's resources.

San Diego, Calif.
Southern Cross
(Cir. W. 27,500)

NOV 10 1988

Allen's P. C. B Est. 1888

USD

2955

Business Seminar Series,
continues Nov. 18 with
"Developing Organizational
Excellence." Cost for one
session is \$15. Each seminar
includes presentation
materials and continental
breakfast. For further
information, call Jackie Frieberg,
260-4644.

Distinguished speakers series,
a lecture series focusing on the
business activity in the United
States, the Pacific Rim and
Mexico, continues at the
Manchester Executive
Conference Center, Nov. 17 and
Dec. 15. Topic for November is
"Advising Japanese Business
Clients." Conducted by
Christopher Walt, a partner with
Luce, Forward. Cost is \$15 per
session. Call 260-4644.

**"The Hellenic Tradition in
Ireland,"** an art exhibit, will open
Nov. 18 and be displayed through
Dec. 8 at Copley Library.
Admission is free. Call 260-4600,
Ext. 4261.

San Diego, CA
(San Diego Co.)
Reader
(Cir. W. 100,000)

NOV 10 1988

Allen's P. C. B Est. 1888

"A Meeting of Queens," this feminist historical drama set in the 16th Century will be presented by the USD theater arts department, tonight, Thursday, November 10, through Saturday, November 12, 8 p.m.; and at 2 p.m., Sunday, November 13, Camino Theatre, USD, Alcalá Park, Linda Vista Road, Linda Vista. The play is not recommended for children.
260-4600. 2455

San Diego, CA
(San Diego Co.)
Reader
(Cir. W. 100,000)

NOV 10 1988

Allen's P. C. B Est. 1888

LECTURES
"Mess, Order, and Ardor:
Reflections on Emersonian
Idealism," Irene Williams,
associate professor of English at
USD, will discuss the relationship
between genteel values and the
nature of masculine virtue in

Emerson's work, today, Thursday,
November 10, 4 p.m., Manchester
Executive Conference Center
auditorium, USD, Alcalá Park;
Linda Vista Road, Linda Vista.
Free. 260-4585.

San Diego, CA
(San Diego Co.)
Daily Transcript
(Cir. D. 10,000)

NOV 11 1988

Allen's P. C. B. Est. 1888

Bar Still Funds

USD Law Center

²⁹⁵⁵
*Will 'Give It Another Year'
Despite Some Apprehension*

By JOE NABBEFELD

San Diego Daily Transcript Staff Writer

County Bar directors have unanimously approved providing \$25,000 next year to fund the San Diego Law Center despite ongoing apprehension by some directors about continuing the innovative legal service.

At its annual budget meeting Wednesday evening, the board also deferred collecting from the center the \$20,000 the Bar lent it last year as funding, according to Bar treasurer Virginia Nelson.

The center, a joint project begun in 1981 with the University of San Diego Law School, will also receive half of the proceeds from this year's Blackstone Ball, put on by the Bar auxiliary and scheduled for tomorrow night.

USD provides non-monetary resources such as office space and administrative support. The center's final source of funding comes in the form of grants, which currently total about \$150,000, said Carol Hallstrom, the center's program director.

Some Bar directors, including outgoing President Ned Huntington, carried into Wednesday's meeting hard attitudes on funding the center, generating some speculation that the center may be wound down.

Hallstrom said that sort of talk goes around each year. She finds it "appropriate review of the relationship" between the Bar and USD and therefore unalarming.

Huntington said he has been less than satisfied with the programs and direction of the center and the shortage of communication via reports about what it's doing.

He decided nevertheless to vote to "give it another year" because lawyer Dan Grindle, who became the chairman of the center's advisory board at the start of this year, has taken charge of the center.

Huntington said Grindle, of the El Cajon law firm of McDougal, Love, Eckis, Grindle & O'Connor, has proven in other Bar projects to be active and thorough about pro-

(Continued on Page 4A)

Bar Funds Law Center —

(Continued from Page 1A)

viding reports.

"What you see is, Here's one more year, go to it," said Huntington. "I still have all my questions, but now Dan Grindle is running it. It wasn't run before. You couldn't get budget reports, program reports. Dan is the kind of guy who will get in and make sure it goes in one direction.

"If it flounders around, then it will probably be the end of the Bar's commitment."

Provided other directors agree.

Incoming President Marc Adelman said he's an unabashed fan of the center. "I've been on the advisory board since day one and the projects and ideas that come out of the center are unique and a real value to the community. Nobody else can do these. I have no concerns.

"It's a continuous think tank of legal scholars — excluding myself. Everybody there's always looking to ideas to make things better. There are many more programs to come.

"I feel the same way (as Huntington) about Dan (Grindle). He has taken on numerous responsibilities and everything he has gotten involved in has been extremely successful, including coaching the Bar softball team. It got third in the league, and that's success given the talent we had."

Nelson said, "My position was very strongly for the Law Center going on." It has provided the community with programs in court reform, establishment of the out-of-court neighborhood mediation centers, the jury selection process, legal rights for children, continuing legal education and, its current charge for the past two years, leading the implementation of the immigration amnesty program.

"I feel it's headed in the right direction," continued Nelson. "I feel it is one of our (the Bar's) roles to improve the image of lawyers and to provide legal services to the community (beyond representing

clients), and they've done a lot of things. A lot of the ideas have spun off and support themselves."

Craig Higgs chaired the center's advisory board before Grindle. "I think they both have done an excellent job," said Nelson. "I think the center had some identity issues to define this year as to exactly what its legal status was and the direction of its programs. Call it a year of flux."

The center expects to commence its next program in January, a joint effort with the city attorney's office to improve enforcement of city codes such as zoning, building permits, restaurant regulation and other local codes that don't receive enough enforcement. Both the city attorney and the law center have committed funds, said Hallstrom.

Other program ideas are under advisory board review, she said.

Hallstrom, who Nelson said gets paid out of grants, not the center's budget, called the center "a fairly unique union (between a university and a bar association). There are not models for this around the country." It has a small staff that "mobilizes" volunteers, she said.

Other advisory board members include Rick Benes, Charles Bird, Judge Michael Greer, Higgs, Marshall Hockett, Webster "Buzz" Kinnaird, Jim Lorenz, Judge Chris Pate and Dan Tobin.

San Diego, Calif.
Union
(Circ. D 217,324)
(Circ. S. 339, 788)

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2955 Lawyer overcharges to insurers probed

L.A. network of 20 attorneys targeted in federal fraud investigation of fees

By Pauline Repard
Staff Writer

A group of Los Angeles lawyers is under federal investigation in San Diego amid accusations of statewide fraud in which insurance companies may have lost millions of dollars.

Sources estimate that the lawyers, hired to represent policyholders, have billed insurance companies for as much as \$250 million over the past 10 years. It is unclear how much of that amount may be involved in the fraud allegations.

A U.S. attorney's office probe began here a few months ago, similar to a federal inquiry begun in Los Angeles about 18 months ago, according to law enforcement sources.

A San Diego federal grand jury is

investigating charges related to the lawyers' fraud case, and the state attorney general's office is assisting, sources said.

The U.S. Postal Service and State Bar of California also are looking into reports that a network of about 20 lawyers have been charging insurance companies unreasonably high fees and submitting bills for unnecessary work.

Under state law, although the attorneys work for the policyholder, the carrier must pay the legal fees.

The lawyers have represented general-liability insurance policyholders named as defendants in 15 to 18 unrelated civil suits filed in San Diego and Los Angeles dating back to 1978.

"The matter has been referred to

See **Lawyers** on Page A-6

Lawyers: Fees charged to insurance companies probed

Continued from A-7
our office," said Dennis Olson, spokesman for the Postal Inspection Service in San Diego. "At this point, it's pending."

The California Department of Insurance also acknowledged the federal probe.

"Allegations of a fraud were brought into the fraud bureau about a year-and-a-half ago," said Ron Warthen, the department's chief fraud investigator.

"We presented the case to the U.S. attorney's office in Los Angeles. At the time, they felt they didn't have enough evidence to warrant prosecution."

"Later, it was presented to the U.S. attorney in San Diego, and my understanding is they are looking at the case."

Assistant U.S. Attorney George Hardy in San Diego, who is handling the investigation for his office, declined to comment on the matter.

Among the crimes said to be under investigation are conspiracy under the Racketeer Influenced, Corrupt Organizations Act (RICO), and mail and wire fraud for use of the Postal Service and telephone to run up the allegedly excessive bills.

An insurance industry lawyer who asked not to be named said it is no secret within the industry that Hardy's office is probing reports of fraud.

State Farm insurance defense law-

yer Maria Rullo said: "The fallout is going to hit everyone — insurance companies, attorneys, the judicial system. It's not going to be pretty."

Under state law developed through a series of court rulings, insurers are required to hire separate counsel for their clients if one is requested. Having separate lawyers avoids possible conflicts of interest between the insurance carrier and client. The insurer pays the client's lawyer fees, but has little say in how the lawyer conducts the case.

Policyholders typically find lawyers to defend them in civil insurance liability cases by asking someone they know for referrals. One attorney close to the fraud investigation said many of the lawyers who take such cases are well known in Southern California, and that they often refer cases to each other.

The policyholders' lawyers have come to be referred to, generically, as Cumis counsel, after the name of the 1984 appeal court case that spawned the law — San Diego Federal Credit Union v. Cumis Insurance Society.

Since that case, the state Legislature amended the Civil Code last January to set certain standards for Cumis lawyers. They must have five years' experience in insurance law and their rates must be comparable to those being paid in the marketplace.

Several insurance company lawyers said carriers believe that, for years before passage of the new Civil Code provisions, they were being defrauded by the policyholders' lawyers on a massive scale statewide.

One lawyer said he heard that billings have topped \$100 million in the past five to six years; others say the costs could go higher because the cases date back even further.

"It's a \$250 million problem to the insurance industry in California alone," said James P. Schratz, attorney and assistant vice president for Fireman's Fund Insurance Cos. in Santa Rosa.

Other lawyers agreed with his estimate that policyholders' attorneys have billed carriers about \$250 million since 1978. They say some attorneys have charged fees as high as \$175 an hour while insurance defense lawyers typically earn \$85 to \$125 an hour.

"We are very concerned about the problem of this insurance fraud and the adverse effect on the consumer," Schratz said.

Said another insurance defense lawyer, "One thing I've learned in all this is, it's very easy to rip off an insurance company."

The complaints highlight a long-standing feud between carriers and trial lawyers in California. Each blames the other for the current high costs of auto, property, malpractice and liability insurance premiums.

The dispute culminated this week in a showdown of insurance ballot propositions, some sponsored by trial lawyers, others by insurance carriers, and others by consumer groups.

The consumer-sponsored Proposition 103, calling for reduced rates, won narrowly, but carriers almost immediately challenged the measure in the state Supreme Court on constitutional grounds.

Insurance carriers have levied complaints that some authorities have been slow to look into their concerns about possible billing fraud by lawyers.

In San Diego, U.S. Attorney Bill Braniff said he did not believe that insurance companies had any complaint about his office not responding to the accusations.

"I think they are talking to you about ancient history. I don't believe they are still frustrated," Braniff said. He declined to say directly whether his office was investigating possible lawyer fraud against insurance companies.

Trev Davis, associate chief trial counsel for the State Bar's attorney discipline system, said some allegations have reached her office.

"Some counsel called us several months ago and said they thought some fraud was going on," Davis said. "The lawyer gave us three binders full of papers, nine inches thick, with no index."

See Lawyers on Page A-7

Lawyers: Federal fraud investigation focuses on a group of L.A. attorneys

Continued from A-6

2955
She said the file sat for a while, unread, because at first they had no specific names to investigate. Now, she said, they have one name and the matter is being assigned to a discipline staff attorney.

Robert Fellmeth, a University of San Diego School of Law professor appointed as State Bar monitor, said he was aware of the broad allegations.

"A group of lawyers operating in Los Angeles and Orange counties who set up a little Cumis system is definitely an opportunity for State Bar investigation. I'm aware of a group working together, referring cases to each other, and allegations of serious abuse by them. I'm happy to see the U.S. attorney's office is investigating," Fellmeth said, who, as monitor, reports to the state attorney general on Bar discipline.

"There's an opportunity for abuse because the person who is paying the bill, the insurance company, can't question what you (Cumis lawyers) do. The normal checks are not in place.

"As monitor, I would say there is a serious problem with Cumis counsel that has reached an appropriate level for action," he said.

The fraud investigations under way in San Diego appear to stem, in part, from several unrelated civil cases filed here in federal and superior courts.

In one local case, in which oil and

gas lease investors have sued San Diego resident Gar May and his companies, the carriers have asked the court to declare the Cumis lawyer's fees to be excessive.

United States Fidelity & Guaranty filed an action in the May case to be relieved from its duty to pay for May's defense lawyer, Marc Kent, of Los Angeles.

The action reached the 4th District Court of Appeal, which ruled on Oct. 11 that a referee appointed by a Superior Court judge could hold a hearing on the subject of Kent's fees.

The appellate opinion notes that Kent billed United States Fidelity \$1.6 million for 21 months' work, through December 1987, on the May defense case.

An attorney for Ohio Casualty Insurance Co. made accusations in court documents against Kent in the May case.

In a Sept. 23 letter, Ohio Casualty lawyer Michael Connally refers to Kent's testimony "that may implicate other Cumis attorneys in a network of counsel abusing the Cumis decision."

Connally said he could not comment on the case or elaborate on his reference to Kent's testimony.

In another local class action suit, Dietz v. Syndico, Fireman's insurance attorney Schratz complains that Cumis lawyers hired for Syndico defendants have submitted unreasonably high bills to the insurance firm.

The Syndico case involves claims

by 315 investors that they lost \$5 million on limited partnerships purchased between 1980-85 in the Centennial Square project to develop a new San Marcos city hall.

The investors' lawyer, Brian Miller, said a federal grand jury is investigating fraud allegations against Syndico. He said he was subpoenaed to turn over documents a few weeks ago, but then was ordered by San Diego Superior Court Judge G. Dennis Adams not to appear, as many of the Syndico case proceedings are sealed from the public.

Richard Noyer of Los Angeles, attorney for Syndico co-defendant Sheilbran Industries, said insurance companies have not proved that any type of "rip-off" is occurring by Cumis lawyers.

"Insurance carriers are trying to make it wholly uneconomical for lawyers to take Cumis cases," Noyer said. "They are attempting to coerce the attorneys away from these cases."

"The history of the insurance industry has not been one for the consumer. Insurance companies don't want to pay those bills."

Kent agreed with Noyer that accusations levied by insurance companies may be prompted by the carriers' desire to keep Cumis counsel payments low.

"They have an attitude, all right," Kent said. "We represent the downtrodden."

San Diego attorney James King of

Luce, Forward, Hamilton & Scripps, hired by an insurance company to represent Syndico co-defendant Charles Sollazzo, said the interests of a carrier and its client may not al-

ways be the same.

"What is abuse in the eyes of an insurance carrier is often vigorous defense in the eyes of the insured," King said. "Like anything in life and

law, there is potential for abuse.

"I assume that litigation and ballot propositions related to Cumis will probably be with us the rest of my professional career."

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(Circ. S. 339, 788)

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VOCAL CONCERT — Soprano Florence Fogelson Blumberg, accompanied by pianist Ilana Mysior, will perform music by Mozart, Poulenc, Wolf and Falla at 8:15 p.m. Sunday in the French Parlor of Founders Hall at the University of San Diego. 2955/

NOV 11 1988

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Burgard, Musical Sculpture Kick Off Nat'l Arts Week Sunday

It's National Arts Week '88 next week and San Diego is one of five cities in the nation selected as a regional kick-off site. It's a week-long observance intended to promote the diverse cultural heritage of the U.S. and the vitality of contemporary writers and visual and performing artists.

Several events are planned for the week, including the opening festivities this Sunday at 7 p.m. at the Lyceum Theatre in Horton Plaza that will feature a keynote address by **Ralph Burgard**, author of "Arts in the City," discussing the significance of the arts to the successful economic development of American cities.

Guest speakers that evening will also include **Bill Closssey**, v.p. in public relations for AT&T, and **Robert Reid**, director of the California Arts Council.

Then **Arthur Frick's** newest musical sculpture will play church bells, boats, sirens and small aircraft sounds at the Lyceum, beamed throughout the city by remote telephone activation. Titled "Playing Cities," Frick's work will be premiered with an accompanying score played by **Bert Turetsky** on bass, **Hollis Gentry** on sax, **Peter Sprague** on guitar, and **Will Parsons** on drums.

The **Starlight Opera's** Showcase Performers will be featured at a reception at the Omni Hotel immediately following the Lyceum festivities.

On Tuesday, the **Ilan Lael Foundation** is hosting a "grassroots roundtable discussion" at **Sushi Gallery** at 7:30 p.m.

And next Saturday, Nov. 19, San Diego's grand finale to National Arts Week will offer 97 downtown galleries and studios open for **Artfest '88**.

The **Studio** at 2400 Kettner to the **Ratner Art Center** at 13th & G and **Art Plex** at 9th and K, and all manner of galleries in between, will be open from 10 a.m. to 5 p.m. displaying works from traditional to contemporary to off-the-wall in painting, sculpture, prints, photography, clothing, jewelry, furniture, theater, video and works in progress.

Mission Bay High School's Jazz Swing Choir will perform in the parking lot at Eighth and G streets that Saturday at 11 a.m.; and noon and the school's **Dixieland Band** will play at 11:30 a.m.

Visitors can hop on the **Molly Trolley** during the day to get around to the various sites.

National Arts Week in San Diego is sponsored by the City of San Diego's **Commission for Arts and Culture**, **COMBO**, **San Diego Repertory Theatre**, **Horton Plaza**, **Omni San Diego**, **K&K Publications**, **SDG&E** and the **San Diego Design Center**. **Embassy Suites Hotel San Diego** has underwritten printing of the Artfest schedule. Other underwriters of Artfest include **Allie's Family Restaurants**, **International Gallery**, **Mario Uribe**, who designed the Artfest '88 poster, and **Victor Ochoa** of **Centro Cultural de la Raza**, who silkscreened the poster.

Artfest '88 calendars of events are available at any downtown gallery.

And observances in East County include the **First Annual Na-**

tional Arts Week Festival and Show that runs tomorrow and Sunday from 9 a.m. to dusk at the **Lindo Lake Park** in Lakeside. And the **City of La Mesa** is sponsoring several special events including a **Senior Arts festival** Monday from noon to 5 p.m. at the **Senior Adult Center**, and a **Village Artisans Tour** in La Mesa Village downtown Nov. 19 from 11 a.m. to 3 p.m.

The **Carlsbad Arts Office** is sponsoring **Carlsbad Arts Week** Celebration with special programs

cocktails and hors d'oeuvres at the **Westgate**, followed by **Donizetti's** opera, "**Lucia di Lammermoor**" at the **Civic Theatre**. Patrons return to the **Westgate** for a gourmet dinner and dancing and accommodations overnight. The next day festivities continue with Sunday brunch at the hotel and a raffle of great prizes.

Tickets for the two-day event are \$650 per couple, \$375 per person.

Marion Ross of "Happy Days"



ArtFacts

by Priscilla Lister

slated for Nov. 19, and that city is hosting an exhibition of public artworks throughout the **Carlsbad** area during the week.

The **La Jolla Chamber Music Society** has appointed **Neale Perl** as its new executive director. Currently assistant director of The **Maryland Summer Institute** for the Creative and Performing Arts at the **University of Maryland**, Perl developed the **UofM's International Piano Festival** and competition, organized and marketed the **First American Classical Guitar Congress** with **Eliot Fisk** in 1986, the **First American Violin Congress** with **Yehudi Menuhin** in 1987, and the **First World Cello Congress** with **Mstislav Rostropovich** in 1988.

He is also a founder and director of The **Washington Chamber Society**, a performing arts society since 1981 that has gained honors for its innovative programming and artistic standards. Perl is a cellist himself and has performed more than 50 concerts with that organization.

Perl assumes the position Dec. 1.

San Diego Opera's Ensemble, six young professional singers and an accompanist, winds up its second season Nov. 18, having been booked solidly throughout the county since September.

And the opera is now planning its **Season Opening Night Celebration** Jan. 21: an 18-hour weekend at the **Westgate Hotel** which has become a tradition in **San Diego**. The two-day event begins with pre-performance

fame brings her one-woman show, "**A Lovely Light**," based on the life of **Edna St. Vincent Millay**, to the **Gaslamp Quarter Theatre's** **Hahn Cosmopolitan Theatre** Nov. 16-20 for six performances.

Tickets are \$16 for weeknight and matinee performances and \$18 for Friday and Saturday nights.

Sushi presents "**Shrimps**," a Los Angeles-based performance and dance ensemble choreographed by **Pam Casey** and performed by **Steven Nagler** and company, tonight and tomorrow night at 8 at the gallery, 852 Eighth Ave., downtown.

"Shrimps" combines dance, movement and performance that looks critically at the "absurd and unnatural essence of performing codes that most dance troupes strive to conceal or dismiss — namely, effort and discipline."

One critic has written, "Shrimps' routine consists of more than simply 'funny looking': They mock dance world dogmas through other less spectacular but equally engaging methods. One of the most arresting is the use of verbal cues. As Shrimps moved through a series of gestures, gyrations and relationships, someone was often calling out the next move."

Tickets are \$10 general.

The **Old Globe Theatre/University of San Diego Master of Fine Arts in Acting** student production of "**A Midsummer Night's Dream**" opens Wednesday at 8 p.m. in the university's **Founders Chapel**. It runs through Nov. 22.

"Expect a different approach to

"**A Midsummer Night's Dream**," says **USD**. **Old Globe** Associate Director **David Hay**, also a **USD** English department faculty member, directs and he's planning a few surprises in this interpretation of the **Shakespeare** favorite. "All the characters in the comedy go somewhere on their journey through the play and return changed in various ways," says **Hay**. So the production will begin in the **Founders Chapel** with subsequent scenes taking the audience to other campus locales.

Fr. Nicolas Reveles, **USD** music department coordinator, is composing an original, synthesized musical score based in part on **Mendelssohn's** classic score.

"Dream" is the first production this school year of the joint **MFA** in **Dramatic Arts** training program with the **Old Globe**, now in its second year. The cast consists of graduate drama students recruited nationwide by **Hay**.

Tickets are \$3 general.

UCSD Theatre presents **Joe Orton's** "**What the Butler Saw**" Nov. 16-20 at the **Warren Theatre** on campus. It's a satirical farce that revolves around a bizarre couple, a psychiatrist and his wife who run a private asylum for the insane. "When a state inspector makes an unannounced visit to the hospital, it quickly becomes apparent that it is the inmates who are running the asylum in this irreverently wicked and more than a little naughty comedy of sex and insanity," says **UCSD**.

Tickets are \$8 general.

Installation, 930 E St., presents three separate installations opening next week.

Sara Jo Berman, with artists **Ovejero** and **Craun**, has created "**Archive of Memory**," a project that involves a media environment with coinciding performances. It focuses on the contemporary issues of isolation and fear as well as the task of combining different media into a cohesive whole. Her performance will be world premiered Friday, Nov. 18, at 8 p.m. in honor of **National Arts Week**. She will also perform it Nov. 27, 28, Dec. 4, 5, 11, 12, and 18. Tickets are \$8, general.

Kauciyla Brooke has created, "**Not Lying Down**," a photographic.

(Continued on Page 4A)

Arts

(Continued from Page 3A)

approach to present the dynamics of consensus decision-making. It goes up tomorrow through Dec. 22 at Installation.

And Nancy Floyd has created an installation of paintings, photographs and text to address the institution of marriage and our participation in it. It's up tomorrow through Dec. 22.

USIU's International Company presents "You Can't Take It With You," a comedy by Moss Hart and George S. Kaufman, at the Theatre in Old Town, Nov. 16-Nov. 14.

The Kaufman and Hart satire is set in the '30s and sneaks a peek at the bizarre and eccentric habits of the Sycamore family.

Christopher Foster, a USIU alum, is guest director for the production. Tickets are \$10 to \$12.50.

SDSU's Department of Drama presents Gilbert & Sullivan's "The Pirates of Penzance" tonight and tomorrow night and Nov. 15-19 at 8 in the Don Powell Theatre on campus. Tickets are \$5 to \$9.

Jazz musician Chuck Mangione performs at the La Jolla Museum of Contemporary Art tonight and tomorrow night at 8 in Sherwood Auditorium. Joining him will be guitarist Mark Manetta who is featured on Mangione's latest album, "Eyes of the Veiled Temptress."

A pre-show cocktail buffet will precede Saturday evening's performance on the Museum Terrace overlooking the ocean. Mangione will attend. The cost for this special event is \$50 per person. Tickets to the concerts alone are \$15 for LJMCA members and \$18 for non-members.

Mangione is a composer, bandleader, jazz educator and producer as well as a prominent musician. He has recorded five successful albums and has won several Grammy Awards. He currently is also director of the jazz program at the Eastman School of Music at the University of Rochester in New York.

On another LJMCA front, Craig Fuller, creative director of ADC Stoorza, was recently honored by the Library of Congress for his poster design for LJMCA for the exhibition, "Fine Tuning: Sailing Design Today." That poster was selected with 23 other West Coast works to be added to the library's permanent collection. Fuller is the only San Diego designer to earn this award.

And on Tuesday at 7:30 p.m. at the museum, Dolores Hayden

gives the second lecture in the series "Alternative Voices: 9 Perspectives."

A professor in urban planning at the Graduate School of Architecture and Urban Planning, at UCLA, Hayden will discuss "The Power of Place: A Proposal for Public Art and Historic Preservation in Los Angeles."

The lecture series is co-sponsored by UCSD and focuses on current cultural debates which may otherwise remain outside traditional art institutions.

Tickets are \$3 for those who aren't members of LJMCA; it's free for members.

UCSD's Mandeville Gallery presents two one-person shows opening tomorrow. Cam Slocum presents "Still" and Gronk presents "A Wall Piece," both up through Dec. 11.

Slocum's "Still" series of sociopolitical images represents a late 19th century photographic process in which large-scale negatives were developed by sunlight and then impregnated with pure pigment on canvas.

Gronk, whose full name is Glugio Gronk Nicandro, is a painter and performance artist who will paint directly onto a gallery wall for the exhibition.

A reception is slated at the gallery tonight from 6 to 8.

Abstract etchings, wood-cuts and drawings of the human figure are featured in the exhibition opening today at USD's Founder's Hall foyer. "Michele Burgess, Prints and Drawings" stays up through Dec. 15. Burgess is a San Diego artist and USD alum.

The Brushworks Gallery, 425 Market St. in the Gaslamp, opens its "Fine Arts and Crafts Holiday Show" Thursday featuring art objects including ornaments, jewelry, toys, pottery and fine art by San Diego artists as well as selected pieces from Haiti, Thailand and China. It will be up through Dec. 31.

Among local artists represented are Stuart Burton, Nina Karavasiles, Madeline McReilly, Craig Rowe, Jane DeShazo, Holly Hess, Ted Meyers, Pam Kozminska and Susan Snyder.

Local pianist Bill Wright, a longtime favorite entertainer at Top o' The Cove in La Jolla, presents a special concert performance featuring "The Great Songs" by Gershwin, Sondheim, Rodgers and Hart and Kern, at the Lyceum Theatre in Horton Plaza tomorrow night at 8:30. Tickets are \$12.50.

The Martha Graham Dance Company returns to the Civic Theatre tonight and tomorrow night at 8, brought by San Diego Performances.

Graham is hailed as one of the greatest artists of this century; her works explore the human condition with depth and passion and brilliant theatricality. Her company now has a repertoire of more than 180 ballets including many classics of modern American dance. Most of the major choreographers today, including Merce Cunningham, Paul Taylor and Twyla Tharp, have been students of the Martha Graham Technique, considered one of the most significant contributions to dance in this century.

Friday's program will present "Temptation of the Moon," one of Graham's newer works of pure movement; "Deep Song," a revival of a work composed in 1937 that is "a powerful and anguished expression against war in general"; "Night Chant," Graham's newest creation that delves into the American Indian experience; and "Letter to the World," a drama first performed in 1940 about Emily Dickinson, "vintage Graham dance-drama."

On Saturday, the troupe will perform "Seraphic Dialogue," a drama about Joan of Arc; "Deep Song"; "Circe," an oriental and erotic piece about the sorcerer Circe's temptation of Ulysses; and "Appalachian Spring," first performed in 1944 and considered a classic in modern dance.

Tickets range from \$10 to \$42.

The San Diego County Committee for the Los Angeles Philharmonic Orchestra meets Thursday at 11 a.m. at the La Jolla Beach & Tennis Club to hear David Ward-Steinman, professor of music at SDSU, discuss the L.A. Philharmonic's Nov. 19 concert at the Civic Center which will feature David Zinman as guest conductor and Alexander Glazunov on violin, the latter the composer of the famed "Russian Five," the main attraction.

The luncheon is \$13.50.

Kay Etheridge, pianist, performs in recital tonight at 7:30 p.m. at the First Unitarian Church, 4190 Front St. She currently teaches for the Sweetwater District School of Creative and Performing Arts and will play works by Beethoven, Debussy, Chopin and Berg. It's free.

Leisure Technology hosts a concert by Orchestra Da Camera, a 22-member orchestra of musicians from the R.D. Colburn School

of Performing Arts in Los Angeles, on Sunday at 3 p.m. at the 900-seat performing arts center at its Leisure Village Ocean Hills active adult community in Oceanside. Tickets are available for free at the Ocean Hills sales office.

The Festival Chamber Ensemble performs an all-Beethoven concert Sunday at 5 p.m. in the Great Hall of St. Paul's Episcopal Cathedral, Fifth and Nutmeg.

The West Coast Lyric Opera performs for the San Diego Mini-Concerts on Monday from noon to 1 p.m. in the Lyceum Theatre in Horton Plaza. Debra Pearson, soprano, and Jose Medina, tenor, both winners of prestigious vocal competitions, will sing selections from some favorite operas. It's free.

Frances Renzi performs on the Bosendorfer grand piano at UCSD Tuesday at 8 p.m. in the Mandeville Auditorium on campus. A distinguished solo performer, she will play works by Beethoven, Mozart, Ravel and Chopin. Tickets are \$5 general.

USIU's International Chamber Players perform on Tuesday at 7 p.m. in Green Hall on campus in a concert of works by Mozart, Reger, Stout, Smith and Nielsen. Conducted by Zoltan Rozsnyai, music director of the International Orchestra of USIU, the International Chamber Players of USIU are a select group of musicians who have performed professionally in orchestras and ensembles throughout the world.

Tickets are \$2 at the door.

The Single Professionals' Society in Support of the Performing Arts hosts a happy hour at Belmont's at the Beach on Wednesday from 5:30 to 9 p.m. It's \$5 for members, \$10 for non-members and free if you join SPS that night. The event will benefit local performing arts organizations.

Dial "M" Murder Mysteries brings its cast to San Diego for a mystery dinner at the Reuben E. Lee on Nov. 19. Professional actors pose as dinner guests along with patrons, and several "murders" take place during the evening. The audience is encouraged to find the perpetrators, assisted by a well-known detective. It starts at 7 p.m. and tickets are \$50, \$60 or \$70 which includes dinner.

San Diego, Calif.
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NOV 11 1988

Allen's P. C. B Est. 1888

A MEETING OF QUEENS' — The his-
torical drama will be staged by the
2975

University of San Diego Theatre Arts
department at 8 p.m. today and tomor-
row and 2 p.m. Sunday in the Camino
Theater at USD.

NOV 12 1988

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2955

DISCOVER Solana Beach SHOP PLAY



North County's brightest four square miles

by Rosanne Odenwalder

Solana Beach hasn't always had its own identity. It used to be known as a little hamlet on Pacific Coast Highway that travelers passed through on their way to someplace else in San Diego County. Possibly to the racetrack in Del Mar on the south, or east through Solana Beach to the Village in Rancho Sante Fe, or beyond to Escondido. Or maybe north, toward Oceanside and Camp Pendleton. For almost as long as Solana Beach has existed, it's been eclipsed by its neighbors.

But not anymore!

In July 1986, the little community of Solana

Beach officially became a city. In so doing, it proclaimed, loud and clear, that it was more than just a corridor to other places. Packed into its approximately four square miles is a whole microcosm of life that many people are unaware of. See SOLANA/ Page 3

What you'll find inside:

Fun Activities.	3
Unique Shops.	6
Shopping Tour.	17
"Shop 'til You Drop" contest info.	20



SOLANA/Beautiful beach city bursting with pride and activities

Continued from page 255

Solana Beach is in the center of one of the most desirable recreational areas in the world, and located within the city limits are several points of interest. Among them are four beach parks, a theater specializing in live productions, a country club and golf courses, and a department store to rival any in the country. Not to mention fine restaurants, boutiques, shops and services of every description, including the Solana Beach Senior Center, a full service center for the city's seniors. Solana Beach literally has something for everyone.

The City of Solana Beach is located 21 miles north of San Diego. It's easily reached by exiting Interstate 5 on either Lomas Santa Fe Drive or on Via de la Valle and traveling west. It's a great place to live, work, shop, and play.

"Solana Beach is a nice, small town, yet it's close to a big city," says Mayor Margaret Schlesinger. "It has a lot of the amenities of a large town, such as wonderful restaurants, good shopping and legitimate theater. But it also has all the good things of a small town, in that it's easy to get around and local government is very accessible. And it has that nice feel of a small beach community. We still don't have tall buildings. We're hoping that with our general plan we can keep that from happening. We plan to upgrade our Highway 101 corridor so it will be even more attractive to visitors and we hope to attract visitors to our town."

Solana Beach, "The Best Spot Under the Sun," has a peaceful, friendly, smog-free atmosphere.

And although the city is in the center of one of the prime growth areas in San Diego County, this community of nearly 17,000 still retains a large measure of the original rural charm that attracted its early residents.

The City of Solana Beach comprises a cross section of the county's general population; the

"It has a lot of amenities of a large town . . . but it also has that nice feel of a small beach community."

**Margaret Schlesinger
Mayor**

median age is 32.2, and the median family income is \$35,000. Housing prices range from \$220,000 to one million for a single family residence with condominium prices ranging from \$95,000 to \$590,000. Apartments rent for between \$400 a month for a studio to \$1,400 a month for a three bedroom apartment with an ocean view. Condominium rents range from \$600 to \$1,800 per month depending on location.

Commercial space is also available for retail shops and offices at reasonable rates: \$1 to \$1.85 a square foot for retail space and \$1.10 to \$1.88 a square foot for office space. "Living in Solana Beach is the best of all worlds," says Paul Tompkins, a director of the Solana Beach Chamber of Commerce. "It's a nice commun-

ity with a lot of nice people who care. It's a great place to work together and to play together."

Even with its rural flavor, Solana Beach still has all the conveniences found in any vibrant city, in fact, even a few more. Few cities the size of Solana Beach can boast that they have a major department store and a repertory theater whose reputation for excellence is fast winning it wide acclaim. But both of these, Buffums department store and the North Coast Repertory Theater, are located within the city's boundaries in the Lomas Santa Fe Plaza.

If hunting for antiques is on the day's agenda, a surprising number of local shops can offer something to suit your needs. Cedros Avenue is a mecca for shoppers looking for antiques that whisper to them of past events and days gone by.

Water oriented sports offer only part of the recreational attractions available in Solana Beach. Golf and tennis are two of the most popular activities in the city and both can be played at Lomas Santa Fe Country Club, a private facility, which features an 18-hole championship golf course, an Olympic-sized pool, tennis courts and clubhouse facilities. A second golf course, the Lomas Santa Fe Executive Golf Course, is open to the public and additional tennis courts can be found at Winners Tennis Club which also offers clubhouse facilities.

Several churches either call Solana Beach home or are located within minutes of the city. They represent a number of denominations, among them, Baptist, Catholic, Evangelical, Episcopalian, Greek Orthodox,

Jewish, Lutheran, Presbyterian, and Unitarian. A number of other denominations can be found only minutes away in Solana Beach's sister cities.

For those wishing to pursue higher education, the University of California at San Diego (UCSD) is located in La Jolla, 15 minutes south on Interstate 5, and San Diego State University (SDSU) is approximately 30 minutes away. It can be reached via Interstate 5 south, to Interstate 8, east. The University of San Diego (USD) is also about 30 minutes to the southeast and the main campus of MiraCosta Community College in Oceanside can be reached in approximately 30 minutes. Day and evening classes are also available at the new MiraCosta campus site on Manchester Avenue, only five minutes away

from Solana Beach. Palomar Community College, which also offers a choice of day and evening classes, is less than 10 miles to the east.

The "solana" in Solana Beach means sunny in Spanish and that's an accurate description of the weather. Each year the city celebrates its love affair with the sun by holding "Fiesta del Sol," which literally means holiday of the sun. The annual temperature in Solana Beach averages 69 degrees with the water temperature averaging 70 degrees. The ideal year-round climate facilitates flower growing, one of the city's major industries. Even orchids, often difficult to grow, thrive in Solana Beach's even temperatures.

Solana Beach really is "The Best Spot Under the Sun."

Carlsbad, CA
(San Diego Co.)
La Costan
(Cir. W. 5,000)

NOV 12 1988

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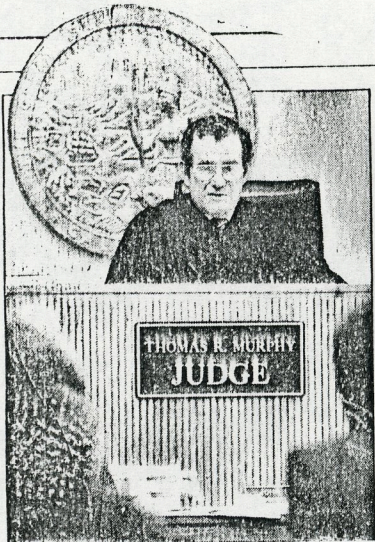
Warren Theatre, UCSD, La Jolla. Call 534-3793 to charge by phone.

"A MEETING OF QUEENS" This is a historical drama that brings a feminist message from the 16th century. The play is not recommended for children. Runs Nov. 10 through 13 at Camino Theatre, University of San Diego. Tickets are \$8 general admission; \$4 for students and seniors. Tickets may be purchased at the door. Information: 260-4600. 2955

"BLACK COMEDY" Runs now through Nov. 26 at Pine Hills Lodge Dinner Theatre, 2960 La Posada Way, Julian, Information: 2955

NOV 13 1988

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VINCE COMPAGNONE / Los Angeles Times



BARBARA MARTIN / Los Angeles Times

1590
Stacey Cope, with daughter Ashley, said she worries that Judge Murphy is looking at all mothers on welfare through the same lens.

2955 Judge's Controversial Approach Puts Mothers to Work, But Is He . . . Looking Out for Their Welfare?

By JENIFER WARREN, Times Staff Writer

Shelley Anderson was pretty proud of herself. Recently separated from her husband, the 26-year-old San Diego State University student was shouldering a full load of courses, working two part-time jobs and raising a child. True, she was getting by with the help of a \$535 welfare check each month. But that support was just a temporary—and vital—crutch needed to see her through to graduation next year, Anderson said.

Then she wound up in Judge Thomas Murphy's courtroom. Called to testify against her ex-husband in their child-support case, Anderson suddenly found herself on trial. After learning that the young mother was receiving welfare, Murphy, the presiding judge of San Diego County's Family Court, issued a startling decree: Find a full-time job and get off aid, he ordered, even if it means quitting school.

Was Legally Eligible

Anderson was shocked. Under federal and state welfare regulations, a parent whose child is under 6 is not required to work to receive payments. Didn't the judge know that?

"I told him I was satisfying the welfare requirements and working as much as possible around my school schedule," said Anderson, whose son, Corey, is 5. "He didn't seem to listen. He thought I was trying to beat the system."

Angry and insulted, Anderson resolved to fight the judicial order. Later this month, she and five other women will ask the state Court of Appeal in San Diego to review Murphy's controversial policy of requiring welfare mothers with young children to find jobs and get off the public dole.

If the appellate court agrees to hear the case, a host of provocative questions will merit inquiry. Among them: Is Murphy performing a bigger role than that permitted a judge under the law? Is he legislating rather than adjudicating, as his critics argue? May the court hold welfare recipients to stricter standards than the state and federal governments themselves impose?

Murphy, a genial man with an

'It seems clear to us that Judge Murphy is playing the part of something other than a judge. He is making legislative determinations, not judicial ones.'

Anson Levitan
Legal Aid Society of San Diego

impressive reputation among attorneys and his colleagues on the Superior Court bench, said he welcomes the legal challenge.

"If the court tells me I shouldn't be doing this, I won't," he said in a recent interview. "If they say it's a good idea, I suspect other judges will follow suit."

Asked where he finds authority for his policy, the 52-year-old jurist points to a section of the state civil code requiring both parents to assist in the raising of their children.

"I ask these parents on aid, and most of them are women, whether there is anything emotionally or physically wrong with them or the child that would prevent them from working," Murphy said. "If the answer is no, then I believe they are legally obligated to provide for their family."

Attorneys at the Legal Aid Society of San Diego, which is handling the

Please see **MOTHERS**, Page 8



DAVID McNEW

Shelley Anderson, son Corey. She was shocked at order to get off aid.

Continued from Page 1

unusual case with help from the Volunteer Lawyer Program, clearly disagree. They believe Murphy has stepped beyond the bounds of judicial authority and is improperly forcing welfare recipients to do something neither the Legislature nor Congress requires.

They further argue that there is no legal precedent for the judge's must-work orders, and that his policy conflicts with basic family law principles.

"It seems clear to us that Judge Murphy is playing the part of something other than a judge," said Anson Levitan, a staff attorney at Legal Aid. "He is making legislative determinations, not judicial ones. This is the court acting on its own accord and deciding that a woman should not get [welfare] payments and should be working instead."

Although some other judges on the local Family Court bench say they share Murphy's sentiments on the welfare issue, none appears to employ his controversial practice systematically. Judge Thomas Ashworth III said he agrees philosophically with Murphy on the subject, but suspects his colleague may be treading on thin legal ice.

'A Basic Unfairness'

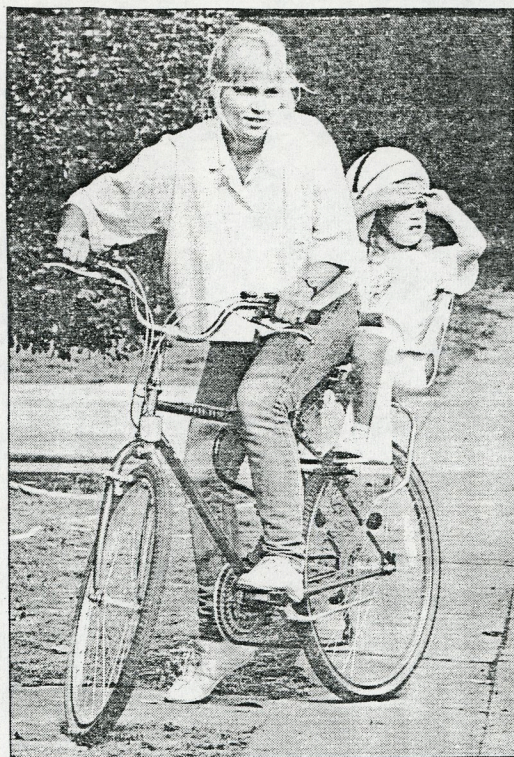
"It's hard listening to these cases over an extended period of time, because you may have a clerk who is in the exact same situation as these women, who has a 2-year-old child and would rather be at home but is out working for a paycheck," Ashworth said. "I think there's a basic unfairness there. And, if I had the authority, I would order these young women to [find jobs] rather than put the burden on the taxpayer."

Judge Federico Castro, meanwhile, said he evaluates each case individually, but usually does not require mothers with children under age 6 to look for work.

"If the kids are that young, then they aren't in school and are typically home with Mom," Castro said. "I feel they need that time with Mom and they need the continuing bonding to establish a better parent-child relationship. I believe the mother generally will give better supervision and better care to a child than a child-care center."

Interviews with a handful of family law scholars around California indicate that Murphy may be breaking new legal ground with his practice. Several experts, stressing that they had not read the legal briefs, also speculated that the judge could have a weak case before the Court of Appeal.

"It's astonishing," Carol Bruch, a prominent family law professor at



BARBARA MARTIN / Los Angeles Times

Stacey Cope and daughter Ashley on a ride in their neighborhood.

UC Davis Law School, said when informed of the policy. "In my view, the obligation to support one's child as defined in the civil code must be read in light of what the state requires of recipients in terms of employment or eligibility."

Bruch added that "it seems very unwise, on policy grounds, to expect parents of very young children to look for work given that our welfare laws assume it may not be in the child's best interest."

Agency Should Govern

Stephen Sugarman, a professor at UC Berkeley's Boalt Hall law school, said that "it seems the agency designated by the Legislature to decide what restrictions and requirements are appropriate in this area ought to be the agency whose rules govern. Other people in positions of power ought not come in and insist on different things."

Sugarman added that "it makes

be freed.

"The welfare system, for the majority of people, just seems to be circuitous," he said. "The people who are on aid never seem to get off, and then their children and their children's children wind up on it, and it's never-ending."

Nothing Magical Happens

He also argues that the longer poorly skilled mothers wait to enter the work force, the more difficult it will be for them to land a job.

"It's not as if something magical is going to happen when their children turn 6," he said. "Waiting simply delays the problems many of them will have in entering the work force."

It is clear that Murphy feels sincere satisfaction each time a woman he has directed to look for work returns to his courtroom and reports she has landed a job. Indeed, the news appears to recast the no-nonsense Murphy into the role of proud father.

During one court session last week, Murphy summoned a recently divorced Escondido woman forward and posed the fateful question: "Did you get a job?"

"Yes," said Kelly Winston, 25, "at Continental Dry Cleaners."

"Terrific!" exclaimed Murphy, flashing Winston a quick thumbs-up signal. "That's where I take my shirts. You guys do a great job."

Interviewed later, Winston said her new position as counter clerk pays \$4.25 an hour. Although her wages alone would not be sufficient to pay for rent, food and child care during work hours, Winston said her boyfriend "is making good money now" and helping out with the bills.

'There Are Success Stories'

Although Murphy said he has seen many happy endings as women have replaced their welfare check with a paycheck, he has not kept track of them until recently and is somewhat reluctant to discuss those cases.

"I'm afraid I look like some sort of benevolent despot up here, and I don't feel like that and don't want to appear that way," he said. "But there are success stories. When these people come back to court and tell me they've found a job, they seem very pleased with themselves and happy to be working."

Although many women complained that Murphy's orders are unfair, several mothers interviewed during a recent afternoon at Family Court said he gave them the nudge they needed to get off welfare and seriously look for work.

"I figured this was coming soon-

er or later," said Winston, whose son Charles is 4. "I'd probably be at home making excuses if not for him."

Ofelia, a divorced mother of two from Chula Vista who asked that her last name not be used, said she had "mixed feelings" about the judge's directive but felt he had her best interests at heart.

"I think it was good that he pushed me, and, now that my children are a little older I don't mind," said Ofelia, who was in court last week to tell Murphy she had been hired as a cook in a restaurant that will allow her to take her two sons to work. "We all have to work. But, when the children are younger, I think they need their moms at home."

'It's Very, Very Hard'

Other women said they wouldn't mind working—even while their children are under 6—but were having trouble finding jobs and affordable day care. Gloria Morales, 23, said she has been applying for work "almost every day" since her divorce in July.

"I have applications in at Payless, Taco Bell and Jack in the Box," said Morales, whose daughter, Anna, is 3. "But it's very, very hard."

Meanwhile, she said, there are long waiting lists at the few child-care centers within her financial reach.

Critics of Murphy's policy do not dispute that the judge has deeply held convictions and sincerely believes he is helping women break out of the so-called welfare cycle. But they complain that, aside from its questionable legality, Murphy's

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MOTHERS: Legal Groups Fight Judge's Stance

Continued from Page 8

approach ignores many of the hardships besetting poor, single mothers with limited job skills.

"Something has to be done about this man because he is creating a problems for people, a lot of problems," said Merkel Harris, executive director of the San Diego fare Rights Organization, who has fielded many complaints from women subject to the policy. Kate Yavenditti, a staff attorney in the Volunteer Lawyer Program who has several clients joining in the legal challenge, said Murphy "seems to truly believe he helping not just society but these people by getting them off welfare." The problem is, "someone no has never been a single parent in a poverty situation doesn't really understand the consequences of these orders," Yavenditti said.

Low-Paying Jobs

Specifically, Murphy's critics say, the type of jobs many welfare recipients are qualified for often fail to pay enough to cover child-care costs. Also, many mothers are reluctant to go off aid because they will lose their Medi-Cal benefits—a precious commodity for parents of small children prone to illness.

"I don't like being on welfare. I hate the whole deal, and I'd rather work for my own money," said Stacey Cope, 20, who supports herself and her 3-year-old daughter, Ashley, on \$535 a month plus \$87 in food stamps. "But I don't have any skills, and the type of job I could get wouldn't be enough to cover rent and day care."

Losing her medical insurance is Cope's biggest worry. "Ashley has been in and out of the emergency room seven or eight times this year. She just got over scarlet fever. If I lose Medi-Cal, that's it."

The judge says he sympathizes with the stress that child care puts on a meager household budget and

that he attempts to take a person's earning potential into account when issuing his orders. He also believes that, with the mushrooming number of working mothers, the government may eventually have to operate or underwrite day-care centers to make the service affordable.

But Murphy is not convinced that the only jobs available to welfare recipients are with a fast-food restaurant or other low-paying employer.

Not Going to Go Away

"That's just not true with the people I'm seeing who are succeeding in jobs," he said. In addition, "the reality of child care isn't going to go away or get any easier. Someday they're going to have to face it."

Under Murphy's policy, instituted about three years ago, any mother on aid who comes through the Family Court and meets his criteria can be a target of the work order. Many are there seeking a divorce, others to obtain a restraining order against an abusive husband. Some, like Shelley Anderson, are there as witnesses, trying to compel former spouses to pay child support.

If the child in a given case has reached age 2 or is toilet-trained, and, if there is nothing physically or emotionally wrong with the parent, Murphy orders the mother to make five "job contacts," or interviews, per week. (Until the legal challenge is settled, the judge has agreed to raise the age to 3.)

The judge further directs them to return to court a month later with an update on their progress. If they prefer, the judge allows women to instead enroll in the state's GAIN (Greater Avenues for Independence) program. GAIN provides job training and education for welfare recipients who need it when their children turn 6 and they must enter

the work force.

About a month ago, Murphy began monitoring the success of his program. He estimates that a dozen such mothers receive work orders from him each week. But the total number of parents involved keeps growing because those who fail to land jobs after the first try must return to court for more job-search instructions.

"Last week we did really well, with 43% of the people returning to court getting jobs and getting off

aid," Murphy said Thursday. Other weeks, that figure has been as low as 1% or 2%. The judge requires the welfare mothers to return to court monthly until they find work or enroll in the GAIN program.

Officials who administer the welfare program here declined to express an opinion about the legality of Murphy's actions. They did say, however, that people on welfare need not comply with his orders to receive their government checks.

Please see MOTHERS, Page 15

Continued from Page 9

"State regulations clearly say that a woman with a child under 6 does not have to do this," said Yolanda Thomas, spokeswoman for the county's Department of Social Services. "A judge can make whatever kind of order he wants, and, if she doesn't comply, he could find her in contempt of court. But even then she would still be eligible for aid."

Nonetheless, some of those who have failed to abide by Murphy's order have faced painful consequences. The judge said he has never cited an unobliging parent for contempt, and doesn't plan to. But those who fail to obey his directive are labeled "non-cooperative" in notices sent to the Department of Social Services. In some instances, that has prompted a woman's aid to be cut.

"We've had some miscommunication, because it was not clear that the reason the recipient was termed 'non-cooperative' was that she didn't follow Judge Murphy's order," Thomas said. "Once we learn the true reason, benefits are reinstated."

One Check Can Mean a Lot

Still, it may take an appeals hearing and a month or more for that to occur. And even one missed check can mean a lot to a family that may be just barely scraping by, Legal Aid attorneys said.

"This is the really punitive side of the issue, and I can guarantee that if some of these people have \$200 less at the beginning of the month, they won't be making their rent payment," said Colleen Fahey Fearn, another Legal Aid lawyer working on the case.

Yavenditti said news of the policy and the potential for termination of welfare benefits has circulated among mothers taking refuge in battered women's shelters around the county. Fearful that their checks could be halted or interrupted, some women who might otherwise ask the court for protective orders against abusive husbands are not doing so.

"This is a very vulnerable group of people, and that welfare check is their lifeline," Yavenditti said. "The fact is some of these women, who really need to go to court, have heard about this and are scared."

The policy also creates piles of added work for Murphy himself and for attorneys with clients who receive the work orders. One attorney who handles domestic cases for welfare recipients on a pro bono basis said she can scarcely afford to represent such clients because Murphy keeps calling them back to court.

"Going back to court three or four times because of these job-contact orders is a lot to do on a volunteer basis," said the attorney, who asked not to be named.

Made Them Feel Guilty

Despite Murphy's insistence that he

does not have an anti-welfare bias and appreciates the difficult bind many single mothers face, several women interviewed said the judge's actions and "attitude" made them feel ashamed, upset and guilty.

"I felt like he was making a spectacle out of us, and it really made me doubt myself and feel I didn't have the right to finish college," Anderson said.

Cope, another of the six plaintiffs in the Legal Aid action, said she realizes that some welfare recipients are just looking for a free ride. But she worries that Murphy is examining everyone through the same lens.

"A lot of people on welfare are trying to beat the system, and I hate those people because they make me look bad," Cope said. "I think the judge just looks at me as one of them, as somebody trying to take his taxes and live off them."

A third woman, who began receiving welfare when she divorced her husband in July, 1987, said Murphy's policy fails to recognize the right of women to stay home with their children if they so choose.

"I don't have anything against those supermoms who work 9 to 5 and then

'It's not as if something magical is going to happen when their children turn 6. Waiting simply delays the problems many of them will have in entering the work force.'

Judge Thomas Murphy

come home to their kids," said the woman, an El Cajon mother of three who asked that her name not be used. "But that's not for me. I prefer to stay home right now and be Dotty Domestic. And I know my kids benefit."

As Murphy awaits a verdict on his policy, he is aware that the passage of time may make the whole issue somewhat moot. Earlier this year, Congress passed a sweeping overhaul of the nation's welfare system—the first major change since its establishment during the Depression.

Under the new system, which is not expected to be fully implemented until 1992, recipients of Aid to Families With Dependent Children will be required to enroll in state-run education, job training or work programs once their children turn 3.

Unlike Murphy's system, however, the government's program will pay for nine months of child care and up to a year of medical insurance once a recipient lands a job.

San Diego, Calif.
Union
(Circ. D 217,324)
(Circ. S. 339, 788)

NOV 13 1988

Allen's P. C. B Est. 1888

VOCAL CONCERT — Soprano Florence Fogelson Blumberg, accompanied by pianist Ilana Mysior, will perform music by Mozart, Poulenc, Wolf and Falla at 8:15 p.m. today in the French Parlor of Founders Hall at the University of San Diego. 2955/

San Diego, Calif.
Union
(Circ. D 217,324)
(Circ. S. 339, 788)

NOV 13 1988

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UNIVERSITY OF SAN DIEGO OR-
CHESTRA — The orchestra, directed
by Dr. Henry Kolar, will perform works
by Svendsen, Dvorak and Atterberg at
4 p.m. next Sunday in USD's Camino
Theater. 2955

Los Angeles, CA
(Los Angeles Co.)
Times
(San Diego Ed.)
(Cir. D. 50,010)
(Cir. S. 55,573)

NOV 13 1988

Allen's P. C. B Est. 1888

2955 □
Jody Connors had 14 kills and 8
digs, but the University of San
Diego dropped a West Coast Ath-
letic Conference match to Santa
Clara, 15-7, 15-9, 15-5. USD is
10-14 and 4-7; Santa Clara is 19-12
and 11-2.

Los Angeles, CA
(Los Angeles Co.)
Times
(San Diego Ed.)
(Cir. D. 50,010)
(Cir. S. 55,573)

NOV 13 1988

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~~Baja Lagoons~~ Coastal lagoons and bays
of Baja California will be discussed in a free
lecture at 7 p.m. Wednesday in Room 204
of Serra Hall, University of San Diego.

San Diego, CA
(San Diego Co.)
San Diego Business
Journal
(Cir. W. 7,500)

NOV 14 1988

Allen's P. C. B Est. 1888

University of San Diego is sponsoring Fr.
Matthew Fox, director, Institute in Culture Crea-
tion Spirituality, who will speak on "Healing of
the Global Village—Compassion in the Ameri-
cas" at 7:30 p.m. at University Center Forum.
For more information, call 260-4798. 2955

Los Angeles, CA
(Los Angeles Co.)
Times
(San Diego Ed.)
(Cir. D. 50,010)
(Cir. S. 55,573)

NOV 13 1988

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FOOTBALL 2955

The University of San Diego

(5-4) finished its season Saturday against Azusa Pacific the same way it began 10 weeks ago against Menlo College. Saturday, the Toreros fell 14-13. Against Menlo it was 18-17, but earlier this week Menlo had to forfeit all 7 of its wins because it hadn't filed the necessary eligibility papers on its athletes.

Head Coach Brian Fogarty might have been able to handle those losses better were it not for 3 other losses decided in the final moments of the game. On the field, USD lost 5 games by an average of 3 points. Twice USD gave up a winning touchdown late in the fourth quarter and three times the Toreros failed to score on their final drive when they appeared to be heading to victory. Saturday was no different.

Trailing 14-13, USD drove to Azusa Pacific's 29-yard line with less than 3 minutes remaining—but failed to convert on a fourth and 2 situation. Azusa Pacific (7-1) took over on downs and ran out the clock.

The Toreros needed just a few more yards to be within Jim Morrison's field goal range. The sophomore kicker had made his first two attempts, both in the third quarter, from 37 and 23 yards. "I've never seen anything like it," said Fogarty. "It's been the story of our season."

USD Fullback Todd Jackson rushed 21 times for 84 yards in-

cluding a second quarter 1-yard touchdown. The Toreros' defense allowed Azusa Pacific 164 yards on 53 carries. USD set a single season school record for fewest rushing yards allowed with 663 for a 73.6-yard average.

San Diego, CA
(San Diego Co.)
Evening Tribune
(Cir. D. 123,064)

NOV 14 1988

Allen's P. C. B Est. 1888

HEALING AND HOPE:

Matthew Fox will speak on three consecutive evenings beginning tomorrow. His topics include "Healing the Global Village," at USD University Center; "The Cosmic Christ," at the Cathedral Church of St. Paul; and "Peacemaking in the Midst of Crisis," First Unitarian Church. All sessions begin at 7:30 p.m. Suggested donation is \$5. 2955

San Diego, CA
(San Diego Co.)
San Diego Business
Journal
(Cir. W. 7,500)

NOV 14 1988

Allen's P. C. B Est. 1888

University of San Diego as part of its distinguished speakers series, is hosting Christopher J. Walt, who will speak on "Advising Japanese Business Clients" from 7:30 to 9 a.m. at the Manchester Conference Center. There is a fee. For more information, call 260-4644-2955.

San Diego Board of Realtors is providing a

San Diego, Calif.
Southern Cross
(Cir. W. 27,500)

NOV 17 1988

Allen's P. C. B Est. 1888

USD

2955

Business Seminar Series, continues Dec. 2 with "Marketing Within the Organization." Cost for one session is \$15. Each seminar includes presentation materials and continental breakfast. For further information, call Jackie Frieberg, 260-4644.

Distinguished speakers series, a lecture series focusing on the business activity in the United States, the Pacific Rim and Mexico, continues at the Manchester Executive Conference Center, Dec. 15. Topic for December is, "Doing Business in Mexico," and conducted by Rodolfo Hernandez, a managing partner for Touche Ross and Company in Tijuana. Cost is \$15 per session. Call 260-4644.

"The Hellenic Tradition in Ireland," an art exhibit, will open Nov. 18 and be displayed through Dec. 8 at Copley Library. Admission is free. Call 260-4600, Ext. 4261.

La Jolla, CA
(San Diego Co.)
University City Light
(Cir. W.)

NOV 17 1988

Allen's P. C. B Est. 1888

"Michele Burgess, Prints and
Drawings," 201-511 through Dec.
15 at the Founders Gallery, USD.
For information, call 260-4600.

Santa Ana, CA
(Orange Co.)
Orange County Reporter
(Cir. D.)

NOV 16 1988

Allen's P. C. B. Est. 1888

Profile

SAN DIEGO — Christine V. Pate recalls once while looking for a position with a private law firm that she was sitting across the desk of a prospective employer who was on the telephone with another male attorney. When the man told the caller that he was interviewing a woman to join the firm as a lawyer, the man on the other end of the line laughed uproariously.

"I could actually hear the man laugh on the other end of the phone," Pate said with a smile. The incident illustrates the discrimination Pate, 45, and other female law school graduates faced in 1970, when seeking jobs as attorneys with private law firms.

She eventually found a position with Higgs, Jennings, Fletcher & Mack as a research attorney and remained with the firm until her appointment in February to the San Diego Superior Court by Gov. George Deukmejian.

Assigned first to trial court, she now presides in juvenile court — down the hallway from her husband, juvenile court Judge William Pate. She is regarded as a natural for juvenile court because of her years as a family law attorney.

Deputy District Attorney Mary Avery ob-



Christine V. Pate

serves that Pate tackled the duties in juvenile court with relish. "She treats people with dignity, whether it's staff, attorneys or families appearing before her. She's a very calming influence in a situation that could be readily volatile."

Her first experiences on the bench involved a number of civil court trials. While she generally received good marks from lawyers who appeared before her, some attorneys were not sure of her.

Mixed Reviews

"I think she ought to stay in juvenile court," one attorney notes. "I think she was in over her head. Her temperament and demeanor were fine but she didn't know the Evidence Code."

The attorney said Pate ruled in favor of the opposing party and doesn't necessarily quarrel with a judgment against his client. "I could have lived with a verdict against me but the one I got doesn't make sense. The conclusions were not supportive of the findings."

The attorney would not elaborate.

But private attorney Raymond Theep sees Pate differently. The practitioner said he tried a complicated and lengthy civil case involving the disputed sale of a Ramona restaurant to a group of investors. He represented the cross-complainant and cross-defendant in the lawsuit. Theep observes that Pate demonstrated a good grasp of civil law and excellent management skills in a four-month trial over 21 court days.

"She did a great job particularly when it was so chopped up and the number of parties involved," Theep said. "Her judicial temperament was excellent particularly given the emotion in this trial."

Her father a dentist and mother a pediatrician, Pate was born in the San Diego area in 1943 while her father was serving in the military.

She grew up in a household where politics

Profile

295 Continued from Page 1

was a frequent dinner table topic. While her parents were in the medical profession, many other relatives were in law.

One uncle, Frank Waters, was counsel to Howard Hughes, while another is U.S. District Court Judge Laughlin E. Waters. An aunt, Mary Waters, is a Los Angeles Municipal Court judge.

Medicine or Law?

Given the strong ties to both professions, she waffled between careers. The decision was made for her when she was growing up and worked for her father as a dental assistant.

Pate recalls her father was doing a "nasty, unpleasant extraction" on an elderly patient while her mother down the hall was pumping a child's stomach. When Pate's father asked her to sterilize some equipment in her mother's office, she returned with her mind made up.

"When I walked out of my mother's office I said to myself, 'That's it! Law.'"

She attended the University of California, Berkeley, at the height of the free speech movement and recalls stepping over student demonstrators on the way to class. She says she was not a participant but an "interested observer."

She graduated in 1965 with a degree in history and political science. She then attended Hastings College of Law for one year before dropping out to marry and become a "good Marine wife" while her husband went to Vietnam.

She and her husband have four boys, Bill, 18; Bryan, 15; David, 12, and Douglas, 9.

She later returned to San Diego to attend the University of San Diego School of Law. She graduated with a law degree in 1969.

Although she graduated in the top 10 percent of class — as did nearly 90 other graduating women — she found doors to law firms closed.

But 1970 was an election year and a new San Diego County District Attorney was elected. "There was a change of climate then," Pate said. "One month nobody wanted to hire a woman and the next month everybody did."

Private Practice

She also decided that private practice provided her more opportunities.

"A private law firm gave me a broader-based exposure to law," she said. "At that time I didn't know what kind of law to go into. The public arena was too narrow."

With Higgs, Jennings, Fletcher & Mack she developed an expertise in probate and domestic matters.

Ironically, two years after she joined the firm, her husband also joined the practice. And two years before her appointment to the superior court bench, William Pate earned an appointment to the superior court.

After her husband was appointed in August 1986, she observed how well he liked the job, Pate says. The timing and opportunity for an appointment appeared good so she decided to apply as well, she says.

Pate says that she is continuing to adjust to the duties of a bench officer. She says she gives wide latitude to attorneys in presenting their cases but will perhaps exercise more control after some time.

She observes that her background provides excellent training for her role in juvenile court.

"I take a pragmatic approach. I don't come to juvenile court and say, 'This is the way we used to do it.'"

She observes her many years in domestic law and raising four sons has allowed her to appreciate what families are going through in her court.

Observes Deputy District Attorney Avery: "Judge Pate is very concerned with child protective issues, family issues and the rights of parents."

Avery also said that Pate is "always well-prepared" and reads the voluminous material associated with juvenile cases before the beginning of her calendar. "She never reads while going along."

Private attorney Gary Bubis says that Pate's experience in domestic matters as an attorney makes her an asset to juvenile court. "She's a knowledgeable warrior on the dynamics of custody and sensitive to what problems mothers and fathers have."

Bubis adds that Pate makes good use of the mediation court by making it a part of exit orders for couples. By requiring families to use mediation court it saves them attorneys fees, he notes.

"She talks to people at their level and they go out with an understanding (of her rulings)."

No Conflict

Members of the legal community note there is no conflict between William and Christine Pate's presiding over juvenile matters in the same courthouse. William Pate is currently handling delinquency matters and Christine Pate presides over dependency cases.

"Lawyers here feel they are very fortunate to have Christine Pate on the bench," one lawyer says. "Between her and her husband, we have a strong juvenile court."

— ROB L. WAGNER

La Jolla, CA
(San Diego Co.)
University City Light
(Cir. W.)

NOV 17 1988

Allen's P. C. B Est. 1888

The University of San Diego
Orchestra will appear in concert
at 4 p.m. on Nov. 20 at the USD
Camino Theatre. The orchestra
will perform works from Svend-
sen, Dvorak and Attenberg. For
information, call 260-4682. *2955*

La Jolla, CA
(San Diego Co.)
La Jolla Light
(Cir. W. 9,336)

NOV 17 1988

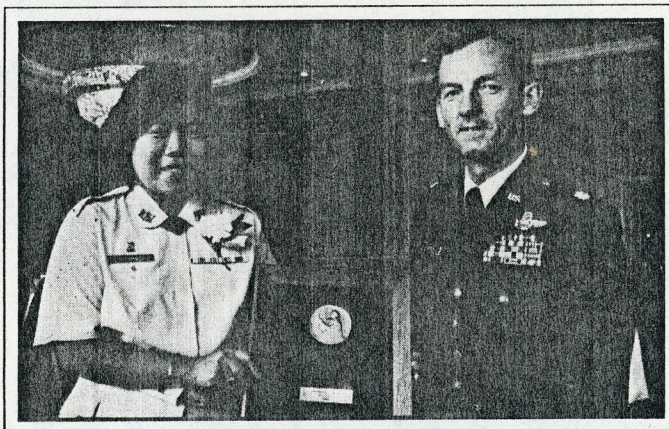
Allen's P. C. B Est. 1888

The University of San Diego
Orchestra will appear in concert
at 4 p.m. on Nov. 20 at the USD
Camino Theatre. The orchestra
will perform works from Svend-
sen, Dvorak and Attenberg. For
information, call 260-4682-955

NOV 17, 1988



COMM



Hoang Taing (left) with her Freedoms Foundation award (Photo By David Barak)

Peace with Freedom

By Hoang K. Taing

Editor's Note: University of San Diego student Hoang K. Taing received an award from the Freedoms Foundation at Valley Forge for the following essay. Taing, who comes from Cambodia, won for her entry in the Military Essay category in a nationwide contest.

In the interest of world peace, I would like to share with you how I felt about peace when I was a child, the experiences of my past through war, and most of all, my interest in world peace with freedom today.

As a little girl, I had lovely parents and the inner peace and harmony of a wonderful family life. But the Communists took over Cambodia in 1975. Many people were killed, including my brothers. I had to run to an underground shelter to protect myself. The Communists did not give us any freedom at all. There was no education and no private ownership. Everything belonged to the Communist government, which put us through extreme misery. In this way, war is evil, and war is sad. Because of war, I was forced to pick up fruit from trash cans in order to eat, walk in a dark forest without shoes, sleep along the roadside without a bed and escape to other countries.

Thanks to God for everything! Today I am here, living in the U.S.A., where freedom reigns. I can live in peace, and my freedom is guaranteed under the rights of the Constitution. This includes my freedom of speech, religion, education and most important, the freedom to live in peace with others. In order to have freedom, each one of us must take the responsibility to vote, be a good citizen and to stand up for what we believe.

Although we are of different nationalities and from every walk of life, we

all have the common interest of world peace.

We should not let details of past wars and the threat of future wars take away the fun and joy we have of working to gain peace.

I've personally noticed various nations and their people participate in peace rallies and talks when I traveled to such countries as Vietnam, Malaysia, Taiwan, Hong Kong, Japan, England, France, Mexico, and Canada. I went as a goodwill ambassador for peace to most of these countries I visited.

I am a cadet in the United States Air Force ROTC, and by attending an institution of higher learning, I am not only learning new knowledge, but I have also come to think things out in an open-minded way. As a member of the Air Force, I feel that "we are not seeking to win war, but to gain peace." And we should not let details of past wars and the threat of future wars take away the fun and joy we have of working on this challenging task.

This is a glorious world because there are people we love and pleasures to be shared. My interest in world peace is so deep. I strongly believe that one day this world will have peace because our wise leaders will "have brought us a long period of peace and many necessary reforms which are being made for the good of our world." (Acts 24:2) I can see in front of my eyes that all God's children, Russian, American, Chinese or Cambodian, will live in this happy world, join hands together and sing the song of peace.

Rebel Priest Matthew Fox to Speak at USD



Matthew Fox

The University of San Diego will host two of a series of talks rebel priest Matthew Fox will deliver in San Diego this week. An internationally known lecturer, author of twelve books, and editor of Creation magazine, Fox has stirred controversy with his message of "Deep Ecumenism," a mixture of social concern and Christian mysticism.

For his controversial work he will be prohibited by Roman Catholic authorities, beginning Dec. 15, from speaking publicly or publishing his writings, according to a report in the National Catholic Reporter, a liberal weekly published in Kansas City.

Fox believes that "Deep Ecumenism" will unleash the wisdom of all the world's religions which holds the one last hope for the survival of the planet."

Fox teaches that "...there is no such thing as a Lutheran sun and Taoist moon and a Jewish ocean and a Roman Catholic forest."

"When humanity learns this," he says, "We will have learned a way out of the dilemma that is boring our young, killing our souls, trivializing our worship, and exterminating our planet."

As a Dominican priest, Fox founded and directs the Institute in Culture and Creation Spirituality in Oakland.

Fox's San Diego Schedule is as follows:

7:30 p.m. Nov. 17, "Peacemaking in the Midst of Crisis" at the First Unitarian Church, 4190 Front St., San Diego.

8:00 a.m. Nov. 17, "A Paradigm Shift for Western Religion" at the University of San Diego, Alcala Park, off Linda Vista Rd.

12:00 noon, Nov. 17, "Renaissance of Sexual Mysticism" at San Diego State University, Montezuma Hall, San Diego.

LINDA VISTA NEWS & VIEWS

NOV 17, 1988

ANNOUNCEMENTS

LINDA VISTA NEWS & VIEWS

NOV. 17, 1988

Special demonstrations scheduled on December weekends from noon to 3 p.m. at the **San Diego Natural History Museum** in Balboa Park. Admission is \$1 for students ages 6 through 18, \$4 for adults and free to children under age 5 and to military personnel in uniform. Special demonstrations are free with the general Museum admission. For more information contact the San Diego Natural History Museum at 232-3821.

The Home of Guiding Hands needs **200 volunteers and Runners and Walkers for the Second Annual IDS San Diego Harbor Run & Walk** scheduled for Sunday, Nov. 20. Most volunteers will be needed from 5 a.m. to 10 a.m. on event day. It benefits the Home of Guiding Hands, a non-profit residential facility for the retarded. Call Lyn at 236-0842 or Tina at 448-3700.

The Kearny High School Drama Department will present "**Othello**" on Nov. 29th, 30th, and Dec. 1st, at 7:30 p.m. Each night before the play, the department will stage an Elizabethan Revel, with costumes and cultural festivities. Clubs will be participating with food from 6 to 7 p.m.

Women, ages 20 and 45, are needed for a **study of the menstrual cycle and the effects of light** on mood and performance. Participants, who will be paid up to \$500 for completion of the project, must have regular menstrual cycles, be on no medication (including birth control pills) and be in good health. Call Dean in the Light and Menstrual Cycle study at 457-3459.

Adult patients with scleroderma, an unusual disorder characterized by a thickening and tightening of the skin, are needed to participate in a treatment study at the UCSD School of Medicine. Volunteers will be allowed to continue their normal medications during the 48-week study, and will be seen by a UCSD rheumatologist every two months to monitor their progress. For further information, contact Dr. Michael Weisman at the UCSD Medical Center, (619) 543-5635.

Expect a different approach to "**A Midsummer Night's Dream**" when the curtain goes up for the Old Globe Theatre/University of San Diego Production of Shakespeare's drama. Performances are set for 8 p.m. Wednesday, Nov. 16, through Tuesday, Nov. 22, at the University's Founders Chapel. Sunday, Nov. 20, performance at 8:30 p.m. Tickets: \$3 for the general public, \$2 for USD students. Tickets can be ordered through the USD and Old Globe (231-1941) box offices. Tickets may also be purchased at the door.

The Epilepsy Foundation of America has designated November "**National Epilepsy Month**." Its local affiliate, the

Epilepsy Society of San Diego County, plans a campaign to educate San Diegans about this condition. For more information on epilepsy and National Epilepsy Month, contact Jackie Vella at 296-0161.

Powerful, abstract etchings, wood-cuts and drawings of the human figure are featured in the next exhibit in **Founders Gallery at the University of San Diego**. The exhibition, "**Michele Burgess, Prints and Drawings**," will run through Dec. 15. An opening reception 5-7 p.m. Thursday Nov. 10 in the Founders Hall foyer. Gallery open weekdays only from noon to 5 p.m. Call Prof. Therese Whitcomb at 260-4600.

Clairemont High **Class of '79** is planning a **Ten Year Reunion**. Graduates please call 581-9471 or 483-2969 for more information.

Prepare for a Job at the **Skills Center!** 1400 Park Blvd. Appliance repair, Auto body and paint, Auto mechanics, Computer training, Dry cleaning, Electronics, Machining, Metal trades, Office skills, Power sewing Upholstery, Welding. Accredited, V.A. Approved, No Tuition, Job Placement, Financial Aid Available.

Individuals 16 years and older with **rheumatoid arthritis** are needed for a **treatment study at UCSD**, conducted by Dr. Michael Weisman, adjunct professor of medicine at the UCSD Medical Center. The study will test the effects of a broad-spectrum antiviral agent against rheumatoid arthritis, and to check for any potential side effects. Volunteers will not be charged for the complete medical evaluation or the drug. For information, call Dr. Weisman at 543-5635 between 10 a.m. and 4:30 p.m.

Sharp Senior Healthcare offers **flu injections** in November to anyone at least 55 years of age. Appointments are necessary and may be scheduled by calling the main office in Hillcrest at 299-6340 or the Clairemont office at 272-7994. Nominal fee: \$2.

The Food and Drug Administration has ordered a **recall of certain 200 mg Carbamazepine/Tegretol tablets manufactured by Pharmaceutical Basics, Inc. (PBI)**, used in the treatment of epilepsy. Recall is due to a manufacturing defect that could affect their usefulness in controlling seizures. Distributed by PBI, Rugby, MP, Martec, Best, H.L., Moore, Major, Goldline and Parmed. For more information, contact Leonard Knight at the Epilepsy Society of San Diego County, at 296-0161.

Parents Al-Anon meets at East Clairemont Southern Baptist Church, 4633 Doliva Dr. (next to Madison High School), every Thursday at 8:00 p.m. Attendance is welcomed without prior arrangement. No charge or obligation.

November 18-19

Annual Christmas Bazaar and Bake Sale. 9 a.m. 4 p.m. at the North Clairemont United Methodist Church, 4570 Mt. Herbert Ave. 278-2433. All hand crafted items: knit & crocheted gifts, toys, decorations, and ornaments.

November 20

The University of San Diego Orchestra, under the direction of Dr. Henry Kolar, will be in concert at 4 p.m. at USD Camino Theatre. Co-sponsored by New Sweden '88. Tickets available at the door. Admission is \$5 general and \$4 seniors. For more information, call Dr. Kolar at 260-4600 or John Nunes at 260-4682.

November 20

Actors Network, a networking and support group for actors of all levels, will meet at the Point Loma Assembly Building, 3035 Talbot. This month's workshop features Anne Bowen-Davies, an English-trained actress and director — on Shakespeare. The cost is \$5. For more information, phone 697-9862.

November 20

A group of San Diego Educators will present a **slide show and narrative** of their trip to Nicaragua. In Bard Hall: 6:15 p.m. Potluck Dinner, bring food to share with congenial company. 7:30 p.m. Program, to be followed by reception. Public invited. No charge. Wheelchair accessible. Reservations not requested. For more information, call 222-9477.

November 21

The International Chamber Players of United States International University will perform at 7 p.m. at The Theatre in Old Town (Box Office at 4040 Twiggs St). Tickets are \$5 for reserved seating. Box office hours are 10 a.m. to 5 p.m. Mon.-Fri. and noon to 5 p.m. on Sat. For more information on the concert or to charge tickets call 298-0082.

November 24

Eighth Church of Christ, Scientist will hold family **Thanksgiving Day Services** at 10 a.m. on Thanksgiving Day. Everyone is welcome. 3410 Clairemont Drive.

Oceanside, CA
(San Diego Co.)
North County
Blade Tribune
(Cir. D. 29,089)
(Cir. S. 30,498)

NOV 17 1988

Allen's P. C. B Est. 1888

UNIVERSITY OF SAN DIEGO ORCHESTRA Performs music by Svendsen, Dvorak, and Alperberg on Sunday, Nov. 20, at 4 p.m. at USD Camino Theatre. Tickets are \$5 general admission and \$4 for seniors, and are available at the door. For more information call 260-4600 or 260-4682. 2955

San Diego, Calif.
Southern Cross
(Cir. W. 27,500)

NOV 17 1988

Allen's P. C. B. Est. 1888

USD drama performs Shakespeare play

ALCALA PARK — The University of San Diego and the Old Globe Theatre will present Shakespeare's drama "A Midsummer Night's Dream" Nov. 17-22, 8 p.m., at Founders Chapel on the USD campus. The Nov. 20 performance will begin at 8:30 p.m.

The cast consists of graduate drama students recruited nationwide by Old Globe Associate Director David Hay, who is also a member of the USD English department.

Father Nicolas Reveles, USD music department coordinator, is composing an original, synthesized musical score, based in part on Felix Mendelssohn's score.

Tickets are \$3 for the general public and \$2 for USD students. Tickets can be ordered through the USD and Old Globe box offices or purchased at the door.

For further information call 260-4682.

San Diego, CA
(San Diego Co.)
San Diego Union
(Cir. D. 217,089)
(Cir. S. 341,840)

NOV 18 1988

Allen's P. C. B Est. 1888

UNIVERSITY OF SAN DIEGO OR-
CHESTRA — The orchestra, directed
by Dr. Henry Kolar, will perform works
by Svendsen, Dvorak and Atterberg at
4 p.m. Sunday in USD's Camino The-
ater.

5955

San Diego, CA
(San Diego Co.)
Evening Tribune
(Cir. D. 123,064)

NOV 18 1988
Allen's P. C. B Est. 1888

USD — Henry Kolar leads orchestra in
program of works by *Pyotr Ilyich Tchaikovsky* and
Atterberg, 4 p.m. Nov. 20, Camino Theatre.
Admission: general, \$5; senior citizens, \$4.

Carlsbad, CA
(San Diego Co.)
La Costan
(Cir. W. 5,000)

NOV 18 1988

Allen's P. C. B Est. 1888

UNIVERSITY OF SAN DIEGO ORCHESTRA Performs music by Svendsen, Dvorak, and Atterberg on Sunday, Nov. 20, at 4 p.m. at USD Camino Theatre. Tickets are \$5 general admission and \$4 for seniors, and are available at the door. For more information call 260-1500 or 260-4682.

2955

San Diego, CA
(San Diego Co.)
San Diego Log

NOV 18 1988

Allen's P. C. B Est. 1888

USD Gets Marine Studies Grant From Oceans Foundation

²⁹⁵⁵
SAN DIEGO—San Diego Oceans Foundation presented a grant of \$10,000 to the University of San Diego's Marine Studies program.

"We are delighted to make this contribution to the University of San Diego," said Seth Brown, president of the foundation. "It is our hope that the San Diego Oceans Foundation Endowed Marine Studies Scholarship fund will one day exceed \$100,000 and will finance the studies of many deserving students over the years."

USD President Author Hughes accepted the check at a brief ceremony at Sea World's PJ's Cafe in October.

San Diego, CA
(San Diego Co.)
Evening Tribune
(Cir. D. 123,064)

NOV 18 1988

Allen's P. C. B Est. 1888

UPCOMING HIGHLIGHTS

TONIGHT/18	TOMORROW/19	SUNDAY/20	MONDAY/21	TUESDAY/22	WEDNESDAY/23	THURSDAY/24
<p>7 p.m. — "Word to Word: An Evening of Poetry, Prose and Music," Backdoor, SDSU (also 10 p.m.).</p> <p>7:30 p.m. — Poets Steve Kowitz and Bobby Byrd read from their work, D.G. Wills Bookstore, La Jolla.</p> <p>8 p.m. — "Innovation No. 13," Actor's Lab Creations, Theatre Room of Maryland Hotel. — Pianist Eugene Istin joins San Diego Symphony in Encore Series No. 3 program, Symphony Hall (also Nov. 19). — "Archive of Memory," live arts project, Installation Gallery. — Performing Arts Lab, informal forum for choreographers, musicians, actors and other performing artists, Sushi Performance Gallery (also Nov. 19). — "The Pirates of Penzance," SDSU, Don Powell Theatre (also Nov. 19). — "Attitudes," dance recital, featuring SDSU students Jane Berman and Charlene Tison, Sushi Performance Gallery.</p>	<p>2 p.m. — North Wind Quartet, chamber music, MiraCosta College, San Elijo Campus Auditorium, Cardiff.</p> <p>7:30 p.m. — "Night of the Phoenix," San Diego Chinese Cultural Association and San Diego Chinese Choral Society present joint music concert, Performing Arts Center of Mountain Carmel High School.</p> <p>8 p.m. — Jazz Unlimited Dance Company, La Jolla Museum of Contemporary Art, La Jolla. — Peter Ostroushko, musical director of "Prairie Home Companion," presents concert, San Diego Folk Heritage, Ferguson Hall, St. Luke's Church. — "Roaring Twenties," concert, La Jolla Civic University Symphony Orchestra and Chorus, Mandeville Auditorium, UCSD.</p> <p>8:30 p.m. — Brazilian Night, Brazilian Club of San Diego, evening of dance, German American Societies, El Cajon.</p>	<p>10 a.m. — B100 Baby Blast, Del Mar Fairgrounds, Del Mar.</p> <p>1 p.m. — SDSU Wind Symphony, Don Powell Theatre.</p> <p>2 p.m. — "The Singing Fool," San Dieguito Playhouse and Junior Theatre presents screening of first all-taking movie, starring Al Jolson, La Paloma Theatre, Encinitas. — "A Lovely Light" one-woman show starring Marion Ross, Hahn Cosmopolitan Theatre (last performance).</p> <p>3 p.m. — SDSU Concert Choir and Chamber Singers, Winter Concert, Smith Recital Hall, SDSU. — Fantasy Follies, Las Vegas-style revue featuring female impersonators, El Cortez Convention Center (also 7 p.m.).</p> <p>4 p.m. — USD Orchestra, Camino Theatre.</p> <p>7:30 p.m. — Humanist Discussion Group presents "A Mission for School Building in Nicaragua," slide show and narrative, First Unitarian Church.</p>	<p>11:10 a.m. — Rev. Arthur Hammons speaks on "Preparing Children for Opera," part of "Opera Insiders Seminars" series, San Diego Opera, War Memorial Building, Balboa Park.</p> <p>7 p.m. — International Chamber Players of USIU perform works by Mozart, Reger, Stout and Nielsen, Theatre in Old Town. — "The White Crow," staged reading, part of "Festival of Jewish Plays," Gaslamp Quarter Theater Company, Hahn Cosmopolitan Theatre.</p> <p>8 p.m. — "Burning Patience," Spanish language performance, San Diego Repertory Theatre, Lyceum Space, Horton Plaza. — British conductor Ian Hobson leads San Diego Chamber Orchestra, Sherwood Auditorium, La Jolla Museum of Contemporary Art, La Jolla.</p>	<p>8 p.m. — Courtney Pine, British saxophonist and quartet perform jazz concert, La Jolla Museum of Contemporary Art, La Jolla. — Soprano Rita Hunter joins Pacific Symphony Orchestra in music from Wagner's "Der Ring Des Nibelungen," Orange County Performing Arts Center, Costa Mesa (also Nov. 23). — "Blood Wedding," Old Globe Theatre, Simon Edison Centre for the Performing Arts, Balboa Park. — "Burning Patience," interpreted performance for hearing impaired, San Diego Repertory Theatre, Lyceum Space, Horton Plaza.</p>	<p>3 p.m. — "The Price of Change," screened as part of New Views of Women series, SDSU.</p> <p>7:30 p.m. — "The Importance Is To Live," screened as part of "Contemporary Mexican Cinema" series, La Jolla Museum of Contemporary Art, La Jolla.</p> <p>8 p.m. — "Nutcracker," San Francisco Ballet, Civic Theatre. — Dixie Road Bluegrass Band, Drowsy Maggie's Folk Cafe.</p> <p>9 p.m. — Street Corner, Old Del Mar Cafe, Del Mar.</p>	<p>11:30 a.m. — Salvation Army Thanksgiving Dinner, Golden Hall, free (served until 3 p.m.).</p> <p>Noon — Thanksgiving Day dinner featured in Crown Room, Grand Ballroom and Prince of Wales restaurant, Hotel del Coronado, Coronado (seating runs through 8:30 p.m.).</p> <p>8 p.m. — Comedians Stevie Ray Fromstein and Ron Richards, with Matt Weinhold, The Improvisation (also 10 p.m.).</p> <p>9 p.m. — Four Eyes, Mick's P.B. Nightclub.</p>

San Diego, CA
(San Diego Co.)
Evening Tribune
(Cir. D. 123,064)

NOV 25 1988

Allen's P. C. B Est. 1888

USD — Fiction writer Cris Mazza reads
from her forthcoming book "Animal Acts," 7
p.m. Nov. 29, Founders Hall French Parlor.
Admission is free. Information: 287-2118.

Santa Ana, CA
(Orange Co.)
Orange County Reporter
(Cir. D.)

NOV 18 1988

Allen's P.C.B. Est. 1888

Profile 2955

SAN DIEGO — In 1982, after serving 10 years on the San Diego Superior Court bench, Charles W. Froehlich Jr. abruptly resigned.

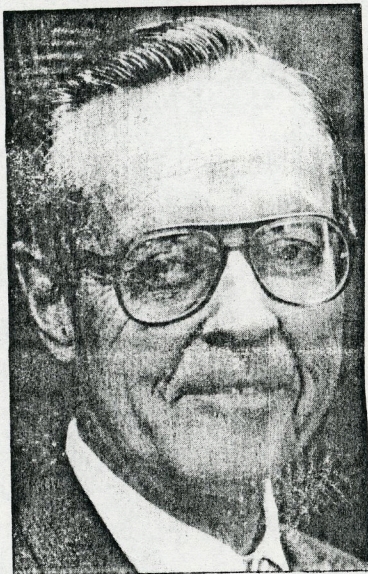
"I got tired of it," Froehlich explained recently. "And it was during the period of the Bird Court. I was discouraged and it was the only logical thing to do."

Froehlich — appointed in August to the 4th District Court of Appeal division in San Diego by Gov. George Deukmejian — spent the meantime in private practice, frequently adjudicating and mediating disputes.

Private attorney Luke Corbett says Froehlich, 59, was sought for his services because his "integrity is unblemished and beyond reproach." "He has an excellent sense of humor and is very, very fair," Corbett went on. "He is not one prone to get bogged down in peripheral issues."

Froehlich was unaffiliated with any service that attracts and books clients for "rent-a-judges." "I had my own office and support personnel," he said.

Froehlich, however, sees advantages to the use of private judges as a means of accommodating litigants on both sides of a dispute. "I



Justice Charles W. Froehlich Jr.

think that many lawyers are not familiar with it, but it is being used more and more now. There are tremendous advantages to it. You can usually go to trial when you want. You're not forced (to trial unready)."

In one arbitration case in June 1987, Froehlich ruled for the dissolution of a seven-member committee appointed by the San Diego Yacht Club to manage the defense of the America's Cup, the world's premier yachting trophy. He directed the Sail America syndicate to submit a new list of nominees for the panel.

America's Cup

The yacht club had sponsored Dennis Connor's bid to win the cup in a September 1985 agreement. According to the document, the club would appoint the next defense committee from a list of names submitted by Sail America.

But since Sail America would not commit itself to look at San Diego as the site of the race, the yacht club selected six of its own members for the panel. Sail America asserted the club ignored a number of international sailing figures nominated by the syndicate.

The issue went to arbitration and Froehlich ruled the committee should be formed anew. He noted at the conclusion of the hearing that Sail America "made a mistake" in its nominations and had believed that some of those nominated to the panel had been pre-approved by the yacht club when they had not.

The ruling may have proven unpopular, as it jeopardized the selection of San Diego as the site for next series of races, which meant untold millions in local sales. San Diego was eventually chosen to host the races, and Connor won the race.

Private attorney Robert Steiner, who used Froehlich's arbitration services in a breach of trust dispute, said the jurist was the "right choice" for his case. "He has litigation experience and trial experience, a real world business experience."

Please turn to Page 12

Profile

Continued from Page 1

2955 Froehlich says the only disadvantage to rental judges is that their use may encourage jurists to retire early. (Of 375 retired judges in California who responded to a recent questionnaire from the National Center for State Courts, 17 percent said they had left the bench early to take jobs as private judges.) Froehlich says that several judges have approached him to seek advice on their future as private judges after retirement.

As a former law professor and editor of the law review at the University of California, Berkeley, Froehlich is perceived as something of an academic. "He's obviously very interested in the intellectual side of the law, but he's a very practical and pragmatic person," Steiner observes. "I wouldn't call him bookish."

Born in 1928 in San Jose, Froehlich moved to Fullerton as a child. He attended Stanford University and earned a bachelor's degree in economics in 1951.

At the outbreak of the Korean War, he joined the Army and served as a first lieutenant in the Korean War. He won a Bronze Star before his discharge in 1953.

He returned to Northern California to earn his law degree from Berkeley in 1956. He was editor of the California Law Review in 1955-56.

He and his wife Millicent have three daughters: Marion Himmel, Susan Marvin and Helen Trevelyan. Marvin is a Los Angeles attorney.

After earning his law degree, he immediately went into private practice with San Diego attorney Byron White and maintained the partnership until 1962. While in private practice he taught law part-time at the University of San Diego Law School and California Western University.

He left his law practice in 1962 to join the faculty as a law professor at Berkeley's Boalt Hall. He taught taxation, estates and trusts until 1965 when the lure of the courtroom beckoned him. "I concluded that I didn't want to teach full-time. It's too restrictive."

He then returned to his former law practice which had grown to White, Price, Froehlich & Peterson. He concentrated on civil law with an emphasis on business matters.

In March 1972, former Gov. Ronald Reagan appointed him to the superior court bench. He served in the main courthouse and in the Vista branch. Froehlich considered himself a passive jurist by "allowing attorneys to try their own cases." He also favored a limited jury voir dire by attorneys.

While Froehlich preferred to stand back from the examination of witnesses, he sees a need to elicit evidence from a witness if an attorney fails to satisfy him as a trier of fact.

In one case, the City of San Diego sought an injunction in 1975 against a professional dancer who used a python in her act. The city argued the woman violated a city ordinance by having a dangerous animal in her possession.

With the dancer and her non-venomous snake at her side in the courtroom, an expert witness testified how a python can grasp a person and not let go. However, the attorneys examining the witness could not or would not ask the witness whether the reptile was really dangerous, the key element of the ordinance.

Froehlich said he was forced to ask the question. "I finally had to ask the witness if this

snake was really dangerous and he (the expert witness) said, 'Oh, that is about as likely as getting run over by a rhinoceros on Broadway.'"

Froehlich denied the injunction.

On the appellate bench since October, Froehlich also served on the panel in 1981 while a superior court judge. During that assignment, he wrote a majority opinion and a dissent favoring the prosecution in criminal cases.

In one case, *People v. Truett*, 126 Cal.App.3d 156 (1981), Froehlich wrote an opinion upholding the sentence of a man who pleaded guilty to indecent exposure and received the mid-term sentence of two years in state prison.

The defendant, then 26, who had a history of indecent exposure since the age of 17, also admitted to a prior conviction for the same offense when he entered the guilty plea.

But the defendant filed an appeal contending the "imposition of a felony sentence for a second offense of indecent exposure committed after punishment for a first offense . . . constitutes cruel and unusual punishment. . . ."

Froehlich affirmed the sentence and noted that given the defendant's history, the punishment was "not morally shocking, offensive to the conscience, or disproportionate."

In another case involving a prisoner's rights, *People v. Hetrick*, 125 Cal.App.3d 849 (1981), Froehlich filed a dissenting opinion. The appellate court reversed the conviction of a defendant who was tried before a jury while wearing jail garb and ultimately convicted of assault with a deadly weapon.

In his appeal, the defendant asserted that he was denied his right to a presumption of innocence by standing trial in jail-issued clothing.

The court held the defendant's attorney preserved the right to complain on appeal, since he had requested that the defendant be tried in civilian clothes.

At the time of trial, the defendant sought to substitute his attorney. The trial court agreed, providing the defendant would waive speedy-trial time constraints and agree to a continuance, but the defendant refused. The defendant reluctantly agreed to go to trial with his present counsel. However, he told the court that when he was arrested his garments were wet and mildewed and he had nothing else to wear at the time of trial. The trial proceeded while the defendant was dressed in jail garb.

The defendant's attorney made no objection when the trial proceeded with his client dressed in that manner.

The appellate court ultimately ruled the defendant's attorney made a specific request for the defendant to be returned to jail to obtain civilian clothing. By calling "the matter to the court's attention," the attorney "requested the court's aid" and "apprised the court of his desire to be tried in civilian clothes."

But Froehlich argued that the right to wear civilian clothing during trial may be waived by failure to make timely objections by counsel. He also stated that failing to make an objection at the time of trial constitutes an "acknowledgment the jail clothing issue is unimportant."

— ROB L. WAGNER

San Diego, Calif.
Union
(Circ. D 217,324)
(Circ. S. 339, 788)

NOV 20 1988

Allen's P. C. B Est. 1888

UNIVERSITY OF SAN DIEGO OR-
CHESTRA — The orchestra, directed
by Dr. Henry Kolar, will perform works
by Svendsen, Dvorak and Atterberg at
4 p.m. today in USD's Camino Theater.

Los Angeles, CA
(Los Angeles Co.)
Times
(San Diego Ed.)
(Cir. D. 50,010)
(Cir. S. 55,573)

NOV 20 1988

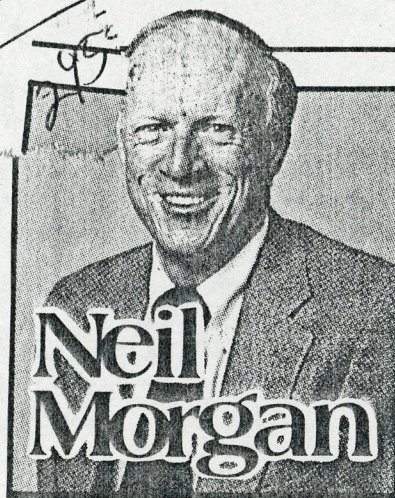
Allen's P. C. B. Est. 1888

2955
Ruth Bajo and Anjie Rais had 13
kills apiece, but the University of
San Diego finished the regular
season with a 15-10, 10-15, 9-15,
15-5, 15-9 loss to St. Mary's at
Moraga. USD finished 10-17, 4-10
in the WCAC.

San Diego, CA
(San Diego Co.)
Evening Tribune
(Cir. D. 123,064)

NOV 21 1988

Allen's P. C. B. Est. 1888



THE NAMES: Maybe the first nine weeks are the toughest. Chief Bob Burgreen leaves Wednesday for a two-week Hawaiian cruise. ... KFMB's Joe Bauer won El Cajon City Council approval to install sewer pumps on a plot he owns in East County. But Mayor John Reber wants a payoff: "Now," he told Bauer after the vote, "we'd like to see our Frequent Listener numbers called." ... USD students have booked a warm-up act for finals week: Emmy-winning TV comedian Rich Hall on Dec. 2.

San Diego, Calif.
Southern Cross
(Cir. W. 27,500)

NOV 24 1988

Allen's P. C. B Est. 1888

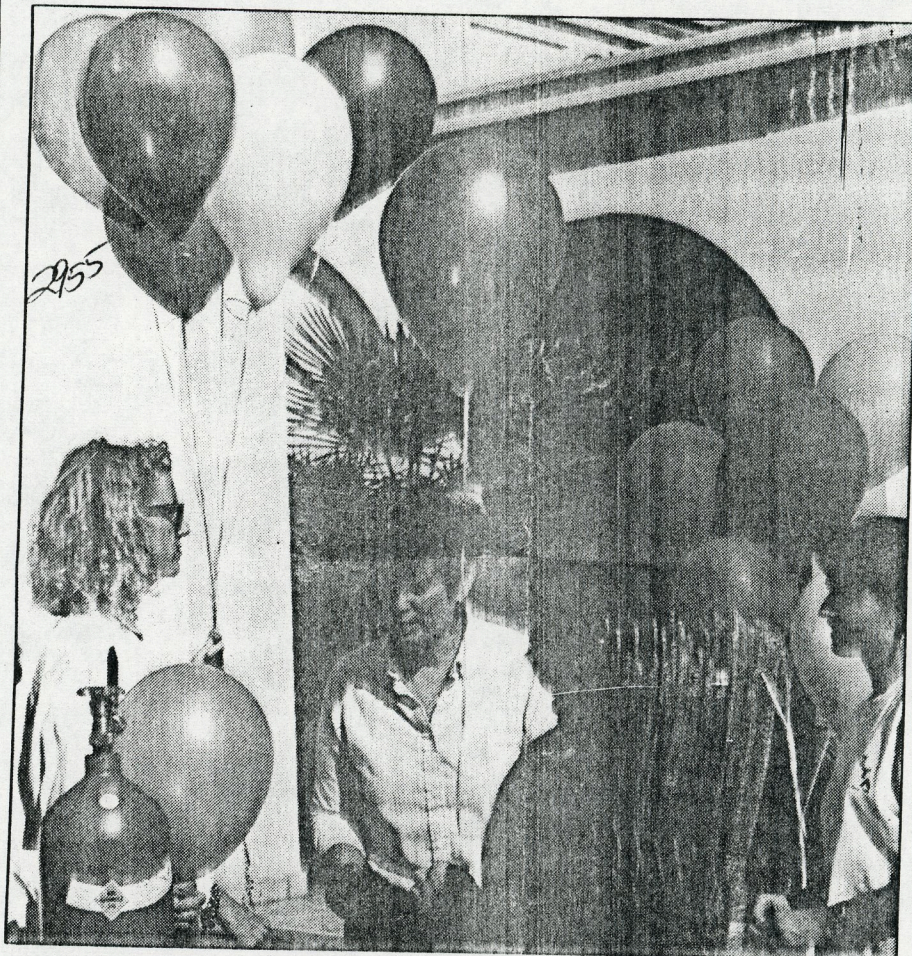


Photo by Maureen Nuesca

AWARENESS — Students at the University of San Diego bought balloons from campus minister Mary Ellen Pitard, right, in support of Hunger and Homelessness Week, Nov. 12-20. Other activities included a day of fast, cooking dinner for residents of the St. Vincent de Paul/Joan Kroc Center and a global dinner, which consisted of food from first, second and Third World countries.

San Diego, Calif.
Southern Cross
(Cir. W. 27,500)

NOV 24 1988

Allen's P. C. B Est. 1888

USD

2955

Business Seminar Series,
continues Dec. 2 with "Marketing
Within the Organization." Cost
for one session is \$15. Each
seminar includes presentation
materials and continental
breakfast. For further
information, call Jackie Frieberg,
260-4644.

Distinguished speakers series,
a lecture series focusing on the
business activity in the United
States, the Pacific Rim and
Mexico, continues at the
Manchester Executive
Conference Center, Dec. 15.
Topic for December is, "Doing
Business in Mexico," conducted
by Rodolfo Hernandez, a
managing partner for Touche
Ross and Company in Tijuana.
Cost is \$15 per session. Call
260-4644.

Los Angeles, CA
(Los Angeles Co.)
Times
(San Diego Ed.)
(Cir. D. 50,010)
(Cir. S. 55,573)

NOV 24 1988

Allen's P. C. B. Est. 1888

\$6-Million Project

USD Sees Boon in New Law Library

29.55
By LESLIE WOLF,
Times Staff Writer

A new legal research center is under construction at the University of San Diego that promises not only to transform the law school's library into the largest and most modern facility south of Los Angeles, but to serve as a boon to the local legal community as well.

The reborn library will be more than just a hall filled with musty books; it will be a state-of-the-art facility, a technological marvel that will "propel this library into the next century and do wonders for the students," according to library director Nancy Carol Carter.

The \$6.1-million project—which includes both an expansion and renovation of the existing library—is scheduled for completion by the fall semester of 1990. The completed facility, which will be open to the public, will have computer hookups for more than 550 terminals, which will greatly increase access to computerized data bases of case law, saving students and lawyers alike from tedious hours of legal research that, in the past, consisted primarily of sifting through stacks of bound legal volumes.

More Comfortable Too

Another vast improvement in the library will be in sheer comfort.

"It is a problem around exam time," said Professor Donald T. Weckstein, who teaches labor law and legal ethics at the university. "I think the expansion of the library is long overdue, in terms of space for people to sit and do research."

The project's planners anticipate that the new climate-controlled building will not only make it a more pleasant place to study in the summer and winter months, but will help preserve valuable but aging documents.

Outgoing Dean Sheldon Krantz said he recognized the need for a larger facility almost as soon as he arrived at the school in 1981.

"I saw that one of the highest priorities for the law school, to increase its prestige nationally, would be to expand the law library," he said.

Krantz said prestige and respectability have come rapidly to the 30-year-old law school, which is young compared to many of the nation's more venerable law schools. As he saw it, an expansion in research capability was the catalyst needed to join the major leagues. "It really was not possible to move to the upper tier without this," Krantz said.

The computerization of research techniques has dramatically changed the way lawyers and law students work, Krantz said. "In the future of law, as in other fields, we will begin to see more and more use

Please see LIBRARY, Page 5

LIBRARY; University Says New Legal Center Will Be a State-of-the-Art Marvel

Continued from Page 1

of interactive video disc systems which combine data with visuals," Krantz said, noting that the new library will be wired for access to that technology as it becomes available.

'Extremely Well Designed'

The facility now being built, he said, "has been extremely well designed and will now make the University of San Diego competitive with virtually any law library anywhere."

Krantz said his initial overtures were put on the back burner while the university completed other construction projects already under way. Ground was finally broken in August for the first phase of the library construction, a five-story addition to the existing three-story building, planned for completion in May. The second step calls for a complete renovation of the interior of the existing building, to be finished in the summer of 1990.

So far the university's fund-raising campaign has brought in about \$3.3 million—slightly more than half the money needed. But those closely associated with the funding effort anticipate no problem in obtaining the remainder, primarily from the school's alumni and local law firms.

The law library will be entirely funded by private donations, according to Libby Schiff, the law school's director of development and alumni relations. The largest donation to date was "a very nice six-figure gift" from an unnamed alumnus, Schiff said. In addition, the Irvine Foundation, which supports private education in California, recently contributed a \$750,000 matching grant, she said.

The primary thrust of the fund-raising effort, however, has been a somewhat unorthodox pitch for money from alumni who have previously shown no interest in

The facility 'has been extremely well designed and will now make the University of San Diego competitive with virtually any law library anywhere.'

Sheldon Krantz
Outgoing USD dean

contributing to their alma mater.

"We mounted a phone and mail campaign in which we contacted alumni who had never given to our institution before," said Acting Dean Grant Morris. The response, he said, was a pleasant surprise—more than 33% of those contacted responded with a donation. Many of those were lured by a plan permitting them to pay off their promised contribution over a number of years. The university has offered to front the money for the construction as long as the contribution commitments have been made, Morris said.

In addition, local law firms have been approached and many have contributed generously, he said, adding that firms' contributions are "more than just a matter of civic pride."

"This is a project not just for the law school, but for the entire legal community. . . . It's a project they will benefit from," Morris said.

The new facility, which will be the largest law library south of Los Angeles, will provide a variety of services to the San Diego County Bar Assn., he said.

The long-term benefits in terms of education will be visible within a few years, Morris said.

"We have 200 law firms each year that come on campus to recruit our students. The law firms will benefit from the improved quality of the product they will be getting—the students."

San Diego, Calif.
Southern Cross
(Cir. W. 27,500)

NOV 24 1988

Allen's P. C. B Est. 1888

Irish and Greek exhibit displayed at USD

ALCALA PARK — The exhibition "Ireland and the Hellenic Tradition" will be on display through Dec. 15 at Copley Library on the University of San Diego campus.

Sponsored by the Embassy of Ireland and the Gennadius Library, the exhibit shows that the present partnership between Greece and Ireland is paralleled by historical, intellectual and cultural links.

Among the topics illustrated are Irish Christian antiquities, Greek myths in medieval Irish literature and Irish heroic storytelling.

The display is free and open to the public. For information, call Copley Library, 260-4826, or John Nunes, 260-4682.

Los Angeles, CA
(Los Angeles Co.)
Los Angeles Daily
Journal
(Cir. 5 x W. 21,287)

NOV 25 1988

Allen's P. C. B. Est. 1888

Differences Arise in Legal Tactics for Defense of Prop. 103

By TOM DRESSLAR

SACRAMENTO — Differences have emerged between the state Attorney General's Office and lawyers representing proponents of Proposition 103 over how to defend the insurance reform initiative against a legal attack mounted by the industry.

But Attorney General John Van de Kamp and one lawyer in the Proposition 103 legal team on Wednesday downplayed the strategy differences.

At a news conference in Los Angeles Wednesday, Van de Kamp called the development "a disagreement among lawyers."

Robert Fellmeth, director of the University of San Diego's Center for Public Interest Law and one of the Proposition 103 lawyers, called the two legal approaches "a different emphasis in strategy."

During the news conference, Van de Kamp also warned insurers he would prosecute them for violation of antitrust laws if he finds evidence they colluded in announcing plans to withdraw from the California auto insurance market or not renew current policies.

David Fountain, spokesman for the Association of California Insurance Companies (ACIC), derided the warning as "a way of generating another political headline in the attorney general's indefatigable quest for the

governor's office." Van de Kamp has indicated strongly he will run for governor in 1990.

The day after Proposition 103 won voter approval, the industry filed four suits in the California Supreme Court asking the justices to find the measure facially unconstitutional. That requires the court to rule it would be impossible for Proposition 103 to be implemented constitutionally.

The focus of the challenges is a provision that requires insurers to roll back rates for most forms of property-casualty insurance to No-

State News

vember 1987 levels, and then cut them by 20 percent. Insurers, represented by a bevy of prominent lawyers, contend the provision amounts to an unconstitutional taking of property without due process.

The court took jurisdiction over the cases and issued a stay barring the measure from taking effect while the matter was before the justices.

In response, Van de Kamp asked the court to lift the stay or limit it to the measure's rate rollback provision.

He also urged the justices to rule quickly on the merits of the industry's challenge. Van de

Kamp contended the justices should reject the industry's challenge because the state insurance commissioner could adopt regulations that would constitutionally implement the initiative.

But in papers filed this week with the high court, Proposition 103 lawyers took a different tack.

They said the industry's suits are premature because the state insurance commissioner has not adopted regulations to implement Proposition 103. The appropriate time for the court to consider a challenge would be after insurers complied with regulations formulated by the commissioner.

Any challenge then would be based on Proposition 103 as it has actually been applied, the lawyers argued.

In effect, the Proposition 103 legal team said insurers should exhaust their administrative remedies before asking the court to strike down the measure.

Van de Kamp said Wednesday his office believes a quick ruling by the court on the constitutional issues "is the best way to get this case off the dime." He called the strategy difference a "disagreement among lawyers" that did not "reflect a major split."

Of the strategy pursued by Proposition 103 lawyers, Van de Kamp said, "The trouble with that, from my standpoint, is that without guid-

ance from the Supreme Court (for the commissioner), we may have to go back to the Supreme Court."

Fred Woocher, special counsel for the Attorney General's Office, agreed a ruling on the merits by the high court "would give some guidance" to the commissioner. But he said it "seems a little silly" to duck the constitutional issues, saying, "Let's dance and get it over with."

Fellmeth said the strategy followed by Proposition 103 lawyers adheres to precedence in regulatory law.

"Generally, rules are adopted, applied and then interpreted by the courts," he said. In the instant case, he added, the high court should allow the commissioner to adopt and apply regulations to implement Proposition 103.

"Once the court sees the rules, and if the rules don't pass muster, then throw the rules out," Fellmeth said. "Don't attempt to play insurance commissioner at the Supreme Court level. The court made a mistake in taking the case. The court should not be issuing speculative rulings."

NOV 25 1988

Allen's P.C.B. Est. 1888

2953

Proposition 103 Backers Urge Supreme Court to Lift Stay

317
By PHILIP CARRIZOSA

The people behind Proposition 103 asked the state Supreme Court Tuesday to reject efforts by the insurance industry to kill the sweeping insurance reform initiative approved by voters two weeks ago.

Lawyers for Access to Justice, the Voter Revolt to Cut Insurance Rates and Proposition 103 author Harvey Rosenfield told the justices that the insurance industry is "inventing potential problems" with the measure so they can claim chaos and persuade the court to strike down the initiative.

In fact, said San Mateo attorney Joseph Cotchett, Proposition 103 is clearly constitutional and should be allowed to go into effect.

Stay Issued Nov. 10

The state high court stayed implementation of Proposition 103 on Nov. 10, just two days after voters approved the measure with 51 percent of the vote and one day after several insurance companies challenged its constitutionality by filing four suits with the high court.

The justices had given the proponents of Proposition 103 until 10 a.m. Tuesday to say why the stay should be lifted. Cotchett filed his papers on behalf of the proponents with a half hour to spare.

In addition to asking the court to lift the stay, either completely or in part, and to deny review of the insurance industry suits, the Voter Revolt group announced the legal team it has assembled to defend the initiative.

In addition to Cotchett, the others are Susan Illston, a name partner in Cotchett's law firm, Cotchett & Illston, and retired judge Alan W. Haverty, also a member of Cotchett's firm.

Others include Robert Fellmeth and James Wheaton of the Center for Public Interest Law at the University of San Diego. Fellmeth is well-known within the legal profession as the State Bar monitor in charge of overseeing improvements in the bar's lawyer discipline system.

Most of the rest of the team is composed of law professors from various schools around the state. They include Louis Schwartz from Has-

Insurance Dept. to Add Staff if 103 Is Upheld

The state insurance commissioner plans to add 300 employees to her 515-member staff and increase her office's annual budget by \$13 million to enforce Proposition 103 if the insurance initiative is upheld in court, according to a published report.

The initiative allows the department to charge insurers for added enforcement costs.

If the state Supreme Court allows the initiative to take effect, Commissioner Roxani Gillespie said she would enforce the measure diligently, the Los Angeles Times reported in Tuesday's editions.

"We have no feeling about the law; we just implement it," she said. "We are ready in this case."

The insurance commissioner said an 11-member "Implementation committee" working since September has agreed on establishing several separate hearing panels.

tings Law School in San Francisco, an expert on government regulations; Karl Mannheim from Loyola, a constitutional law expert; Robert Post of the University of California, Berkeley's Boalt Hall, another constitutional law expert; Dan J. Lathrope, an expert in tax law from Hastings; George Alexander, an expert on constitutional and antitrust law from Santa Clara University; and Peter J. Donnici, an antitrust expert from the University of San Francisco.

Also on the team are George Hedges and Josephine Powe of the Los Angeles law firm Hedges, Powe & Caldwell.

"The 103 campaign went out and got the best attorneys and legal scholars in the state to defend Proposition 103 against the insurance industry's legal assault," said Bill Zimmerman, who ran the initiative's campaign. "We are confident that with this legal team in place we will ensure that 103 will become law as the people of California intended."

The panels would take evidence on expected pleas by insurance companies to be allowed to raise their rates above the 20 percent rollback from 1987 levels that Proposition 103 mandates.

"We feel we are very conversant on the finances of most of the companies already," Gillespie said. "But we are putting together a process that will make those finances clear to the world. . . . We particularly want to show where the money is going — how much to litigation, how much to the doctors, how much to the lawyers, how much to pay wages. Where the premium dollar is disappearing."

The insurance commissioner, in an interview in her San Francisco office, repeatedly expressed her determination to be non-political if she does administer Proposition 103. She also reiterated that she has no plans to run for the post of insurance commissioner, which would become an elective office in 1990 under terms of Proposition 103.

In their 26-page reply to the insurance industry suits, Cotchett and his legal team mixed a little rhetoric in with their legal arguments.

"The people have spoken. Now, predictably, those who have lost the election are looking for and, where necessary, inventing potential problems with Proposition 103," Cotchett wrote.

"Their requests amount to choruses of gloom and doom, scenarios of persecution based upon highly debatable factual assertions. . . . The people of California want the price of their insurance set fairly."

20% Rate Cuts

Proposition 103, sponsored by consumer advocate Ralph Nader and an affiliated California group, requires rates in new and renewed auto and property insurance policies to be cut 20 percent below November 1987 levels and then frozen until November 1989. The only ex-

ceptions will be for companies that can show a substantial threat of insolvency.

The initiative also requires a further 20 percent auto insurance discount for defined "good drivers" after November 1989; subjects future insurance rate increases to state review; restricts insurers' authority to refuse to renew auto policies; and makes the state insurance commissioner an elective office in 1990.

Since the election, several major insurers have announced that they are leaving the state, restricting their California business or shifting coverage in the state to higher-priced affiliates.

The companies' lawsuits — the lead case is *Californ Insurance Co. v. Deukmejian*, S007838 — contend among other things that the 20 percent rate rollback and one-year freeze violate the constitutional right to make a fair return on one's investment. They also contend the "threat of insolvency" standard will force them to operate at a loss.

But Cotchett argued that the rate rollback and freeze did not amount to unconstitutional confiscation in an industry where "rates have been so high, for so long," without state regulation. He also said the state insurance commissioner had ample authority to protect insurers from loss of their capital investment under the "threat of insolvency" standard.

Citing a number of rent control and public utility cases, Cotchett said the justices should not even accept the suits for full review because no one knows exactly what effect Proposition 103 will have until after the insurance commissioner implements it and creates exemptions for companies actually threatened with insolvency.

Charging that insurers have "brought this on themselves," Cotchett said the insurance industry "is continuing its efforts to deny accountability to the citizens of California and to permit open and honest evaluation" of their rates.

The people "demand that the sunlight be allowed to shine upon the accounting books of the insurance companies," he added.

The court will now to decide whether to accept the insurance companies' petitions for review.

Palm Springs, CA
(Riverside Co.)
Desert Sun
(Cir. 6xW. 33,227)

NOV 26 1988

Allen's P. C. B Est. 1888

295591
Palm Springs native Kim Wohlgemuth, returns to the desert to join the sales staff of the Palm-Desert office of Great Western Real Estate. Wohlgemuth, a graduate of Palm Springs High School, attended the University of San Diego prior to working as a top sales agent for a prominent Los Angeles real estate firm.

Elaine Thomsen, manager of the Palm Desert office said, "Kim's three years of real estate experience in the big city has prepared her well for our versatile desert marketplace."

Wohlgemuth specializes in the resales and property management of vacation homes and condominiums.

Los Angeles, CA
(Los Angeles Co.)
Los Angeles Times
(Cir. D. 1,117,952)
(Cir. S. 1,022,423)

NOV 27 1988

Allen's P. C. B. Est. 1888

★ ★ Sunday, November 27, 1988 / Part I 3

Judge's Edicts to Mothers on Welfare Bring Legal Appeal

2955
By JENIFER WARREN, Times Staff Writer

SAN DIEGO—Shelley Anderson was pretty proud of herself.

Recently separated from her husband, the 26-year-old San Diego State University student was shouldering a full load of courses, working two part-time jobs and raising a child. True, she was getting by with the help of a \$535 welfare check each month, but that support was just a temporary—and vital—crutch needed to see her through to graduation next year, Anderson said.

Then she wound up in Judge Thomas Murphy's courtroom.

Called to testify against her ex-husband in their child-support case, Anderson suddenly found herself on trial. After learning that the young mother was receiving welfare, Murphy, the presiding judge of San Diego County's Family Court, issued a startling decree: Find a full-time job and get off aid, he ordered, even if it means quitting school.

Anderson was shocked. Under federal and state welfare regulations, a parent whose child is under 6 is not required to work to receive payments. Didn't the judge know that?

"I told him I was satisfying the welfare requirements and working as much as possible around my school schedule," said Anderson, whose son, Corey, is 5. "He didn't seem to listen. He thought I was trying to beat the system."

Angry and insulted, Anderson resolved to fight the judicial order. On Monday, she and five other women plan to ask the state Court of Appeal in San Diego to review Murphy's controversial policy of requiring welfare mothers with young children to find jobs and get off the public dole.

If the appellate court agrees to hear the case, a host of provocative questions will merit inquiry. Among them: Is Murphy performing a bigger role than that permitted a judge under the law? Is he legislating rather than adjudicating, as his critics argue? May the court hold welfare recipients to stricter standards than the state and federal governments themselves impose?

Murphy, a genial man with an impressive reputation among attorneys and his colleagues on the Superior Court bench, said he welcomes the legal challenge.

"If the court tells me I shouldn't be doing this, I
Please see APPEAL, Page 38



Los Angeles Times

Judge Thomas Murphy

APPEAL: Judge's Policy on Mothers on Welfare Challenged

Continued from Page 3

"won't," he said in a recent interview. "If they say it's a good idea, I suspect other judges will follow suit."

A clerk where he finds authority for his policy, the 52-year-old jurist points to a section of the state civil code requiring both parents to assist in the raising of their children.

"I ask these parents on aid, and most of them are women, whether there is anything emotionally or physically wrong with them or the child that would prevent them from working," Murphy said. "If the answer is no, then I believe they are legally obligated to provide for their family."

Attorneys at the Legal Aid Society of San Diego, which is handling

was named Family Law Judge of the Year by the State Bar.

Known for his good humor and wit, Murphy said he initiated his policy about three years ago. In addition to his belief that the law requires parents to provide for their minor children even if they are under 6, Murphy said he was spurred to act by his belief that the welfare system is a trap from which many single parents need to be freed.

"The welfare system, for the majority of people, just seems to be circuitous," he said. "The people who are on aid never seem to get off, and then their children and their children's children wind up on it, and it's never-ending."

He also argues that the longer poorly skilled mothers wait to

The judge says that he sympathizes with the stress that child care puts on a meager household budget and that he attempts to take a person's earning potential into account when issuing his orders. He also believes that, with the mushrooming number of working mothers, the government may eventually have to operate or underwrite day-care centers to make the service affordable.

But Murphy is not convinced that the only jobs available to welfare recipients are with a fast-food restaurant or other low-paying employer.

"That's just not true with the people I'm seeing who are succeeding in jobs," he said. In addition, "the reality of child care isn't going to go away or get any easier. Someday they're going to have to face it."

Judge's Policy

Under Murphy's policy, instituted about three years ago, any mother on aid who comes through the Family Court and meets his criteria can be a target of the work order. Many are there seeking a divorce, others to obtain a restraining order against an abusive husband. Some, like Shelley Anderson, are there as witnesses, trying to compel former spouses to pay child support.

If the child in a given case has reached age 2 or is toilet-trained, and if there is nothing physically or emotionally wrong with the parent, Murphy orders the mother to make five "job contacts," or interviews, per week. (Until the legal challenge is settled, the judge has agreed to raise the age to 3.)

The judge further directs them to return to court a month later with an update on their progress. If they prefer, the judge allows women to instead enroll in the state's GAIN (Greater Avenues for Independence) program. GAIN provides job training and education for welfare recipients who need it when their children turn 6 and they must enter the work force.

Some of those who have failed to abide by Murphy's order have faced painful consequences. The



DAVID McNEW

Shelley Anderson, with son Corey, 5, believes she qualifies for assistance under the law, and will appeal a judge's order.

the unusual case with help from the Volunteer Lawyer Program, disagree. They believe Murphy has stepped beyond the bounds of judicial authority and is improperly forcing welfare recipients to do something neither the Legislature nor Congress requires.

They further argue that there is no legal precedent for the judge's must-work orders and that his policy conflicts with basic family law principles.

"It seems clear to us that Judge Murphy is playing the part of something other than a judge," said Anson Levitan, a staff attorney at Legal Aid. "He is making legislative determinations, not judicial ones. This is the court acting on its own accord and deciding that a woman should not get [welfare] payments and should be working instead."

Although some other judges on the local Family Court bench say they share Murphy's sentiments on the welfare issue, none appears to employ his controversial practice systematically. Judge Thomas Whitworth III said he agrees philosophically with Murphy on the subject but suspects his colleague may be treading on thin legal ice.

enter the work force, the more difficult it will be for them to land a job.

"It's not as if something magical is going to happen when their children turn 6," he said. "Waiting simply delays the problems many of them will have in entering the work force."

Although Murphy said he has seen many happy endings as women have replaced their welfare check with a paycheck, he has not kept track of them until recently and is somewhat reluctant to discuss those cases.

"I'm afraid I look like some sort of benevolent despot up here, and I don't feel like that and don't want to appear that way," he said. "But there are success stories."

Although many women complained that Murphy's orders are unfair, several mothers interviewed during a recent afternoon at Family Court said he gave them the nudge they needed to get off welfare and seriously look for work.

Orelia, a divorced mother of two from Chula Vista who asked that her last name not be used, said she had mixed feelings about the judge's directive but felt he had her best interests at heart.

"This is the really punitive side of the issue, and I can guarantee that if some of these people had \$200 less at the beginning of the month, they won't be making the rent payment," said Colleen Farnham, another Legal Aid lawyer working on the case.

'Basic Unfairness'

"It's hard listening to these cases over an extended period of time, because you may have a clerk who is in the exact same situation as these women, who has a 2-year-old child and would rather be at home but is out working for a paycheck," Ashworth said. "I think there's a basic unfairness there. And if I had the authority, I would order these young women to [find jobs] rather than put the burden on the taxpayer."

Judge Federico Castro, meanwhile, said he evaluates each case individually, but usually does not require mothers with children under age 6 to look for work.

"If the kids are that young, then they aren't in school and are typically home with Mom," Castro said. "I feel they need that time with Mom and they need the continuing bonding to establish a better parent-child relationship."

Interviews with a handful of family law scholars around California indicate that Murphy may be breaking new legal ground with his practice. Several experts, stressing that they had not read the legal briefs, also speculated that the judge could have a weak case before the Court of Appeal.

"It's astonishing," Carol Bruch, a prominent family law professor at UC Davis Law School, said when informed of the policy. "In my view, the obligation to support one's child as defined in the civil code must be read in light of what the state requires of recipients in terms of employment or eligibility."

But Paul Horton, a professor at the University of San Diego School of Law, said Murphy's policy "does not appear to be in disregard of any explicit statutory position."

Murphy, a former family law attorney, was appointed to the El Cajon Municipal Court bench by then-Gov. Edmund G. Brown Jr. in July, 1980. Five years later, Gov. George Deukmejian elevated him to the Superior Court. In 1987, he

"I think it was good that he pushed me, and now that my children are a little older I don't mind," said Ofelia, who was in court last week to tell Murphy she had been hired as a cook in a restaurant that will allow her to take her two sons to work.

Critics of Murphy's policy do not dispute that the judge has deeply held convictions and sincerely believes he is helping women break out of the so-called welfare cycle. But they complain that, aside from its questionable legality, Murphy's approach ignores many of the hardships besetting poor, single mothers with limited job skills.

Many Complaints Cited

"Something has to be done about this man because he is creating a lot of problems for people, a lot of problems," said Merkel Harris, executive director of the San Diego Welfare Rights Organization, which has fielded many complaints from women subject to the policy.

Murphy's critics say the jobs many welfare recipients are qualified for often fail to pay enough to cover child-care costs. Also, many mothers are reluctant to go off aid because they will lose their Medi-Cal benefits—a precious commodity for parents of small children prone to illness.

"I don't like being on welfare; I hate the whole deal, and I'd rather work for my own money," said Stacey Cope, 20, who supports herself and her 3-year-old daughter, Ashley, on \$535 a month plus \$87 in food stamps. "But I don't have any skills, and the type of job I could get wouldn't be enough to cover rent and day care."

Losing her medical insurance is Cope's biggest worry. "Ashley has been in and out of the emergency room seven or eight times this year. She just got over scarlet fever. If I lose Medi-Cal, that's it."

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San Diego Union
(Cir. D. 217,089)
(Cir. S. 341,840)

NOV 27 1988

Allen's P. C. B. E..

UNIVERSITY OF SAN DIEGO: "Michele Burgess, Prints and Drawings," etchings, woodcuts and drawings of the human figure by Burgess, through Dec. 15 in Founders Gallery, 260-4600. Monday through Friday, noon to 5 p.m. "Ireland and the Hellenic Tradition," historical objects illustrating the influence of Greece on Irish culture, through Dec. 15 in the Copley Library, 260-4826. Monday through Thursday, 8 a.m. to 11 p.m.; Friday, 8 a.m. to 5 p.m.; Saturday, 9 a.m. to 5 p.m.; and Sunday, 10 a.m. to 11 p.m.

2955

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2955 (1)

Availability of Legal Malpractice Policies Could Be Restricted

Proposition 103

By TOM DRESSLAR

SACRAMENTO — Although the debate over Proposition 103 focuses on its impact on auto insurance, attorneys and insurers say the tough reform measure also could restrict the availability of malpractice insurance for California lawyers.

"It could be devastating," said Bob Scott, partner in the Claremont plaintiffs firm of Shernoff, Scott & Bidart and malpractice insurance expert for the California Trial Lawyers Association (CTLA). "It could put the ability to obtain insurance further out of reach," he said.

But consumer advocates generally dismiss those predictions as more evidence of what they call the industry's Chicken Little response to passage of the Ralph Nader-backed initiative. Insurer forecasts that the sky is falling, they say, are greatly exaggerated and probably rooted in a fear of opening their books to the public.

"The big picture is that everybody is looking for a reason not to implement Prop. 103," said Harry Snyder, director of Consumers Union's West Coast Regional Office. "There's a lot of posturing and lying going on. The idea that insurance will not be available is hogwash."

New Company

In addition, any negative impact on malpractice insurance for lawyers produced by the measure could be ameliorated by the pending formation of a new mutual malpractice insurance company sponsored by CTLA.

Called the California Attorneys Mutual Insurance Co., the firm hopes to obtain its operating permit soon. The company plans to market its product to all California private practitioners.

Still, bar officials and insurers are concerned about the possible impact of Proposition 103 on lawyer malpractice insurance.

They say the measure, if it withstands an insurer-launched constitutional challenge pending before the California Supreme Court, could threaten the solvency of one malpractice insurance carrier and cause another to withdraw from California. And the chances are greater, they say, that smaller carriers will pull out of the state.

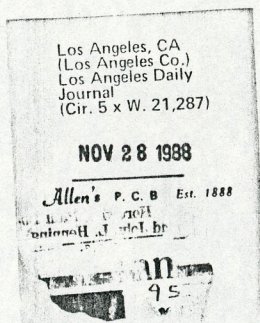
Passage of the initiative also has hindered the bar's effort to bring more carriers into the state, according to bar officials.

Proposition 103 could cause insurers to restrict their coverage, which could further reduce availability for lawyers in high-risk areas of practice, company officials say.

And if attorneys are unable to find insurance, malpractice claimants may find it hard to recover damages from their attorneys' personal assets.

Consumers also could be hurt if uncovered lawyers decide to become more selective in taking cases, say attorneys familiar with the malpractice insurance issue.

The solvency of Lawyers Mutual — the state's largest carrier with about 15,500 policyholders — could be threatened by a provision in Prop. 103 that requires commercial liability insurers to roll back rates to November 1987 levels, and then cut them by 20 percent, said board Chairman James D. Hadfield.



Solvency

"Proposition 103 will be extremely damaging in terms of our solvency," said Hadfield. He noted the firm's premiums would drop from \$5,607 to \$4,069 under the measure's rollback provision.

"I don't believe we can continue to issue policies if we have to charge at 1987 rates," Hadfield said. "I don't believe those rates were adequate, and I have some real doubts about the current year's rates."

The measure has an "escape clause" that allows insurers to raise rates after the rollback if they show the state insurance commissioner the reduced rates present them with a "substantial threat of insolvency," Hadfield said. "We are preparing our petition for an exemption under the Act."

Robert Fellmeth, director of the University of San Diego's Center for Public Interest Law and a member of the team of lawyers representing Prop. 103 sponsors before the Supreme Court, doubted Hadfield's dire prediction.

He likened Hadfield's reaction to that of many insurers. "They're screaming bloody murder. The sky is falling," Fellmeth said. "Well, for them, the sky is falling. The party's over."

Under Prop. 103, Fellmeth added, Lawyers Mutual and other insurers would have to publicly justify rate increases. "They don't want to open their books," he said.

Fellmeth predicted Lawyers Mutual and other insurers would not find it that difficult to cross the "insolvency threshold" and win rate hikes after they roll back rates. He said the state Insurance Code defines insolvency as "any impairment" of assets.

Another large carrier, Home Insurance Co., plans to continue operating in California. But broker Dick O'Regan indicated the firm could withdraw from the state if Proposition 103 makes malpractice insurance for lawyers an unprofitable venture.

See Page 3 — INSURANCE

Insurance Reform Could Threaten Lawyers' Malpractice Coverage

Continued from Page 1

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Profitability

He said, "I don't know if (malpractice insurance) would be profitable with a 20 percent rollback." While Home Insurance's solvency would not be threatened by Proposition 103, O'Regan said, "If a particular line is not profitable, you can't expect the company to continue writing that line."

Fellmeth said, "I don't see why (any insurer) would leave California. There's a huge market here. There's lots of money."

Passage of the measure apparently has impeded the State Bar's effort to expand the market in California. Sacramento attorney Kevin R. Culhane, chairman of the bar's malpractice insurance committee, said negotiations with major carriers to enter the state under the bar's auspices have been sidetracked as the insurers evaluate the possible impact of Proposition 103.

The bar has been struggling since 1985 with what some call a crisis in the affordability and availability of lawyer malpractice insurance. After dropping a plan to require all attorneys to carry insurance earlier this year, bar officials began efforts to increase the availability for uncovered lawyers, who account for 36 percent of the state's full-time private practitioners.

"The existence of Proposition 103 is a problem" for the carriers in negotiations with the bar, Culhane said. "They are waiting for administrative and court interpretation."

Culhane said one major carrier that was "seriously considering coming into the state" sent a letter to bar officials saying the firm wanted to evaluate the initiative's potential impact.

Fellmeth cast doubt on the motives of companies that say Proposition 103 inhibits their desire to enter the California market.

He noted new carriers would not be affected by the 20 percent rollback, since they would have no rates to which the rollback would be applied.

New companies, Fellmeth said, "are not affected, except to the extent that they actually will be subject to prior approval (of rate changes)." He indicated insurer aversion to regulation may be the real reason for any reluctance to operate in California.

The backed initiative could force insurers to toughen underwriting standards and stop covering attorneys in high-risk areas of practice, according to Hadfield and others. That could have a particularly damaging impact on personal injury and real estate attorneys, who accounted for 32 percent of the malpractice

claims reported in the state between 1980 and 1987.

"We would have to very carefully underwrite," Hadfield said. He added that that could mean the company would write no new business "or only good (lower risk) business."

O'Regan agreed, but said: "There are other options. You could rewrite a policy so that it is not so broad."

As an example, he noted Home Insurance offers its clients a "tail period" of between one and three years after expiration of their policies. Under such a provision, the insurer covers any claim filed within the tail period, if the act occurred while the policy was effective.

Home Insurance could reduce its tail coverage in reaction to Proposition 103, O'Regan said.

Lawyers who would be especially affected by reduced tail coverage include estate planning, real estate, and securities attorneys, Hadfield said. He said those areas of practice typically have a longer gap between the act of alleged malpractice and the filing of a claim.

Higher Standards

Fellmeth said higher underwriting standards would not necessarily be bad from a consumer standpoint.

"If you have higher underwriting standards, coupled with mandatory insurance," he said, "people who are super, super high risks won't be practicing."

Of the possibility insurers would reduce coverage, Fellmeth said: "It would not necessarily be detrimental. The attorney would have to bear some of the risk."

Attorneys unable to find malpractice insurance could become more selective in taking cases, some attorneys say, to reduce the exposure of their personal assets to claims. That, in turn, could reduce access to the courts for consumers.

Said Scott: "It's going to affect consumers no matter what. Attorneys would become more selective." But he added the proposition could have a beneficial impact if "more cases are referred to more qualified attorneys."

Culhane said lawyers "may be more selective in taking cases." He predicted that while cases involving serious injuries and strong liability would not be affected, attorneys could be more reluctant to take "novel cases" or those in which liability is marginal.

Consumers could be affected in another way, too. If lawyers do not carry malpractice insurance, consumers might find it difficult to obtain monetary compensation for legitimate claims. Most California lawyers do not have as much personal assets as many people believe.

If an attorney is not covered by malpractice insurance, in many cases "you can get a judgment, but it might not be collectible," Culhane said.

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**USD professor
to discuss book,
'Satyajit Ray'**

DEL MAR — A great artist is celebrated in the new book "Satyajit Ray: A Study of His Films" by University of San Diego professor Ben Nyce. He will autograph and discuss his work at 7:30 p.m. Wednesday at Book Works Flower Hill (in Flower Hill Center), 2760 Via de la Valle, Del Mar. 2955

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Please turn to Page 7

Profile

Continued from Page 1

rendezvous. You've got to have values in business."

Levine said he likes to take cases that pit "profits against life, safety and happiness." He added, "I don't think I've ever (handled) a case where, if someone had been a little less interested in profits, they could have prevented the harm."

Advice From Paul Simon (The Singer)

Levine also approaches tort litigation with a sense of determinism. He likes to quote three lines from Paul Simon's "Slip-Sliding Away," which read, "God only knows. God makes the plan. The information is not available to the mortal man."

Said Levine, "That's the way I feel about jury trials."

The case of which Levine is most proud, *Hayes v. Prudential*, 819 F.2d 921 (1987), reveals much about him as a lawyer and person.

A football injury rendered teen-ager Kip Hayes a quadriplegic in need of around-the-clock nursing care. But the federal government had made changes to the father's health insurance, provided by Prudential, that deleted nursing care from the coverage.

A trial judge issued a summary judgment for Prudential, but Levine appealed to the 9th U.S. Circuit Court of Appeals. The appellate court eventually upheld the trial judge's ruling, but not before Levine negotiated a settlement that required Prudential to fully pay for Hayes' nursing care. Levine says he received no compensation.

His adversaries have included Ed Chapin of Chapin & Brewer in San Diego and Guy O. Kornblum of Kornblum, Kelly & Herlihy in San Francisco. "He's a very tenacious advocate," said Kornblum, "and he should be recognized as such. I enjoy litigating against Harvey. It's a kick. I like litigating against a good lawyer."

"Holy hell," Chapin joked when asked to give his views on Levine. Chapin recalled the first case in which he and Levine matched wits was a personal-injury action involving an insurance coverage issue. "He was more merciful then he would be now," said Chapin.

He added, "Harvey's a hard-charging plaintiffs lawyer. But he can be diplomatic when the chips are down, if that's what it takes."

One of Levine's partners, Carl J. DePasquale, observed, "Harvey has an energy level that just scares me. If there are two words to describe him, they're 'focused energy.' He moves like a motion-picture reel."

Can Change in Mid-Case

Levine's former partner, William Shernoff, who is now with the Claremont firm Shernoff, Scott & Bidart, added, "I'd work on some trials with him where he'd get killed one day. Yet, the next day he would turn things around. He seems to capitalize on the flow of things as they go along."

Michael I. Greer, presiding judge of the San Diego County Superior Court, observed Levine from the bench during the General Motors case. "I've never quite seen as good a presentation of damages," Greer recalled. "He had the clerk and bailiff in tears, and I guess I have to imagine I had tears in my eyes, too."

Levine's Brooklyn background also has helped fashion his approach to litigation. "Growing up in New York gives you a competitive edge," Levine once told an interviewer. "It makes you want to beat the big guys. It makes you want to beat 'em bad."

To avoid getting beaten up as a kid, Levine said he used to negotiate deals with tough guys under which he would let them cheat on tests by looking over his shoulder. In return, Levine received protection.

Growing up in Brooklyn also taught Levine something about jury selection.

"Picking juries is like working at (my) Uncle Sol's store," said Levine. He recalled shoppers would ask him to select the best canteloupe in the store, and he would thump and smell the stock in an effort to please the customers.

But despite all this, Levine noted, "Sometimes you don't know what you've got until you open the sucker up."

But Levine's "first and best job" was when he was 7 or 8 and helped his father drive a taxi. Levine was charged with two tasks: throwing the flag down to start the fare and making change for customers.

"I saw every kind of person in every kind of setting," Levine said of his days cruising around New York in his father's taxi. "It was a real nice people thing. As a child, it's nice being exposed to different kinds of people."

Regarding the importance he eventually placed on education, Levine said, "I watched my mother pull us out of the slums" by returning to college.

Levine is renowned for his sense of humor, a quality he often demonstrates as a lecturer. Steven Daitch, executive director of the Rutter Group, said, "Harvey is recognized as the premier one-man show on insurance litigation topics. He's entertaining and lively. His war stories are an integral part of his lectures. People sit there mesmerized."

Levine said that when he lectures, "I feel a lot of life in the context of the law. I have a lot of comedy in my lectures. We're part of the human comedy." He added that much of his lecturing style "comes from the animated feeling I get when synthesizing the law with human behavior."

Levine counts among his friends people from both sides of insurance litigation. Among them is Tony Prezioso, a senior account agent for Allstate who has known Levine for 25 years. "Harvey is a good all-round person," said Prezioso. "Along with being sympathetic, he's empathetic. Growing up with Harvey was never serious. It was always fun. Sometimes when you're growing up with someone, there's conflict. There never was conflict with Harvey."

Levine assumes the CTLA presidency at a time when the association once again is preparing to defend against another round of efforts to enact legislation establishing no-fault auto insurance and limiting contingency fees. And, of course, there's the perennial problem of trying to improve the image of lawyers.

DePasquale said Levine "is going to bring to the presidency a new mission and orientation."

Shernoff added, "Harvey is coming into the CTLA presidency at the right time. We do need a leader who is going to turn around the image of lawyers. If anyone can do that, it's Harvey. He will be a great CTLA president. He has a global vision. He's not myopic."

CTLA Priorities

Levine said one of his top priorities as CTLA president will be to do as much as he can in his one-year stint to enhance the image of lawyers.

But he stressed, "I don't want a Madison Avenue, slick-type approach. I want to explore creative ways" to improve the image. One possibility, said Levine, would be to tell the public that the true value of trial lawyer work is "(injury) prevention, rather than compensation."

Levine also said he wants to work with insurers to increase the emphasis on injury prevention as a way to cut legal costs. "The way to cut legal costs is to prevent injury, not take away people's rights," he said.

Levine and his wife, Judy, have two children — Adam, 11, and Alyssa, 7.

— TOM DRESSLAR

SPORTS

NOV 2 1988

Allen's P. C. B Est. 1888

USD picked 7th, could surprise some

St. Mary's tops poll by media

By Mark Zeigler *2955*
Staff Writer

LOS ANGELES — One of the nation's top defensive or top offensive teams will win the West Coast Athletic Conference basketball title this season. It depends on whom you poll.

Ask the media in the league cities, and St. Mary's, which held opponents to an average of 58.6 points last season, will win only its second title in the WCAC's 36-year history. Ask the national media, and Loyola Marymount, which averaged a Division I-leading 110.3 points, will repeat as champion.

Ask anyone, and USD will finish, well, not exactly at the top. The WCAC writers' poll released at yesterday's media day here placed the Toreros seventh in the eight-team conference. Most national publications have the Toreros seventh, too, except *Dick Vitale's Basketball* and *Playboy*, which rank them sixth and

eighth, respectively.

Ask USD coach Hank Egan, and he can't disagree.

"Based on last season, I think that's where I'd put us," said Egan, whose Toreros (11-17, 3-11) finished seventh. "But it means absolutely nothing. I don't believe in the stuff. If (polls) were true, why would you even play the games?"

Good point, especially when it comes to USD and the '88-89 season.

Egan has as young a team as last season — the 15-man roster lists seven freshmen and five sophomores. Yet Egan seems to be smiling more since practice began Oct. 15.

He has seen his freshmen play. And he has learned of two freshmen-to-be.

"This is the last year for the excuses — I really mean it," Egan told the conference's media. "We have some good freshmen, and we have got two commitments that we can't mention yet who will fill the big-man needs for the future."

NCAA rules prohibit Egan from mentioning recruits' names until the

national-letter-of-intent signing period opens Nov. 9. But one of the two is Escondido High's 6-foot-9 Brooks Barnhart, who issued an oral commitment late last month.

For the time being, Egan must make due with what's left from last season and his seven freshmen. Which isn't so bad. Three freshmen — 6-5 point guard Gaylan Dottin (Santa Ana's Saddleback High), guard Wayman Strickland (San Francisco's Riorion High) and forward Kelvin Woods (LaVerne's Damien High) — are considered "impact" players by Egan.

"I think you're going to see a team at the University of San Diego that's a little more athletic than ones in the past," Egan said. "Give us time and I think we're going to be a pretty good program again."

It was only two seasons ago the Toreros finished 24-6 overall and 13-1 in the WCAC before losing a heart-breaker to Auburn in the first round of the NCAA Tournament. But graduation and a rule change changed

that quickly.

The NCAA rule change concerned the eligibility of community-college transfers, making it tougher for them to qualify under USD's strict academic requirements. So a program that was top-heavy with upperclassmen suddenly became bottom-heavy with teen-agers.

One of the team's two seniors is Danny Means, who moves back to off-guard after a season at the point. He has seen both sides of the coin, as the young guy on an experienced team and now as the veteran on an inexperienced team.

He, too, doesn't dispute the dour prognostications.

"I wouldn't put us any higher after our season last year," said Means, the only returning starter on a team with eight returnees. "On paper, we don't look very good. But I think we will surprise some people. Our team is more together this year. I think a lot of the problem last year was that we weren't a unit. We are now."

Look out, above.

NOV 2 1988

Allen's P. C. B. Est. 1888

The Tribune

San Diego, We

Toreros have Means for a brighter future

By Kirk Kenney
Tribune Sportswriter

LOS ANGELES — USD basketball coach Hank Egan followed Pepperdine coach Tom Asbury to the podium yesterday at the West Coast Athletic Conference's media day luncheon and recalled a time in the late 1960s when he was coaching at Air Force and Asbury was playing at Wyoming.

"One of the tough things to do is to grow old gracefully," said Egan. "You're constantly reminded that it's happening."

"It seems like just yesterday that I was sitting on the bench in the gym watching Tom Asbury hit a jumper to beat the Air Force Academy in overtime at the Falcon Field House. The years go by too fast sometimes."

And sometimes the years crawl, kind of like last season for USD's basketball team that hopes to walk this year and run the next.

The Toreros are two years re-

Strickland, forward Kelvin Woods and swingman Carlos Carrillo should make an immediate impact on the program.

Two redshirts and two high school recruits, who officially will be announced during next week's early signing period, figure prominently in the future.

"This is the last year for the excuses," said Egan. "I really mean that. I think we're going to be much more competitive this year than we were last year, and next year we'll be back to being a team that can give everybody in the conference a run."

■ ■ ■

NOTES — Preseason polls by the WCAC media, Basketball Digest, Inside Sports, The Sporting News and Street & Smith's picked the Toreros to finish seventh in the eight-team conference. Dick Vitale's Basketball picked them sixth and Playboy picked them last.

What does it mean? Nothing as far as Egan's concerned.

"If those meant anything, we wouldn't play," he said.

Those same pollsters, with the exception of the media, predicted defending conference champion Loyola Marymount would repeat. The media selected St. Mary's, which returns all

five starters and nine lettermen from last season's 19-9 team, to win the conference.

■ Fifteen of the nation's top 40 scorers return this season. Three of those players are in the WCAC — for the next two years. Pepperdine junior Tom Lewis ranked eighth in the nation and led the WCAC with 22.9 points a game. Loyola Marymount juniors Hank Gathers (22.5) and Bo Kimble (22.2) ranked 10th and 13th in the nation, respectively.

■ ESPN will televise the finals of the WCAC Tournament live for the second straight year. The tournament returns March 4-6 to USF, where it began two years ago.

'This is the last year for the excuses. I really mean that. I think we're going to be much more competitive this year than we were last year.'

— Hank Egan

moved from the 24-6 team that went to the NCAA Tournament. It seems longer after last season's 11-17 finish. That's how it is when you're young.

The Toreros are young — again.

USD had six freshmen and two sophomores on last season's team. This season's 16-man roster lists seven freshmen and five sophomores. But yesterday Egan didn't sound like a man with fond memories of the past. He sounded like a man with exciting news about the future.

"I think we're building a pretty good program," said Egan, who begins his fifth season at USD when the Toreros play an exhibition game Monday night against Athletics In Action at the USD Sports Center.

"I think we've got the skids put on this thing and got it stopped. We knew we were slipping and we knew there was a reason."

The reason: USD's team was top-heavy with seniors two years ago and the Toreros weren't able to fill the gaps with junior college players. It is more difficult for USD to get JC transfers into school now because of an NCAA rule that restricts the number of transferable units.

"This is not something we didn't see coming," said Egan. "We knew we were going to have to retool this thing and change over. We've done it. We really have become a dominant freshman-oriented program."

It's enough to make senior guards Elfreem Leonard and Danny Means feel old before their time. Actually, Means is feeling young again with his return to the off-guard position after playing the point last season.

"I'm definitely more comfortable at off-guard," said Means, who played there as a freshman and sophomore. "I've been on two totally different teams. I was on a very experienced team where I was the young guy and now I'm the older guy who has a little more insight than a lot of the other guys. It's rough for me because I really never lost until last year. It hit me hard. I'm ready to start winning again."

Another reason the Toreros should be improved is that sophomores Kelvin Means, Randy Thompson, Keith Colvin and Dondi Bell benefited from playing as freshmen. USD will miss sophomore John Sayers, who has transferred to Cal.

Finally, the Toreros should be better because incoming freshmen guards Gylan Dottin and Wayman

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COLLEGE FOOTBALL

Toreros on upswing for homecoming game

By Tom Krasovic
Staff Writer

2955
Though its record (4-3) could be better, the University of San Diego can take heart entering today's 1:30 p.m. homecoming game against UC Santa Barbara.

The offense has all but mastered the Delaware Wing T, said Coach Brian Fogarty, who implemented the offense this year.

A young line has become nearly airtight, allowing only one sack the last three games. The quarterbacks have picked up one another — last week, Doug Piper replaced Brendan Murphy and sparked a 31-7 surge in the middle quarters that helped the Toreros to a 31-21 victory at La Verne. And the defense has continued its strong play — USD registered seven sacks against La Verne, allowed just four yards rushing and intercepted four passes.

Last year at Santa Barbara, the teams played in the mud. "It was one of the greatest games I've ever been associated with," said USD defensive line coach Tim Oder.

Murphy scored early, and the defense, despite facing a bigger team, helped beat the Gauchos, 7-0. Re-called Fogarty: "They were just a

big, physical team. I thought (the mud) would be to their advantage. But they didn't move the whole ball-game. The defense played an outstanding game."

UCSB (4-4) will be motivated to beat its smaller opponent, Fogarty said.

Gauchos to watch include sophomore running back Drew Karchner (49 carries, 283 yards), tight end Wade Wallace (35 catches, 350 yards, four TDs) and quarterback Mike Curtius (91-of-176, 898, six TDs, nine interceptions). Curtius, who sat out the previous two games with a separated shoulder, likely will start in place of Steve Armstrong, who injured the thumb on his throwing hand in UCSB's 31-18 loss to Azusa Pacific last week.

Piper likely will start, Fogarty said. The game will mark the final home appearance for 11 USD seniors, including five starting defenders, led by safety Bryan Day and nose guard Dave Dunn, who had three sacks last week.

USD is the Gauchos' lone Division III opponent. "They and Azusa Pacific (USD's season-ending opponent next week) are the biggest teams we will face this season," Fogarty said.

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Basketball — Zack Jones scored 22 points, but Athletes in Action lost at Cal, 79-77. Cal's Keith Smith made a layup at the buzzer to win it. AIA (0-1) plays at USD Monday night. 955

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The San Diego Union/Bill Romero

Mike Curtius, pressured by USD's David Gilmore (75), was intercepted four times.

Same old story for USD in loss

Santa Barbara survives rally

By Steve Scott
Special to The Union

The University of San Diego has developed a pattern of suffering heartbreaking defeats. In each loss this season, the Toreros have been within a successful final series of winning.

That dubious distinction remained intact yesterday afternoon, as USD lost to UC Santa Barbara, 13-10, before an overflow homecoming crowd of 4,000 in a Division III game at USD.

The Toreros drove to the Gauchos' 14-yard line with 41 seconds left but were turned back by a diving interception in the end zone by safety Bryan Scher. On the play, USD quarterback Doug Piper tried to hit tight end David Nottoli, who was running a slant pattern to the middle of the end zone. The pass appeared to be on target, but Scher reacted quickly and saved the game.

"I was covering (Nottoli) the whole second half and was trying to keep him to the outside of me," Scher said.

"He made a quick move to the inside, and when I turned around, there was the ball. It was a well-thrown ball. It would have been a touchdown."

Instead, it was an interception and evened the Toreros' record at 4-4. They travel to Azusa Pacific for the final game of the season on Saturday. UCSB is 5-4.

Scher's interception stopped a drive that began at the USD 34-yard line with 2:04 left to play. The Toreros converted a key fourth-and-7 with an 11-yard pass to Sam McDermott and were aided by two Gauchos personal foul penalties on the drive.

USD had a chance to put the game out of reach one drive earlier. Leading 10-6, USD defensive back Darryl Jackson intercepted a pass at the UCSB 28-yard line and returned it to the 3.

"When we take an interception to the 2-yard line, we should win the game," USD coach Brian Fogarty said. "We have to be able to punch that ball into the end zone."

Ability or not, the Toreros offense didn't. Two clipping penalties contributed to USD settling for a 46-yard field-goal attempt, which was blocked.

The Gauchos took over at their 41 with 6:04 to play and drove 59 yards on nine plays for the winning score, a 12-yard touchdown pass from quarterback Mike Curtius to Kevin King with 2:11 to play.

Curtius completed 25 of 40 passes for 235 yards and two touchdowns but was intercepted four times. Doug Piper was 15-of-26 for 172 yards but was sacked eight times and threw four interceptions.

The Gauchos led, 6-3, at halftime, as both offenses struggled.

UCSB took a 6-0 lead on its first possession on a Curtius-to-Amahl Thomas 18-yard pass with 10 minutes left in the first quarter. The touchdown finished a 71-yard, 10-play drive. The point-after attempt was wide left.

USD cut the lead to 6-3 on a 42-yard field goal by Jim Morrison with 2:34 left in the first quarter. The Toreros took a 10-6 lead on the opening drive of the third quarter, driving 55 yards on 11 plays. Running back Todd Jackson ended the drive with a 5-yard touchdown run with 9:35 left in the third quarter.

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Los Angeles Times

SAN DIEGO COUNTY

J Sunday, November 6, 1988 / Part III 15B

USD Again Close, but Santa Barbara Preserves Victory With Interception

2955
By JIM LINDGREN

SAN DIEGO—For the fourth time this season, victory eluded the University of San Diego in the final moments of a game.

With 31 seconds left to play Saturday against UC Santa Barbara, USD had a first down at the Gaucho 14. Quarterback Doug Piper dropped back and threw over the middle to tight end David Nottoli, who was streaking across

the goal line. The pass was on target and almost in Nottoli's lap when UCSB safety Bryan Scher made a diving, fingertip interception for a touchback.

USD (4-4) once again had come close. But UC Santa Barbara escaped with a 13-10 victory.

Against Menlo in its opener, USD led by 11 in the fourth quarter but lost, 18-17, with 1 minute 22 seconds remaining. Two weeks later, Redlands scored 2 touchdowns in

the fourth quarter, the last with 38 seconds, to defeat the Toreros, 17-10. Two weeks ago, Occidental defeated USD, 20-16, after the Toreros' last-minute, fourth-down pass from Occidental's 7 fell incomplete in the end zone.

Saturday, in front of a standing-room-only homecoming crowd of more than 4,000, USD led, 10-6, with a little more than 2 minutes remaining. On second and goal from USD's 9, UCSB quarterback

Mike Curtius (25 for 40, 235 yards) hit Kevin King in the end zone to cap a 4-minute, 59-yard drive for the winning points.

"I've have had seasons like this before, but not this bad," USD Coach Brian Fogarty said. "We've had 4 games we've come up on the short end in games we should have won. I can't explain it."

After Santa Barbara (5-4) took the lead, USD had 2 minutes to drive 66 yards. Piper (15 for 26, 172

yards) connected with Ken Jones for 15 yards on a third-down play and with Sam McDermott for 11 yards on a fourth-and-7. A late hit on McDermott gave USD a first down at the Gaucho 14.

Scher's interception was the Gauchos fourth, the second in the end zone. USD also intercepted 4 passes. Darryl Jackson returned a fourth-quarter interception 25 yards to the UCSB 3, but 2 clipping penalties pushed the Toreros back,

and Broderick Spencer blocked Jim Morrison's 46-yard field goal attempt.

UCSB took a 6-0 lead on its first drive on a spectacular one-handed catch in the corner of the end zone by Amahl Thomas. USD cut it to 6-3 on a 42-yard field goal by Morrison. In the third quarter, Todd Jackson ran in from the 5 to give USD its 10-6 lead.

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Athletes in Action — San Diego State alumnus ~~Anthony~~ Watson had 31 points and Zack Jones 23 to lead San Diego-based AIA past host Pepperdine, 95-75, in a basketball exhibition in Malibu.

Watson hit 12 of 17 field-goal attempts and six of seven free throws, scoring 24 in the first half. Jones had 15 second-half points.

Tom Lewis had (14 points, five as-

sists) and Casey Crawford (13 points) led the Waves (0-1).

Athletes in Action (2-4) plays at USD tomorrow at 7:30 p.m.

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More men's soccer — USD won a shootout to beat Cal State Los Angeles in a round-robin game of the USIU Classic. After playing to a 3-3 tie at the end of regulation, both teams scored in the second 10-minute overtime period before the Toreros won in a shootout, 4-3.

Vince Bianci scored USD's first goal at 3:40 of the first half and had the winning fourth shootout goal. Waldid Guerra had two goals for

CSLA (9-9-2).

USIU (5-10-1) hosts USD (9-7-2) in the tournament's last game, today at 1 p.m. It will be preceded by the USIU women's game against UCLA at 11 a.m.

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Toreros get set for some action tonight

Tribune Staff Report 2955

The USD basketball team will play an exhibition game tonight at 7:30 against Athletes in Action at the USD Sports Center.

The Toreros will feature one of college basketball's youngest teams this season with seven freshman and five sophomores on their 15-man roster. The only upperclassmen on the roster are senior guards Danny

Means and Efrem Leonard, and junior guard/forward Craig Cottrell.

AIA is five games into a schedule which includes 25 games in November. Among the team's members are former Aztecs guard Anthony Watson and forward Zack Jones and former UCLA guard Rod Foster.

The Toreros open the 1988-89 season Nov. 26 at the University of New Mexico tournament.

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Young and restless USD basketball team gives AIA a prime-time battle

By Kirk Kenney
Tribune Sportswriter

Last spring, Wayman Strickland was playing guard for Riordon High in San Francisco.

Last week, Lorenzo Romar was playing guard for the New Jersey Nets in the NBA.

Last night, Strickland was guarding Romar.

The experience gap never seemed to enter Strickland's mind. The same goes for many of Strickland's teammates, who found themselves in similar situations last night at the USD Sports Center.

The Toreros played an exhibition game against Athletes in Action, the Christian team consisting of former college and pro players. AIA passed the ball among players such as Romar, 7-foot center Gib Hinz and former San Diego State stars Zack Jones and Anthony Watson.

AIA opened the season with a game against the U.S. Olympic team in August, approximately the same time Strickland and six of his teammates were packing for

college. The Toreros' 15-man roster lists seven freshmen. USD also has five sophomores.

"It was nerve-racking," said USD freshman forward Kelvin Woods, who scored nine points and grabbed a game-high 13 rebounds. Nerve-racking?

"I guess I just deceived everybody," said Woods.

Looks may be deceiving at USD this season. The Toreros led 49-42 at halftime before AIA came back for a 97-90 win. Jones scored 20 of his game-high 25 points in the second half to lead the comeback.

"We just had a stretch in the second half where we shot the ball poorly," said USD coach Hank Egan. "I thought we competed pretty well."

The competition began last month when freshmen such as Strickland, Woods and guard Gylan Dottin reported for practice.

"Practice is really competitive," said junior Craig Cottrell, who led the Toreros with 20 points. "They've really come in and made everyone play harder."

The freshmen aren't afraid to try to make something happen. There was nothing tentative about their play against AIA. Strickland missed his first six shots, but kept shooting. He missed six more. His 13th and final shot hit the front of the rim, bounced high off the backboard and fell through the hoop as the game ended.

"They said I was 1-for-19," said Strickland, exaggerating the obvious. "I don't think I've done that since about the fourth grade. The basket had a lid on it."

To his credit, he kept shooting.

"If I don't take the shot when I have it, the defense will fall back," he said.

Said Egan: "Wayman Strickland is a good shooter. He just never got off the mark. I told him at halftime he was 0-for-6, and I didn't see a bad shot. The only time I questioned him is when he tried going one-on-four on one play."

"We have some young kids who have some talent, but who made some bad decisions at times. Like freshmen

guards going to the hole when maybe they shouldn't go to the hole."

Egan wasn't complaining. He was teaching.

"I don't want to kill their aggressiveness," he said. "There are three ways to learn: from the coaching, from playing good teams and from each other."

The younger Toreros can learn about shooting from Cottrell and senior guards Danny Means and Efreem Leonard. Cottrell was 10-for-11 from the floor. Means was 7-for-13 with four three-pointers for 18 points. Leonard was 7-for-10 with two three-pointers for 16 points.

Some of the younger players already are catching on. Sophomore forward Randy Thompson hit each of his four shots, including a 25-footer that just beat the halftime buzzer, and collected seven rebounds. Sophomore center Dondi Bell played an inspired first half, finishing with three blocked shots, six rebounds and eight points.

"With a young ballclub, I can't be disappointed," said Egan.

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Toreros²⁹⁵⁵ to close at Azusa

By Tom Krasovic
Staff Writer

They have lost two games when their final drive failed, another when the other guys' final drive succeeded and another that was just plain close. But the University of San Diego should buck up when it plays at Azusa Pacific today at 1:30 for its last game.

Christian Okoye won't be there.

Okoye, 6-foot-1 and 253 pounds with 4.4 speed in the 40, was the first-round draft choice of the Kansas City Chiefs in 1987. USD could have provided the Chiefs quite a scouting report.

The Toreros faced Okoye, a running back, five times, losing each (though Azusa forfeited one game because a player was ineligible). In 1984, USD had an open date to fill. Guess which school the Toreros picked?

"Real intelligent," recalled Brian Fogarty, USD's coach. "We faced him twice that year. The last two years (1985-86) were the toughest because he got better and better. He just was awesome. He dominated — we have some former defensive players who can attest to that... He was playing against guys who weighed 200 and had 5-flat speed. It's nice not to (face Okoye again)."

More good news: USD learned that its record is 5-3, not 4-4, because Menlo has been forced to forfeit its games as a result of "paperwork problems," Fogarty said. "That's too bad. You want it on the field — I guess it will look nice in the future, on a brochure."

Azusa (5-2) lost to Menlo last week, 27-24. The Cougars present USD's strong defense with two problems, Fogarty said. "Their quarterback (Brian Hunt, 71-of-154, 915 yards, eight touchdowns, 13 interceptions) can pass, but he can also run the option."

USD will be without sophomore cornerback Darryl Jackson, who injured a knee in last week's 13-10 loss to UC-Santa Barbara.

Azusa Pacific, an NAIA school, won last year, 23-18, and has not lost to Division III USD since 1981.

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By David Kiefer
Special to The Tribune

2955
Joel Thompson pulled a stunt seldom seen in any kind of racing.

He zipped past the leaders to go ahead in the bicycle segment of yesterday's Coors Light Biathlon at Balboa Park and wasn't seen again. ... That is, until passing them later in the race.

The catch is: Thompson was never passed himself.

Thompson was so dominant that he took the lead in the 30-kilometer (18.6-mile) cycling portion of the run-bike-run biathlon, and was so far ahead that everyone else lost sight of him. He made a wrong turn, riding nearly two miles out of his way, returned to the course and passed the leaders again. He still finished nearly quarter-mile ahead of all the other cyclists going into the final 5K (3.1-mile) run to the finish. Thompson, the pre-race favorite, won in 1:19:25, followed by Tony Reyes of Morena Valley in 1:20:12.

Imagine the consternation of the other top competitors to be passed by Thompson, who was

Run-bike-run winner has it all his way

Coors Light Biathlon

sixth after the opening 5K run, not once, but twice.

"I followed the press truck and then rode right by it," said Thompson, 29, of Encinitas, a former track runner at West Texas State and category-2 (second-highest national classification) cyclist. "I knew I wasn't going the right way, so I asked a cop."

The bicycle leg consisted of two 9-mile loops, so Thompson rode in the direction that he deemed the lesser of two evils and ultimately rode 1½ to 2 miles longer on the first loop.

"If I hadn't blown the turn, I

would have won by four minutes," said Thompson.

In Thompson's defense, portions of the course were poorly marked and many competitors remarked how the race as a whole seemed disorganized, in contrast to other stops on the first-year 12-city Coors Light Biathlon Series.

In the poorly marked areas such as the site of Thompson's confusion, there were no race officials to direct competitors the right way. Reyes, 27, said he and the other leaders also began heading the wrong direction where Thompson made his error, but quickly corrected themselves.

■ In the women's race, San Diego's Tonya Grant won in her first attempt at either a biathlon or triathlon. A surprised Grant, a USD graduate who has been cycling for a year and has run once in the past three months, finished in 1:31:19, followed by Laura Lowe in 1:32:27.

"I didn't want to look behind me," said Grant, 23. "I thought everyone was going to pass me on the run."

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BASKETBALL

2955
The University of San Diego announced that Shawn Hamilton, a 6-foot 8-inch 225-pound forward from Mesa, Ariz., has signed a letter of intent to join the Toreros for the 1989-90 season.

Hamilton attended Northern Arizona as a freshman and started 14 games, averaging 3.9 points and

3.1 rebounds. He is playing his sophomore season at Mesa Community College in Arizona.

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LOCAL BRIEFS

USD signs two 6-8 prospects

The University of San Diego has signed two 6-foot-8 basketball players: Brooks Barnhard, an Escondido High senior who orally committed three weeks ago, and Shawn Hamilton of Mesa, Ariz.

Hamilton, a 225-pounder, averaged 3.9 points and 3.1 rebounds as a freshman at Northern Arizona last season. He will play for Mesa Community College in Arizona this season. Barnhard, a 210-pounder, averaged 16 points and 10 rebounds for Escondido (20-6) last season.

Collegiate golf — Allison Shappcott of USIU had rounds of 76-73-73 to finish fifth at 222 at the

UCLA Desert Classic Invitational women's tournament in Palm Springs. Arizona State's Pearl Sinn was medalist at 211. USIU finished 12th at 929; San Diego State tied for 14th at 934.

Basketball clinic — USIU coach Gary Zarecky and Sweetwater High coach Dave Ybarra will host a free public clinic Saturday at Sweetwater from 1-3 p.m. A USIU intrasquad scrimmage will follow.

Volleyball — Terry Liskevych has been retained to coach the U.S. women's team through the 1992 Olympic Games in Barcelona.

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2955
■ Usually, what we know about the college athletes we watch and read about is limited to a critical study of their athletic skills. When they win, we lavish them with praise. When they lose, we tend to ignore them, as if losing makes them unworthy of our interest.

But these young men are more than just football or basketball players. They are college students, first; some are husbands and fathers. And after their playing careers end, the rest of their adult lives lies ahead of them.

For this Thanksgiving Day feature, we asked head coaches Hank Egan of USD, Jim Brandenburg of San Diego State and Gary Zarecky of USIU to select one player from each of their rosters — the one player each most admires, as a player and as a person. Far beyond their statistics and skills, the lives of these three athletes are worth a closer look.

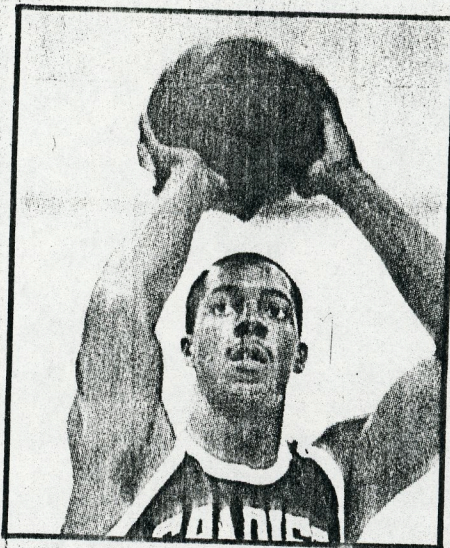
He owes a lot to his parents

By John Freeman

Tribune Sportswriter

WHEN Danny Means walks around the USD campus, with its shimmering domes and red-tiled, blindingly white buildings, he sees very few students who look like he does. That used to bother him. But no longer.

"I had a real problem adapting to USD when I first got here," said Means, a senior guard who has spent the first three years living on the See **TOREROS: E-15, Col. 1**



Tribune photo by Jack Yon

USD's Danny Means

TOREROS: Means adjusting to life at USD

Continued From E-1

Alcala Park campus. "That first semester, I thought I had made a big, big mistake. It's a very wealthy school with mostly one type of person, a rich yuppie type."

Rich, white yuppies.

Of USD's enrollment of 3,600 undergraduates, only a handful are black. Like Means, many of the school's black students are athletes on scholarship. Some, like Means, come from predominantly black neighborhoods like Compton, where excelling in sports often proves to be the easiest means of escape.

It was for Means, and he's forever grateful.

"I don't think there's any way I would've gotten a scholarship without basketball," said Means, a 6-2 senior guard with a quick smile and affable manner. "Compton's not the best neighborhood to grow up in."

Some pseudo-sociologists might regard Means' schooling as elitist, and, indeed, Means has had to tolerate the envious barbs of "the guys on the playgrounds back home," those who think he acts too white to be black. But Means does not suffer an identity crisis.

"I know the white man's world and I know the street world," he said. "I

can survive both. A lot of students at this school couldn't go to Compton and survive. But I know I could."

Despite a background he describes as "lower-middle class," Means attended a private school before coming to USD, which has strict academic requirements for admission, even for athletes. At the insistence of his parents — who struggled to pay yearly tuition — Means attended St. John Bosco, a private high school in nearby Bellflower.

"My parents didn't think it would be in my best interests to go to school in Compton," said Danny. "They made sacrifices for me and my brother (Kelvin, 19, a sophomore on the USD basketball team). They felt that was the best way for us to survive. So far, it's worked. I mean, I'm not going to turn out to be some drunk on the street corner. In some ways, I've been a spoiled, protected kid because I haven't had that much time to be bad."

Means carries a 2.4 grade-point average in business administration and has spent his summers in San Diego, working for beer distributorships. He's unsure what his future holds, but he has hopes of playing basketball for a few years in Europe or elsewhere.

"I used to get upset because people

here just associated me with sports. I'm black and I'm a good athlete, so that's supposed to be all I do," he said. "That's part of me, but last year I started doing more things around school, like Special Olympics and getting involved in (pre-enrollment) orientation."

Means' father, Donald, works as a juvenile counselor in Compton. His mother, Ruby, works as an employment counselor, but suffers from periodic spells of mental illness that force her to be bed-ridden.

"She has breakdowns that are stress-related," said Means. "For the moment, she can't work. It's been that way for a year and a half. It's been tough, but it's made our family a lot tighter."

There's nothing spoiled about Means. He knows his athletic gifts have made him something special and provided him an entree to St. John Bosco and USD.

And he credits his parents for pointing him in the right direction.

"They have gone above and beyond to give us what we have," said Means. "I don't think anybody could be the perfect parent; I'm not the perfect son. But I have a very strong family. My brother and I always say that it's not just two of us down here. It's actually four."

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SAN DIEGO COLLEGE BASKETBALL

Egan Not Sure What to Expect From the Youngest Team in the WCAC

By JIM LINDGREN

SAN DIEGO—Hank Egan, the University of San Diego basketball coach, will not make any predictions about this season's team.

It is so young, Egan says, that he honestly doesn't know how the players will perform during the demanding West Coast Athletic Conference season.

But everyone else, from the WCAC media to The Sporting News to Street & Smith, has made a prediction: The Toreros most often were picked to finish seventh in the 8-team WCAC. ESPN's Dick Vitale was bold enough to pick USD sixth; Playboy has them last.

Because preseason polls are based on the previous year's performance, returning players and key newcomers, the selections come as no surprise to Egan.

USD was 11-17 last season and finished seventh in the conference (3-11). Of the seven returning letterman, only one was a starter last season. Seven freshmen join five sophomores, a junior and two seniors to form the conference's youngest team.

Adding to low expectations for USD is the strength of the conference. In 1987-88, the WCAC had its finest season, putting three teams into postseason play. Excluding USD, WCAC teams return 83% of their starting lineups, including seven first-team all-conference players.

St. Mary's (19-9, 9-5) returns all

USD Preview

five starters and is picked first in the WCAC media poll but second in the others. Loyola Marymount (28-4, 14-0), with a "7-second offense" that averaged 110 points per game, is picked second in the media poll but first in the others.

Then come Santa Clara (20-11, 9-5), Pepperdine (17-13, 8-6), Gonzaga (16-12, 7-7) and San Francisco (13-15, 5-9). Only Portland (6-22, 1-13) is picked lower than USD by the WCAC media.

Despite all that, the Toreros and Egan are excited about the season, which begins with the University of New Mexico Tournament Saturday in Albuquerque. USD's home opener is next Wednesday against Cal Lutheran at the USD Sports Center.

"I think we've improved ourselves athletically," Egan said. "There's no doubt we're a young team. But this is the last year for excuses. I really mean that. We won't be able to fall back on the inexperience excuses next year."

"But how good we're going to be this year. We really don't know."

At the WCAC media luncheon 3 weeks ago, Egan added, "We really don't know who the starting lineup will be. We don't know who's going to respond in game situations. Some kids are lazy practice players. Some kids are gamers. We'll just have to wait and see."

One player Egan knows well is



M.J. JOHNSON / For The Times

USD Coach Hank Egan talks with senior Efreem Leonard, who will be a key player in the back court.

senior guard Danny Means (6-feet 2-inches, 185 pounds). Means started all 30 games as a sophomore on the Toreros' most successful

team, in 1986-87, when they won the WCAC regular season title and qualified for the NCAA tournament. Means scored 18 points in

USD's 62-61 loss to Auburn in the first round.

Last season, Means was USD's most valuable player and team

captain. He was honorable mention All-WCAC, averaging 12.1 points and 3 assists per game as a point guard. He also led USD in 3-point shooting (43.6%) and free-throw accuracy (81%), prompting Egan to switch Means back to his more natural shooting guard position.

Two years ago, Means teamed with Paul Leonard in the back court. This year, Means and senior Efreem Leonard (Paul's brother) will work together. Leonard (6-1, 180) started 9 games last year, averaging 10.7 points per game after transferring from Mt. San Antonio Community College.

Junior Craig Cottrell (6-5, 200) is the only other upperclassman. Cottrell averaged 4.9 points and 2.7 rebounds, starting nine games as a sophomore. In USD's 97-90 exhibition loss 2 weeks ago to Athletics in Action, Cottrell started and led the Toreros with 20 points in 26 minutes. Means scored 18 and Leonard 16.

USD played well against AIA, showing tremendous quickness and having a 46-33 rebounding edge despite a size disadvantage.

Freshman forward Kelvin Woods (6-5, 210) had 13 rebounds and 9 points in 24 minutes. Sophomore forward Randy Thompson (6-6, 195) had 12 points, 7 rebounds and some good passes among his 5 assists. Sophomore center Dondi Bell (6-9, 230) scored 8 points and blocked 3 shots. Freshman guard Wayman Strickland (6-2, 170) led USD with 6 assists.

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(San Diego Co.)
Evening Tribune
(Cir. D. 123,064)

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2955

Men's schedules

SDSU			USD			USIU			UCSD			Point Loma Nazarene			Christian Heritage		
Date	Opponent	Time	Date	Opponent	Time	Date	Opponent	Time	Date	Opponent	Time	Date	Opponent	Time	Date	Opponent	Time
Nov. 26	DeWine	7:30 p.m.	Nov. 25-27	New Mexico Tournament	TBA	Nov. 26	Air Force	7:30 p.m.	Nov. 25-26	Triton Tip-Off Classic		Nov. 26	at Occidental	8 p.m.	Nov. 26	Cal Baptist	7:30 p.m.
Nov. 29	at Baylor	5:30 p.m.	Nov. 30	Cal Lutheran	7:30 p.m.	Nov. 28	Maryland E. Shore	7:30 p.m.	Nov. 29	at USC	7:30 p.m.	Nov. 29	The Master's	7:30 p.m.	Nov. 30	at S. Calif. College	7:30 p.m.
Dec. 2	UC Irvine	7:30 p.m.	Dec. 3	at UC Santa Barbara	7:30 p.m.	Nov. 29	at USC	7:30 p.m.	Nov. 29	UCSD vs. San Jose Bible	8 p.m.	Dec. 2	at UCSD	7:30 p.m.	Dec. 3	S. Calif. College	7:30 p.m.
Dec. 5	at Tamas Tech	5:30 p.m.	Dec. 8	Cal State Fullerton	7:30 p.m.	Dec. 2-3	Ball State Tournament	TBA	Nov. 29	at Whittier	7:30 p.m.	Dec. 10	at Whittier	7:30 p.m.	Dec. 8	at Redlands	8 p.m.
Dec. 17	at Arizona State	7:30 p.m.	Dec. 17	Seattle Pacific	7:30 p.m.	Dec. 5	at Cal	7:30 p.m.	Dec. 2	Point Loma Nazarene	7 p.m.	Dec. 13	at Hawaii-Loa	8 p.m.	Dec. 10	Christ College	7:30 p.m.
Dec. 20-21	McDonald's Classic		Dec. 20	at Montana	7:30 p.m.	Dec. 6	at St. Mary's	7:30 p.m.	Dec. 16	Athletes in Action	7 p.m.	Dec. 15	at Hawaii Pacific	7:30 p.m.	Dec. 12	at Cal State San Bernardino	8 p.m.
	UAB vs. Tennessee	6 p.m.	Dec. 23	at Nevada-Reno	7:30 p.m.	Dec. 9	at Fresno State	7:30 p.m.	Dec. 19	at Bethany Bible	7:30 p.m.	Dec. 17	at Chaminade	8 p.m.	Dec. 16	at Cal Baptist	7:30 p.m.
	Attecs vs. Hardin-Simmons	8 p.m.	Dec. 28	North Texas State	7:30 p.m.	Dec. 14	at Syracuse	4:30 p.m.	Dec. 22	at Pacific	7:30 p.m.	Jan. 5-7	PUNC Classic	TBA	Dec. 17	Spring Arbor	7:30 p.m.
Dec. 27	at St. Francis	7:30 p.m.	Dec. 30	Marist	7:30 p.m.	Dec. 16-17	Dartmouth Tournament	TBA	Dec. 30	Elmhurst	4 p.m.	Jan. 10	at Azusa Pacific	7:30 p.m.	Dec. 31	Point Loma Nazarene	3 p.m.
Dec. 29	North Carolina	7:30 p.m.	Jan. 2	at Utah	6:30 p.m.	Dec. 19	at Coppin State	4:30 p.m.	Jan. 6-7	La Jolla Classic		Jan. 17	Westmont	7:30 p.m.	Jan. 6-7	at Hawaii Pacific Tour	TBA
Dec. 31	Vermont	7:30 p.m.	Jan. 5	at Western Kentucky	7:30 p.m.	Dec. 28	Montana	7:30 p.m.	Jan. 11	UCSD vs. Pomona-Pitzer	8 p.m.	Jan. 17	Christ College	7:30 p.m.	Jan. 9	at BYU-Hawaii	TBA
Jan. 5	Colorado State	7:30 p.m.	Jan. 13	Gonzaga	7:30 p.m.	Dec. 30	St. Francis	7:30 p.m.	Jan. 21	UCSD vs. Gordon	8 p.m.	Jan. 21	Fresno Pacific	7:30 p.m.	Jan. 10	at Hawaii-Hilo	TBA
Jan. 7	Air Force	7:30 p.m.	Jan. 14	Portland	7:30 p.m.	Jan. 2	Vermont	7:30 p.m.	Jan. 14	La Verne	7 p.m.	Jan. 24	at Cal Lutheran	7:30 p.m.	Jan. 14	Claremont Mudd	7:30 p.m.
Jan. 12	at Brigham Young	6:30 p.m.	Jan. 20	at San Francisco	7:30 p.m.	Jan. 4	Loyola-Marymount	7:30 p.m.	Jan. 18	at USIU	7:30 p.m.	Jan. 28	at Cal Baptist	7:30 p.m.	Jan. 17	at The Master's	7:30 p.m.
Jan. 14	at Utah	6:30 p.m.	Jan. 21	at Santa Clara	7:30 p.m.	Jan. 10	at Rhode Island	5 p.m.	Jan. 21	at Menlo	7:30 p.m.	Jan. 31	S. Calif. College	7:30 p.m.	Jan. 20	Fresno Pacific	7:30 p.m.
Jan. 19	Texas-El Paso	7:30 p.m.	Jan. 27	San Francisco	7:30 p.m.	Jan. 14	at Winthrop	4:30 p.m.	Jan. 24	at Christian Heritage	7:30 p.m.	Feb. 3	at Westmont	7:30 p.m.	Jan. 24	UCSD	7:30 p.m.
Jan. 21	New Mexico	2 p.m.	Feb. 3	at Pepperdine	7:30 p.m.	Jan. 18	UCSD	7:30 p.m.	Jan. 27	UC Santa Cruz	8 p.m.	Feb. 7	Azusa Pacific	7:30 p.m.	Jan. 28	West Coast Christian	7:30 p.m.
Jan. 28	at Hawaii	7:30 p.m.	Feb. 4	at Loyola Marymount	7:30 p.m.	Jan. 31	at Loyola-Marymount	7:30 p.m.	Jan. 28	Dominican	8 p.m.	Feb. 9	Biola	7:30 p.m.	Jan. 31	Biola	7:30 p.m.
Jan. 30	Wyoming	7:30 p.m.	Feb. 10	Pepperdine	7:30 p.m.	Feb. 6	Southern Utah	7:30 p.m.	Feb. 1	at La Verne	8 p.m.	Feb. 11	at Fresno Pacific	7:30 p.m.	Feb. 2	Occidental	7:30 p.m.
Feb. 2	at Colorado State	6:30 p.m.	Feb. 15	at St. Mary's	7:30 p.m.	Feb. 13	Missouri-Kansas City	7:30 p.m.	Feb. 3	Cal State San Bernardino	8 p.m.	Feb. 14	at Christ College	7:30 p.m.	Feb. 4	at Grand Canyon	8 p.m.
Feb. 4	at Air Force	Noon	Feb. 18	St. Mary's	7:30 p.m.	Feb. 16	Point Loma Nazarene	7:30 p.m.	Feb. 10	at Cal State San Bernardino	8 p.m.	Feb. 16	at USIU	7:30 p.m.	Feb. 7	The Master's	7:30 p.m.
Feb. 9	Brigham Young	8:30 p.m.	Feb. 24	at Portland	7:30 p.m.	Feb. 20	at South Dakota	5:30 p.m.	Feb. 15	at Pomona-Pitzer	8 p.m.	Feb. 18	Cal Lutheran	7:30 p.m.	Feb. 10	at Fresno Pacific	7:30 p.m.
Feb. 11	Utah	2 p.m.	Feb. 25	at Gonzaga	7:30 p.m.	Feb. 25	at SDSU	7:30 p.m.	Feb. 17	at Dominican	8 p.m.	Feb. 21	Cal Baptist	7:30 p.m.	Feb. 11	at West Coast Christian	7:30 p.m.
Feb. 16	Hawaii	7:30 p.m.	Feb. 28	USIU	7:30 p.m.	Feb. 28	at SDSU	7:30 p.m.	Feb. 18	at UC Santa Cruz	7:30 p.m.	Feb. 25	at S. Calif. College	7:30 p.m.	Feb. 15	at Whittier	7:30 p.m.
Feb. 18	at Wyoming	6:30 p.m.	Mar. 4-6	WCAC Tournament	TBA				Feb. 18	at UC Santa Cruz	8 p.m.				Feb. 21	at Biola	7:30 p.m.
Feb. 22	Florida International	7:30 p.m.							Feb. 24	Menlo	8 p.m.				Feb. 25	Grand Canyon	7:30 p.m.
Feb. 25	USIU	7:30 p.m.															
Mar. 2	at New Mexico	6:30 p.m.															
Mar. 4	at Texas-El Paso	6:30 p.m.															
Mar. 9-12	WAC Tournament	TBA															

Men's rosters

SDSU				USD				USIU				UCSD				Point Loma Nazarene				Christian Heritage				
Name	P	Ht.	Wt. Yr. Hometown	Name	P	Ht.	Wt. Yr. Hometown	Name	P	Ht.	Wt. Yr. Hometown	Name	P	Ht.	Wt. Yr. Hometown	Name	P	Ht.	Wt. Yr. Hometown	Name	P	Ht.	Wt. Yr. Hometown	
Shawn Bell	F	6-6	217 Sr.	San Diego	Mike Bateman	G	6-3	170 Fr.	La Verne	Algenoid Banks	F	6-4	180 Fr.	Compton	Kevin Barback	G	6-4	190 Sr.	Builton	John Burkhardt	C	5-10	220 Jr.	La Habra
Michael Best	G	6-4	200 Jr.	Seat Pleasant, Md.	Dondi Bell	C	6-9	220 So.	San Diego	Willie Davis	G	6-0	165 Fr.	San Diego	Eric Bland	G	6-2	180 So.	Roswell, N.M.	Doug Coyle	G	5-11	150 Fr.	Las Cruces, N.M.
William Dixon	G	5-11	165 Sr.	Los Angeles	Carlos Carrillo	G	6-8	185 Fr.	Southgate	Mike Fagundes	F	6-7	210 Jr.	Amador City	Mark Bulgis	F	6-2	175 So.	Salem, Ore.	W. Cunningham	G	6-0	190 Jr.	Wassila, Ark.
Dana Jackson	F	6-8	213 Fr.	Chicago	Keith Colvin	F	6-8	220 So.	Chico	Mike Heygood	F	6-8	230 Jr.	Santa Fe, Texas	Brad Davis	G	5-9	150 Jr.	Pasadena	Eric Flowers	G	6-1	180 Jr.	Spring Valley
Sam Johnson	F	6-7	215 Sr.	Detroit	Craig Cottrell	G	6-5	200 Jr.	Tempe	Mike Hudgins	F	6-8	230 Jr.	Santa Fe, Texas	Mark Dirksen	C	6-5	200 Jr.	Thunder Bay	Randy Foster	G	6-0	165 Jr.	Normal, Ill.
Rodney Jones	G	6-2	165 Jr.	Dallas	Gylan Dottin	G	6-5	190 Fr.	Santa Ana	Greg Howard	F	6-6	202 Fr.	Athens	John Hubbard	F	6-3	180 Fr.	Hemet	Dave Kirksey	C	6-8	215 Sr.	Yucca
Mitch McMullen	C	6-10	250 Sr.	Newhall	John Jerome	F	6-8	220 Sr.	Prescott, Ariz.	Matt Judd	F	6-6	215 Sr.	Costa Mesa	Ron Hubbard	F	6-3	190 Fr.	Hemet	Mark Kraatz	G	6-2	170 Jr.	Allen Park, Minn.
Neal Pollard	C	7-0	245 Fr.	Del Mar	Efrem Leonard	G	6-1	180 Sr.	Diamond Bar	D. LaTiffe	F	6-5	205 Jr.	San Diego	James Kinzier	G	6-1	165 Fr.	Wainut Creek	Rob Meeter	F	6-8	215 So.	El Cajon
Tony Ross	G	6-3	175 Jr.	Portland, Ore.	Alan Lewis	F	6-8	220 Fr.	Fullerton	Tim Moore	F	6-4	205 Jr.	Loran, Ohio	Mark Ryan	F	6-4	205 Sr.	Chula Vista	L. Robinson	F	6-3	190 Fr.	Oxnard
Neal Steiner	C	6-11	250 So.	Yuma	Danny Means	G	6-2	185 Sr.	Los Angeles	Goran Petrovic	G	6-5	190 Jr.	Belgrade	Shawn Stroud	G	6-0	175 Sr.	Belflower	Bill Soucie	F	6-5	200 Sr.	Ypsilanti, Mich.
Alex Sund	F	6-8	230 Fr.	Golden, Colo.	Kevin Means	G	6-0	170 So.	Los Angeles	Steve Smith	G	6-3	200 Jr.	San Diego	Brian Thurston	G	6-2	175 Sr.	Phoenix	Brad Soucie	F	6-6	200 Jr.	Ypsilanti, Mich.
Eric White	G	6-6	192 Fr.	Las Vegas	M. Schmierer	G	6-3	176 Fr.	San Rafael	Mike Sterner	C	6-11	235 So.	Mitchell, S.D.	Mike West	G	6-3	185 Fr.	Fallbrook	Jeff Stetten	F	6-4	210 Jr.	Rancho Santa Fe
Bryan Williams	G	5-10	165 Sr.	Los Angeles	W. Strickland	G	6-2	165 Fr.	San Francisco	C. Wawrzyniak	G	6-3	185 Jr.	Parma, Ohio	Joey Zamora	F	6-0	165 So.	Santa Barbara					
					R. Thompson	G	6-6	195 So.	Chino	Gray Williams	F	6-5	190 Jr.	Los Angeles										
					Alan Traflet	G	6-0	165 So.	Richfield, Ohio	Paul Wilson	G	6-3	180 Jr.	Cleveland										
					Kevin Woods	F	6-5	210 Fr.	Pomona															

Past Champs

Men

- ## Women

- ### Best Win-Loss Record

Best Win-Loss Record

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Women's schedules

Women's rosters

SDSU			USD			USU			UCSD			Point Loma Nazarene		
Name	P	HL	Name	P	HL	Name	P	HL	Name	P	HL	Name	P	HL
Kim Coleman	6	1	Rachel	6	2	Heidi	6	2	Kathleen Alvarez	6	2	Jule Anderson	5	9
Dee Davis	6	5	Eric Charafakis	6	2	Some Carter	6	10	Gary, Inc.	6	10	S. Anderson	5	9
Julie Evans	6	1	Ramona Chism	6	10	Dawn Grinklaw	5	11	Nancy Capar	6	3	Imperial Beach	5	9
Monica Glass	6	1	C. Cunningham	6	10	Shawn Davis	6	5	B. Dipentrock	6	11	Hillsborough	6	5
Justis Hayes	6	1	Johnnie "Dark, Ga.	6	10	Fonda DeCaro	6	1	Clay Eby	6	11	La Jolla Village	6	1
Marla Hays	6	1	C. Echeverria	6	10	Cheryl Dier	6	3	K. Fitzpatrick	6	11	Milford, Conn.	6	5
Marla Hays	6	1	Cheryl English	6	10	Angie-Jadovits	6	5	Anne Goodger	6	4	Allice Harris	6	10
R. Hollingsworth	6	1	Debbie Goldberg	6	10	Debbie Jones	6	5	Terrie	6	4	Yuma, Colo.	6	1
Stephanie Lamar	6	10	Molly Hunt	6	10	Bacck Miskall	6	7	Jill Koster	6	11	Visalia	6	10
Crystal Lee	6	5	Lyndia Jones	6	1	Yvonne Sanchez	6	5	M. Lechner	6	11	Lucerne	6	10
Shirley Lewis	6	11	Angela Jones	6	1	Paula Sorenson, Eng.	6	1	John Lechner	6	11	Long Beach, Calif.	6	10
Brooke Meadows	6	1	Rochelle Lightner	6	1	Syrina Young	6	1	Ashlee Tamimoto	6	5	Los Angeles	6	5
Chane Perry	6	5	Paula Mascari	6	5	M. Vallancourt	6	5	M. Vallancourt	6	5	Pacific Palisades	6	5
Jackie Smith	6	1	Caith Perkins	6	5	William Wash.	6	10	William Wash.	6	10	San Diego	6	5
Melanie Usher	6	10	Megan Shaw	6	5	Tahoe Paradise	6	5	Carl Young	6	10	Fr.	6	5

San Francisco CA
(San Francisco Co.)
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(Cir. D. 630,954)
(Cir. Sat. 508,500)

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WCAC: No Longer a Nice Little League

2955
By Tony Cooper
Chronicle Staff Writer

Being pegged a likely candidate to win the West Coast Athletic Conference title is quite a cross to bear.

"It certainly puts you in a difficult position," said St. Mary's Coach Lynn Nance. "On paper, we're good enough to be a contender, but we're not good enough to dominate anybody. Unfortunately, there are about four or five teams that are legitimate contenders."

"It's a new experience. We're very apprehensive about it as a coaching staff, but it's part of the process of a program growing and getting better."

That's exactly what's happening to the WCAC. In its 37th season, the conference can no longer be considered just an aggregation of nice little Catholic schools. In fact, it wouldn't be foolhardy to suggest that the top four or five teams in the WCAC are as good, if not better, than those in the Pac-10.

"I'd say five of the eight teams are contenders for the title," Santa Clara Coach Carroll Williams said. "The league has pretty good balance."

The Broncos, who have been to the National Invitation Tournament three times and the NCAA Tournament once in the last five years, should be at or near the top once again. But Santa Clara may be out of whack for a few weeks.

Starting point guard David Aaron broke his hand in an exhibition game Monday against the Adelaide (Australia) 36ers and will be out eight weeks.

That means 6-foot-5 Mitch Burley, who averaged 11.4 points a game last season and was the Broncos' top 3-point shooter, will start at the point. That is a move Williams would prefer not to make.

"Mitch is our most versatile player," Williams said. "I'd rather bring him off the bench. He can play any position on the floor. He's too valuable to start."

Aaron's absence also means freshmen LaCoby Phillips, from Alameda's St. Joseph High, and Melvin Chinn, a product of Creighton Prep in Omaha, Neb., will see lots of action alongside veteran off guard Osei Appiah when Burley plays up front.

College coaches generally don't like to play freshmen at the point.

SAN JOSE STATE and PACIFIC

San Jose State

- Conference — Big West
- Coach — Bill Berry (10th year)
- Last Season — 8-10 (tied for sixth in Pacific Coast Athletic Association), 14-15
- Returning Starters — 3
- Outlook — Spartans Coach Bill Berry will have to find a way to get along without his son, Ricky, a first-round pick of the NBA's Sacramento Kings. With Ricky went much of the San Jose State offense.

"We have to pick up around 25 points a game," Bill Berry said. "We used to depend on Ricky almost too much. Now we'll have to spread it (the offense) around more."

Forward Dietrich Waters, the Spartans' leading rebounder last season, is also missing — for the time being. He has to correct some academic deficiencies and should be back by late December, Berry said.

San Jose State's strength is in the backcourt, with 6-foot-1 Steve Honey, who averaged 12.6 points a game last season, and Rodney Scott (8.2 points, 3.9 assists).

"I think we're going to be a pretty good team," Berry said. "We have to depend on the new guys to carry a decent-sized load. Against each other in practice, some days we look good, other days not so hot."

San Jose State's recruits include 6-foot guard Damon Greer, from Cleveland High in Reseda, and 6-1 backcourter Da-

vid Holloway, of Crenshaw High of Los Angeles.

The Spartans have an intriguing case in 6-10, 240-pound sophomore center Angelo Faccia, a native of Italy who was a Proposition 48 casualty last season. Berry says Faccia may see significant playing time as a backup center.

Pacific

- Conference — Big West
- Coach — Bob Thomason (first year)
- Last Season — 0-18 (10th in Pacific Coast Athletic Association), 5-24
- Returning Starters — 4
- Outlook — Considering how bad the Tigers were last season, things couldn't be any worse, right? Wrong.

Domingo Rosario, a point guard from the Dominican Republic, won't play this season because of visa problems. Jon Barry, Rick's kid, has transferred. Forward Willie Tatum signed a professional baseball contract with the Boston Red Sox. Leading scorer and rebounder Christian Gray has completed his eligibility.

That's not exactly a nice way to break in for rookie Coach Bob Thomason, who was a starting forward on the 1971 UOP squad, the first and only Tigers team to reach the NCAA Tournament.

The Tigers don't have much. But 6-4 guard Dell Damps, who averaged 27.1 points and 9.3 rebounds at Hayward's Mount Eden High and already has won a starting job, could be worth watching.

— Tony Cooper

will be looking for whatever edge they can find.

A capsule look at the eight WCAC teams:

Santa Clara

- Coach — Carroll Williams (19th year)
- Last Season — 9-5 (tied for 2nd), 20-11
- Returning Starters: 2

USF

- Coach — Jim Brovelli (fourth year)
- Last Season — 5-9 (sixth), 13-15
- Returning Starters — 3

St. Mary's

- Coach — Lynn Nance (third year)
- Last Season — 9-5 (tied for 2nd), 19-9
- Returning Starters — 5
- — The Goels also have some promising newcomers, 6-3 junior guard Terry Burns, of Berkeley High and Western Wyoming Community College, and James Dailey, of Fremont High of Oakland and Laramie County (Wyo.) Community College. Then there's 6-9, 240-pound freshman Eric Bamberger, a sensation at Concord's Ygnacio Valley High.

"There's no question in my mind Eric will be an exceptional player in the future," Nance said. "I hope the future is the end of the year."

Loyola Marymount

- Coach — Paul Westhead (fourth year)
- Last Season — 14-0 (first), 28-4
- Returning Starters — 2
- Outlook — Loyola Marymount's run-and-gun gang led the nation in scoring last season and tied an NCAA record with 23 100-point games. And the Lions figure to keep shooting, thanks to the return of USC expatriate Hank Gathers, who averaged 22.5 points a game last season, and Bo Kimble, 22.2.

Loyola Marymount seems like a perfect place for Terrell Lowery, a freshman from Oakland Tech who averaged more than 25 points a game last season.

Pepperdine

- Coach — Tom Asbury (first year)
- Last Season — 8-6 (third), 17-13
- Returning Starters — 4
- Outlook — Asbury takes over for Jim Harrick, who went to UCLA. The Waves are hoping to revert to their form of three years ago, when their 13-1 record led the WCAC. Tom Lewis, another ex-USC player and the conference's leading scorer in 1987-88, returns. Shann Ferch, a transfer from Montana State, could figure prominently, as well.

Gonzaga

- Coach — Dan Fitzgerald (seventh year)
- Last Year — 7-7 (fifth), 16-12
- Returning Starters — 4
- Outlook — The Bulldogs' overall winning record was padded by victories against suspects like Alaska-Pacific, Lewis & Clark State and Whitman. Guard Doug Spradley, who averaged 19.6 points per game last season, is the best Gonzaga has to offer. Also on the Bulldogs roster is 6-9 sophomore center Martin Dioli, a graduate of St. Ignatius High of S.F.

San Diego

- Coach — Hank Egan (fifth year)
- Last Season — 3-11 (seventh), 11-17
- Returning Starters — 1
- Outlook — Egan has led the Toreros to the NCAA Tournament twice since replacing Jim Brovelli. This season, though, even a .500 league record may be asking too much. Second-leading scorer Danny Means heads the backcourt, which includes Riordan High product Wayman Strickland.

Portland

- Coach — Larry Steele (second year)
- Last Season — 1-13 (eighth), 6-22
- Returning Starters — 2
- Outlook — Not too good. There is little chance the Pilots will finish anywhere but at the bottom. A familiar name is 6-10 center Bart Koentzer, a transfer from Cal who will be eligible at the end of the first semester.

"I'm not real excited about that, unless they're good enough," Williams said. "We run so much (complicated) stuff on offense, it's a big, big adjustment from high school. Phillips was an off guard in high school, so it's a transition for him."

Santa Clara returns veterans Jeffery Connelly; 6-9, 220-pound Jens Gordon; 6-10, 230-pound Nils Becker and 6-11, 215-pound Karl Larsen. The latter three give the Broncos plenty of size — guys willing to bang folks around.

Speaking of incredible bulk, the new Bronco about whom everyone is curious is Ron Reis, a graduate of Cupertino's Monta Vista High who's a mere 7-1, 275 pounds.

"It's going to take Ron awhile," Williams said. "He needs some development time. As he progresses, he'll add to our inside game. You always need extra height in the front line."

And in what promises to be a rugged season in the WCAC, teams

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COLLEGE BASKETBALL WCAC

2955
USD still young,
but key recruits
inspire optimism

By Mark Zeigler
Staff Writer

It's hard to believe the University of San Diego men's basketball team, which at one point or another last season started five freshmen, could get any younger.

Well, believe it.

Seven freshmen. Five sophomores. One junior. Two seniors.

"And last year," Coach Hank Egan said, "I went around saying we were young."

And last year, the Toreros weren't very good — at least not compared with the lofty standards set by the veteran '86-87 club, which finished 24-6 and earned the school's first trip to the NCAA Tournament. The '87-88 edition went 11-17 overall and at 3-11 placed seventh in the eight-team West Coast Athletic Conference.

"Last year we had a very young team and used a lot of people in the starting lineup," Egan said. "This year we're going to do the same thing."

So how in the heck can they possibly be better?

They can, and they probably will.

Egan is "feeling better" about this season for a number of reasons — No. 20 and No. 40, to name two.

Those are what Gylan Dottin and Kelvin Woods, two gems in a recruiting class filled with them, will wear. Dottin is a 6-foot-5 point guard, Woods a 6-5 forward, and it is safe to categorize them as impact freshmen. Egan explained their significance this way: "We had some spots to fill, but those are being filled now."

Add that to some promising sophomores and what little experience remains from '86-87, and you

■ Staff writer Mark Zeigler picks Loyola Marymount, St. Mary's to rule the league — **D-6**

■ USD position preview — **D-6**

have a nice basketball team with sky's-the-limit potential.

Another reason Egan can say — with confidence, too — things like, "We're turning this thing around," or, "We've got the skids put on things," is his team's work ethic, which is considerable. After all, practice is at 6:30 a.m. daily, because of a team vote.

At a preseason banquet, Egan compared it to Michelangelo and how the Sistine Chapel wasn't just another paint job.

"I like the work ethic of this ball club more than I did last year," he said. "I go to practice now and I see a good, solid effort given. I see it starting to grow. It makes me feel better about how things are coming along."

Moving along is how you'll see the Toreros play. No longer will they wait for the center to trudge downcourt and join the offense. They will, in basketball jargon, push it.

That is a function of the team's makeup. It is athletic. It is also short. Past USD teams, especially when 7-foot Scott Thompson roamed the paint, were so tall that defensive rebounding wasn't a problem. Now the Toreros will keep the opposition off the boards by keeping them on their heels.

Another change will be the offense, in which all three frontline positions are virtually interchangeable. Again, that is a bypro-

See USD on Page D-6

USD: POSITION BY POSITION

BY MARK ZEIGLER, STAFF WRITER



The San Diego Union

The leadership of guard Danny Means (above) and the shot-blocking ability of sophomore center Dondi Bell should help the Toreros improve on their 11-17 record of last season.

GUARDS

About the only place the Toreros boast both depth and experience is off-guard. Senior **Danny Means**, the leading returning scorer (12.1 ppg), returns to off-guard, at which he started on the 24-6 team of '86-87. He is a fine shooter and defender, and now he can concentrate more on those and less on running the offense. Also at shooting guard is the team's only other senior, **Efrem Leonard** (10.7 ppg). He is Mr. Instant Offense.

The point will be occupied by two freshmen and a sophomore. Fans will see an all-Means backcourt when sophomore **Kelvin**, Danny's brother, runs the show. Freshman **Gylan Dottin** (Santa Ana Saddleback High) played forward in high school; he is, after all, 6-foot-5. But USD assistant coach Mike Legarza, the recruiting guru, recognized a point-guard mentality in Dottin, and Dottin has made the transition smoothly. Another freshman point is **Wayman Strickland**, the San Francisco player of the year from Flordan High.

FORWARDS

Junior **Craig Cottrell** (4.9 ppg) returns to small forward after a season at off-guard (because Means was at the point). In Egan's retooled offense, this position will have more forward and fewer guard responsibilities, unlike last season. Sophomore **Randy Thompson**, who has grown to 6-7, is perhaps the team's most underrated player and can play both forward spots. Egan raves about Thompson's knowledge and execution of "the nuances of the game." Two freshmen also could be factors at forward. **Kelvin Woods** (Pomona

Damen High) plays bigger than his 6-5, thanks to a 210-pound body. **Carlos Carrillo** (Southgate Bosco Tech) is a fine shooter for 6-6 who should see more time against zone than man defenses.

CENTERS

Jim Pelton graduated, leaving the pivot to sophomores **Dondi Bell** and **Keith Colvin**. Bell didn't begin playing basketball until late in his high-school career, and last season you could see his improvement daily. He is 6-9, 230 pounds, with long arms and a quick jump, which should translate into a shot-blocking terror. Colvin (6-8, 220), who started five games last season, bulked up over the summer and developed a midrange jumper. Egan will put Bell and Colvin on the floor together when the Toreros run up against a lofty opponent.

THE COACH

Hank Egan

218-228 in 17 seasons at the college level, 70-43 in four seasons at USD, 46-11 at the USD Sports Center... WCAC coach of the year in '86-87, an honor he shared the previous season with Pepperdine's Jim Harrick.

Considered among the country's premier teachers of defense. In 1966-67, the Toreros led the nation in field-goal percentage allowed (.401)... Rarely does a player leave Egan's tutelage not well-schooled in basketball fundamentals... Spent 13 seasons before USD at the Air Force Academy.

Three-time basketball letterman at Navy, where he earned a B.S. in engineering... Married, with two children... A fine golfer (in the off-season).

USD: Egan fills some spots with a fine recruiting class

Continued from D-1

duct of the team's contents: Only three players are 6-8 or taller, and none is more than a sophomore.

The leadership will come from the team's three elder statesmen: junior **Craig Cottrell**, and seniors **Danny Means** and **Efrem Leonard**. Means and Cottrell will play positions that are at once old and new. Means moves back to off-guard after a year at the point. Cottrell, 6-5, returns to small forward after a year at off-guard.

"They were both victims of coaching decisions," Egan explained. "It was something we

were forced to do. We didn't have the luxury to play them anywhere else because of our personnel. We solved that problem by going out and recruiting what we needed."

We had some spots to fill, but those are being filled now.

Most every preseason poll picks the Toreros to finish seventh again. It's hard to disagree when the WCAC is filled with teams whose starters shave.

But those veterans on those other clubs will graduate soon. And Egan's freshmen and sophomores will grow up.

And when everyone else is rebuilding, Egan won't be.

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USD faces Lehigh in New Mexico's Pit

By Hank Wesch
Staff Writer

2955
Visiting college basketball teams generally don't relish playing in The Pit, New Mexico's 17,126-seat University Arena in Albuquerque.

But University of San Diego coach Hank Egan contends The Pit is The Place for his Toreros to start their season.

USD faces Lehigh today at 5 p.m. (PST) in the opener of the New Mexico tournament. New Mexico meets Loyola College of Baltimore in the second game at 7. Losers play tomorrow at 5, winners at 7.

"I really believe The Pit is the best place in the world to open for a team like us," Egan said. "You know there's going to be a crowd, and it's going to be enthusiastic. It's going to be a good introduction to big-time basketball for our underclassmen, especially the freshmen ... I love

opening on the road because you develop that siege mentality — it's us against the world."

The Toreros against Lehigh would appear to be fairly even.

"People ask me 'What's your schedule like?' We have seven teams that went to postseason play before we get to the league," Egan said. "They're not the most recognizable teams in the world, but they're good, solid teams."

Coach David Duke's Engineers are reconstructing after losing four starters from last season's 21-10 squad that lost in the first round of the NCAA Tournament to Temple, 87-73. Top returnees are 5-foot-11 junior guard Scott Layer, 6-7 junior center Tom Martin and 6-5 senior forward Chris Block.

"They've got a good half-court of-

See USD on Page C-6

USD: Egan says New Mexico has fine atmosphere for opener

Continued from C-1

2955
fense; they will press you sometimes," Egan said. "They're a little younger, a little different team than last year, but a pretty solid ballclub all around."

USD, 11-17 last year, has the look of a team of the future, with only two seniors and one junior. But Egan and senior guard Danny Means, who has started 58 straight games, are optimistic this will be an enjoyable season.

"I'm excited about the start of this season," Means said. "The thought of winning when nobody thinks you can is exciting, and I definitely think we'll be a winning team."

Means, 6-2 and 185 pounds, was an important role player on the 1986-87 WCAC regular-season champion. He averaged eight points and 2.4 rebounds and generally guarded the opposition's best guard. He scored a team-high 18 points in the first-round loss to Auburn in the NCAA Tournament.

Means improved his scoring (to 12.1) and rebounding (to 2.8) last year but was less than pleased with the season.

"I set a lot of goals for myself last year, and I reached about three of them," Means said. "It was a let-down. I think I put too much of a burden on myself. Trying to do too many things, I kind of got away from the things I did as a sophomore — play defense and hit the open shot."

Means and guard Efreem Leonard, the Toreros' other senior, will be looked upon for leadership.

"I hope to (lead) through things the younger players can see," Means said. "I'm not the rah-rah type, that's just not me ... This is a young team, but we have some experience, some seasoned sophomores. Their situation is different from mine when I was a

sophomore. We had mostly seniors that year, and I was carried a lot by the older players. The underclassmen this year will have to weather things themselves."

The Toreros lost their lone exhibition, 97-90, to Athletes in Action on Nov. 7. But there was some encouragement from 6-5 junior forward Craig Cottrell and sophomore frontliners Dondi Bell (6-9) and Keith Colvin (6-8).

Kelvin Woods, a 6-5 freshman forward, debuted with nine points and 13 rebounds against AIA and is to start tonight. Egan also sees promise in freshman guards Wayman Strickland and Gylan Dottin. Dottin, 6-5, will start at point guard.

Egan is aware that freshmen at the major-college level are not known for dependability and consistency.

"With upperclassmen, there are three kinds of players," Egan said. "There are players that make things happen, players that have things happen to them, and players that don't know what the hell's happening. Freshmen are in category four: all of the above."

Means said the 1988-89 Toreros are potentially more explosive offensively than last year (68-point average) and potentially stingy on defense.

Undoubtedly that would please Egan, but he'll be looking for a few other things in the preleague schedule as well.

"You look for growth, for them to learn how to compete, and for some coming together as a ballclub," Egan said. "You hope they learn to play under pressure at somebody else's place. That's why I think it's good to be opening at The Pit."

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USD's Egan sees opener — and schedule — as challenge

By Kirk Kenney

Tribune Sportswriter 295

Thanksgiving is cut and dried as far as USD's Hank Egan is concerned.

"Thanksgiving means it's time for basketball season," said Egan, who begins his fifth season as men's basketball coach at USD. "You eat turkey, then go to war."

The Toreros can be found in the trenches tonight when they open the season against Lehigh in the New Mexico Tournament. Tournament host New Mexico opens against Loyola (Md.). Tonight's winners meet tomorrow in the championship game. The losers play for third place.

For USD, there's nowhere to go but up. Life begins in The Pit. Egan wouldn't have it any other way.

"I always like to open on the road," said Egan, whose team plays five of its first eight games away from home. "It gives you a chance to come together earlier. You're in a hostile environment and have to rely on one another and work together. You also have to learn to perform better on the road. It's tougher."

The same goes for USD's presea-

son schedule. The Toreros don't have a marquee name on the playbill. They do have seven teams who either went to the NCAA Tournament or NIT last season.

"It's not one of those schedules where you have somebody big and you don't have anybody else," said Egan. "It's a schedule that has a lot of good, solid games. It's the caliber of competition that we're going to see in the conference."

"We're going to be tested, and that's good for us. I want to get it to where we can be a good ballclub sometime in the near future, and I don't think an easy schedule will do that."

Egan plans to start sophomore Keith Colvin at center. Junior Craig Cottrell and either freshman Kelvin Woods or sophomore Randy Thompson will be the starting forwards. Senior Danny Means returns to off-guard, where he started as a freshman and sophomore. The point guard will be sophomore Kelvin Means or freshman Wayman Strickland.

Lehigh made it to the first round of last season's NCAA Tournament before losing to Temple 87-73. Junior

guard Scott Layer, who averaged 6.3 points last season, is the only returning starter from last year's 21-10 team.

New Mexico returns four starters from a team that was 22-14 and made an appearance in the NIT. Senior forward Charlie Thomas is the player to watch. Last year's WAC newcomer of the year has scored 51 points and collected 17 rebounds in two games. The top eight players, including all five starters, return for Loyola. That could be good or bad. The Greyhounds were 8-22 last season.

■ ■ ■

USIU opens the season tonight at 7:30 against Air Force at Golden Hall. The Gulls defeated Air Force 57-54 when the teams first met in 1980, but have since lost seven straight times to the Falcons.

USIU's starting lineup includes two local players, former Serra High star Steve Smith and former Monte Vista High star Demetrius Laffitte. Off-guard Raymond Dudley is the only returning starter for Air Force. Dudley averaged 17.8 points a game last season.

USD wins its opener, makes final

2955
By Dennis Latta
Special to The Union

ALBUQUERQUE — The University of San Diego struggled a little last night, which was expected. The Toreros took some bad shots, had a few problems with ball-handling and had letdowns in defense, all of which also were expected.

But USD won, which was all it had hoped for.

The Toreros beat Lehigh, 68-58, in the opening game of the Lobo Classic. They play host New Mexico, which beat Loyola of Maryland, 96-71, for the championship tonight at 7 (PST) in University Arena.

USD coach Hank Egan was satisfied with the play of his young, inexperienced team in its season opener.

"The first one is really hard because you have no idea of what to expect when you're playing a lot of new guys," he said. "You're dealing

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USD: ²⁹⁵⁵Tops Lehigh, 68-58

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with a lot of new things."

The Toreros were sluggish in the first half, shooting poorly and giving up the ball six times on steals.

USD took a 18-11 lead, with junior Craig Cottrell scoring seven in the first 10 minutes. But the Toreros lost their touch quickly. They scored only six in the next 10 minutes and were outscored during one stretch, 16-2. USD trailed at halftime, 30-24.

"Our shooting was horrible (37.5 percent in the first half)," Egan said. "We really got out of rhythm and sync. They kept changing defenses, and we had trouble sorting them out."

In the second half, Lehigh had trouble shooting, and the Toreros played much better. USD outscored the Engineers, 12-4, in the first six minutes for a 36-34 lead. The teams exchanged the lead until USD went ahead on a three-point shot by Gylan Dottin with 6:54 left. A 17-3 run put the game away.

Cottrell's 21 points led USD. He was 7-for-8 on field-goal attempts and 7-for-8 on foul shots. "We tried putting him at guard for two years but moved him to forward," Egan said. "We gave him the ball inside in this game, and it made a big difference."

Dottin scored 12, Dondi Bell 10. When the Toreros were making their run, it was Dottin and Kelvin Woods who led the charge.

"Kelvin will be starting for us," Egan said. "He played well in our game against Athletes in Action."

USD is in a familiar position in this tournament. In 1985, it beat Long Beach State in the first round and lost in the championship game to New Mexico, 61-46. Though there were fewer than 1,000 in the arena when the Toreros tipped off against Lehigh yesterday, there were more than 17,000 for the UNM-Loyola game. And that many should be on hand tonight.

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USD Defeats Lehigh in Tournament

2953
Staff and Wire Reports

ALBUQUERQUE, N.M.—The University of San Diego men's basketball team won its opener Saturday night, defeating Lehigh, 68-58, in the first round of a tournament at the University of New Mexico.

USD plays New Mexico, a 96-71 winner over Loyola of Maryland, tonight at 8.

Craig Cottrell's game-high 21 points helped the Toreros erase a 30-24 halftime deficit. USD shot 38% in the first half but improved to 56% in the second.

"Our shooting was off in the first

half," Torero Coach Hank Egan said. "They threw a lot of multiple defenses at us. We played much better defense in the second half."

USD made a 12-4 run at the beginning of the second half and took a 36-34 lead with 14:14 remaining. Cottrell scored 7 points during that stretch.

Lehigh scored 7 in a row to retake the lead, 41-36, with 11:34 remaining.

USD came back again and took the lead for good on a 3-point jump shot from the top of the key by Gylan Dottin, a 6-5 freshman guard.

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San Diego, Monday, November 28, 1988

(M)

THE TRIBUNE D-5

Young Toreros emerge from The Pit with victory over the Lobos

Tribune Staff and Wire Report

USD received a 4½-minute standing ovation from New Mexico's 16,889 fans at the start of last night's game against the Lobos. That's how they greet visiting teams at The Pit. They stand up and clap and clap and clap. And the fans keep clapping until the opposing team scores.

USD listened to the ovation for 4 minutes and 27 seconds, until Toreros senior guard Danny Means hit a three-pointer. That made it 13-3. More importantly it made the fans sit down, settle into their chairs and wait for the end of the game. That's when they usually give a standing ovation to New Mexico. The Lobos have won 80 percent of their contests in The Pit over the past 22 years.

But only 17 people were clapping when this game was over — the Toreros and their coaches.

USD stunned New Mexico 64-53 to win the third annual Lobos Classic. Somehow a Toreros team comprised mostly of freshmen and sophomores put aside the crowd, put aside the score, put aside everything, and

came back against virtually the same New Mexico team that defeated Arizona last season.

"I'm ecstatic," said USD junior forward Craig Cottrell, who had eight points and four rebounds. "It was a great team effort. If one guy was off, another one picked us up. We played great defense the whole game. We were down 13-0, but we didn't panic. That's a good sign for a young team."

USD started freshman point guard Wayman Strickland, sophomore center Keith Colvin and sophomore forward Randy Thompson. Four of the five players who came off the bench for USD were underclassmen — freshman guard Gylan Dottin, freshman forward Kelvin Woods, sophomore guard Kelvin Means and sophomore center Dondi Bell. Still, the Toreros bench outscored the New Mexico bench 30-10.

"We're still a very young team and we didn't expect this," said USD coach Hank Egan. "This is just a great win. I still don't know what they can do."

Aztecs travel to Texas to face Baylor

By Ed Zieralski

Tribune Sportswriter

San Diego State, coming off its season-opening 74-61 victory over Delaware Saturday night, left this morning for Waco, Texas, where they will play Baylor tomorrow. The game will be broadcast on KFMB-AM at 5:30 p.m.

Baylor (0-2) lost both games in the Central Fidelity Classic at the University of Richmond in Virginia. Richmond beat the Bears 56-38 on Friday night, and Arizona State beat the Bears 89-73 in the consolation game Saturday night. The Bears, however, did manage an easy 75-57 win over the same Australian team that beat the Aztecs 75-66 at Peterson Gym last week.

The Bears' only starter back from a team that went 23-11 last year is guard Michael Hobbs (10.9 points and three rebounds per game last year). The Bears went to the NCAA Tournament for the first time since 1948.

This will be the first regular-season game played in Baylor's new 10,084-seat Ferrell Center.

What the Toreros did last night is keep their composure at a time when even veteran teams might have folded.

USD scored 12 of the next 17 points after Means' ice-breaker. The Toreros trailed just 18-15 when sen-

ior guard Efreem Leonard hit a three-pointer with 9:40 left in the half. Seven minutes later, USD had a 23-21 lead when Strickland hit a three-pointer off a fastbreak.

New Mexico regained the lead 24-23 when Willie Banks hit an 18-

footer, but USD took it right back when Strickland turned a steal into a layup. A few seconds later, Strickland hit a 19-footer and the Toreros had themselves a 27-26 halftime lead.

Egan said the Toreros took a chance on defense.

"We took a risk and played behind their big people," said Egan, referring to 7-foot Rob Loeffel and 7-2 Luc Longley. "The gamble paid off because they missed their outside shots. We were fortunate they missed some shots in critical situations in the second half. New Mexico just didn't shoot the ball well."

Inside, Loeffel and Longley combined for just nine points. Outside, the Lobos shot 39.6 percent (21-for-53) from the field, including 23.5 percent (4-17) from three-point range. New Mexico was even cold at the free-throw line, where the Lobos shot 43.5 percent (7-16).

"I was disappointed most that we didn't take charge of the game down the stretch," said New Mexico coach Dave Bliss.

"Right now, we're just a very nice

basketball team. We need to be a blue-collar team that goes out there with some true grit. We didn't have it tonight."

The teams battled back and forth through most of the second half and were tied 48-48 with 5:57 to play when New Mexico scored on a dunk by Charlie Thomas. However, USD scored nine straight points after that for a 57-48 lead with 4½ minutes remaining.

The Lobos resorted to fouling USD players in the game's closing minutes. They made the mistake of fouling Strickland, who made seven free throws in the final two minutes and led the Toreros with 14 points. Dottin and Bell each had nine points for the Toreros, who received eight points each from Cottrell, Leonard and Means.

Strickland, Cottrell and Bell, who had a game-high 12 rebounds, were selected to the all-tournament team for USD. Thomas, who had a game-high 17 points, was selected tournament MVP after scoring 51 points in two games.

Toreros surprise Lobos

By Galen Wellnicki
Special to The Union

ALBUQUERQUE — For the first time in his basketball coaching career, the University of San Diego's Hank Egan enjoyed a trip to The Pit.

After having lost in five previous appearances in the University of New Mexico's infamous University Arena, Egan directed his youthful Toreros to a 64-53 upset of the Lobos last night in the championship final of the third Lobo Classic.

"This is the best," Egan acknowledged when asked rhetorically by USD athletic director Tom Iannaccone, "You'd never won here, had you?"

With the score tied at 48 and 5:54 to play, USD (2-0) outscored the Lobos, 14-2, in the next 5:27 to ruin Dave Bliss' debut weekend as UNM's head coach.

A screaming crowd of 16,889 expected to see the heavily favored Lobos dominate with a lob game inside and a high-powered fast break.

The Lobos' plans to dispatch the Toreros easily fell apart early despite a run of 13 straight points by UNM at the start of the game.

UNM (1-1) had trouble shooting, making only 39.6 percent of its field-goal attempts, and was out-rebounded 42-32 by its shorter opponent.

"We came into this game with a lot of questions about our team," said Egan, who was 0-4 with Air Force

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USD: Beats Lobos to win New Mexico tournament

Continued from D-1
and 0-1 with USD at The Pit before last night. "We thought we had some good young kids, but we didn't know what they would do."

"Our victory was probably a combination of what they didn't do shooting and what we did. Coming into the game, I thought we had to slow down their break and had to play inside-out to keep them from getting second and third shots."

"Defensively, we gambled, playing behind their big men (7-foot Rob Loeffel, 7-2 Luc Longley and 6-7

leaper Charlie Thomas). We gambled, and if it had failed we'd have been off to the races. It worked, so it paid off."

Egan attributed New Mexico's early lead to his team's youth.

"Our guys had to get settled," he said. "After our young kids discovered that they couldn't escape the arena, they started to play."

USD forward Craig Cottrell called the victory "a great team effort."

"If one guy was off, we were picked up by others," Cottrell said. "We played great defense the whole

game, and didn't panic when we fell behind 13-0. That's great for a young team."

Bliss, who saw his team get only five offensive rebounds and turn over the ball 21 times, was highly critical of his team's performance.

"Usually when a team isn't ready to play, it shows in offensive rebounds and loose balls," Bliss said.

"We got off to a great start, and then only scored 43 points in the next 36 minutes. We just couldn't generate any offense."

Strickland, Cottrell, Efrem Leon-

ard and Gylan Dot Toreros' stretch run helped considerably by shooting and turnovers.

Strickland, the only score in double figures for-12 from the floor, nice touch at the line points. Dottin and Be USD player at 6-9, scored

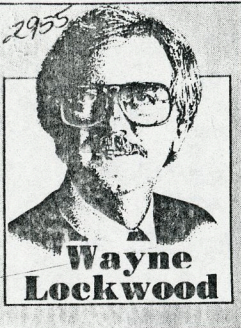
Thomas, who was ment MVP, led UNM and five rebounds.

In the consolation beat Loyola of Baltimore

San Diego, CA
(San Diego Co.)
San Diego Union
(Cir. D. 217,089)
(Cir. S. 341,840)

NOV 30 1988

Allen's P. C. B Est. 1888



Some people may have missed it in the blizzard of information that makes up a Monday sports section after a Sunday of the NFL.

But you can bet almost every college basketball coach in the United States noticed, many of them spilling their coffee in surprise.

USD 64, New Mexico 53. Hey, Joe, did you see this one? Do you believe it?

The University of San Diego beat New Mexico at The Pit? By 11 points? Out-rebounded the Lobos, too? After being down, 13-0?

No matter how many times they

■ Toreros play Cal Lutheran in home opener tonight—C-2

blinked, the outcome refused to change.

As a consequence, some perceptions may have to. Results such as this are difficult to ignore.

The Lobos rarely lose in the always-filled 17,000-plus-seat arena they call home, no matter who the opposition may be. It was there that they defeated top-ranked Arizona last season.

New Mexico certainly did not expect to lose to a rebuilding team whose record was 11-17 last year, whose leading scorer graduated and whose conference freshman player of the year transferred.

The Lobos are good. They were ranked 24th nationally by one preseason publication.

The Lobos have two 7-footers, 7-0 Rob Loeffel and 7-2 Luc Longley, not to mention a 6-7 player, Charlie Thomas, whose leaping ability allows him to play well above the rim.

The Lobos have a highly respected coach, Bobby Knight disciple Dave Bliss, who left SMU to take over this program.

The Lobos lost by 11. Hmmmmm.

"I can tell you that the two most shocked people in The Pit were Dave Bliss and me," said USD coach Hank Egan.

It's not that Egan underestimates the talent at his disposal, mind you. He has been openly pleased with the quality of his recent recruiting classes. But he did not expect results this impressive this soon.

There are, after all, seven freshmen and five sophomores on his ballclub. And a lot of them play. That makes for a great deal of uncertainty at the Division I level.

"There are three kinds of players," Egan proposed.

"There are players who make things happen, players who have things happen to them and players who don't know what the hell is happening. With upperclassmen, you usually know what category a player is in. A freshman is in category four — all of the above."

Nonetheless, Egan's young club rallied from an eight-point second-half deficit to defeat Lehigh (68-58) in its first appearance at the Lobo Classic. Lehigh competed in the NCAA Tournament last spring, one of seven clubs that made postseason appearances the Toreros will face before beginning West Coast Athletic Conference play.

"They (the Engineers) played us awfully tough," Egan said. "We really had to struggle. I thought it helped us the next night against New Mexico. We competed pretty well."

So it would seem. The Toreros held Lehigh and New Mexico to a combined shooting percentage of .396 and out-rebounded those teams, 80-67. These are marks of a group not afraid to work hard.

One of Egan's freshmen, guard Wayman Strickland, made the all-tournament team. Not bad for a young man who has played all of two collegiate games. So did a sophomore, center Dondi Bell, and a junior, forward Craig Cottrell.

"Cottrell finally ended up in the right position," said Egan. "I had too many guards, so I moved him to forward. Now he's playing well. It

See Lockwood on Page C-2

Lockwood: Toreros alert rivals

Continued from C-1

was one of those strokes of coaching genius."

The coach can only guess why his youngsters responded with such poise in the face of adversity.

"Maybe, since they're so young, they didn't realize how bad it was," Egan said. "They've never been anywhere before, so what the heck did they have to compare it to? A good percentage of them played

with an awful lot of poise."

As a result, Egan could sense heads snapping up all over the West.

"I told our players that I think the thing that happened most is that we woke up everybody about us," he said.

"I think we alerted a lot of people in our league. We'll have more scouting passes requested than we have in the past."

The Toreros have become a curiosity, at least. It's a start.

San Diego, CA
(San Diego Co.)
Evening Tribune
(Cir. D. 123,064)

NOV 29 1988

Allen's P. C. B Est. 1888

Euphoria wanes ever so slowly for Toreros

By Kirk Kenney
Tribune Sportswriter

2955

The USD basketball team spent the better part of yesterday working on its transition game.

The Toreros (2-0) were coming off the euphoria of Sunday night's 64-53 upset of New Mexico and focusing on tomorrow night's home opener at 7:30 against Cal Lutheran.

"That game was a confidence builder," said USD guard Gylan Dottin, one of seven freshman on the Toreros roster. "It showed we can really come together as a team."

The Toreros didn't let their surroundings overwhelm them. USD came back from an early 13-0 deficit with 16,889 screaming fans in a hostile environment known as The Pit, the home of the New Mexico Lobos.

"I liked playing in front of all those

people," said Dottin, who had nine points and nine rebounds off the bench. "When we hadn't scored in the first 4½ minutes and the crowd was clapping, I was getting sweaty palms. After we scored I calmed down, then I got in the game and shut the crowd out of my mind."

Sophomore center Dondi Bell used positive visualization as a confidence builder.

"I tried to focus on my nervousness," said Bell, who had a game-high 12 rebounds along with nine

points. I told myself, 'Here's 17,000 stupid people rooting for the wrong team.'"

As it turned out, Bell was right. Twice. The Toreros relived the win a couple of hours later when a tape delay of the game was shown on television in Albuquerque.

Cal Lutheran (3-2) takes a three-game winning streak into tonight's game at La Verne before coming to San Diego. The Kingsmen are led by 6-foot-4 senior guard Steve de Laveaga, who is averaging 32 points.

NOV 30 1988

Allen's P.C.B. Est. 1888

USD back home for Cal Lutheran

Young Toreros 2-0 after visiting 'Pit'

By Ric Bucher
Staff Writer

Somehow, facing Cal Lutheran on your home court can't compare with meeting the University of New Mexico in its howling hole of hoops known as The Pit.

Which is exactly what has Hank Egan, the USD coach, uneasy. The teen-agers who make up the better part of his roster surprised him by how they reacted in The Pit. It has him wondering now what will happen in a completely opposite environment like tonight's 7:30 game against Cal Lutheran (4-2) in the USD Sports Center.

"That's got me worried for very obvious reasons," Egan said. "We have to take this one very seriously. We've got a lot of things we've got to learn to do well and consistently. We're a long way from establishing ourselves as a really good basketball team."

But the Toreros are closer today than they were when they left last week for their season opener in Albuquerque. Then they were simply like parts of the USD campus — rebuilding. How good they could be wasn't certain. Few expected much more from their entourage of seven freshmen, five sophomores, one junior and two seniors than steady improvement — no matter how that translated in wins and losses.

Two victories and one weekend later, it matters. Beating the Lobos on their home court in the championship final of their own tournament will do that. Beating them by 11 points (64-53), after spotting them a 13-0 lead, may have done too much.

"We all went on the trip thinking, 'Well, this is going to get these guys baptized into basketball and the big time,'" Egan said. "Then you go there, and we end up having success, and you start worrying about, 'Well, they can't think it's this easy.' We're going to have some struggles, some ups and downs, before we ever come together."

Winning against the Lobos in The

Pit, formally called University Arena, is impressive for several reasons. One is UNM's percentage there — .800 (294 wins in 367 games) entering this season. Another is that it could be described as a miniature Rose Bowl, stuck in a 56-foot-deep hole, with a lid. All of which means the noise from the 17,000-plus fans swirls tornado-fashion around the court, much as it does around the Pasadena stadium's field, but without blue sky as an exit.

The first-year Torero who handled the cacophony best may have been Tom Iannacone, USD's new athletic director. Iannacone, who succeeded the Rev. Patrick Cahill on Sept. 1, pointed out a relatively new NCAA rule to Egan that prohibits pep bands from performing while the ball is in play. Egan passed the information on to the officials, who put a halt to it.

Now, the Lobos fans hardly need help numbing eardrums, but taking the band out of the game was one of Egan's pregame objectives.

"We had three things we wanted to do," Egan said. "We felt we had to get back and stop their break. Second, we had to play good position defense to keep them off the boards, because they're so big. And third, we had to stop the band from playing."

(Iannacone) took care of one of our objectives."

As for the freshman players, Egan said: "Maybe the fact that they're so young, maybe they didn't realize how bad it was. They've never been through it before, so what the heck do they have to compare it to? Maybe they thought, 'All college games are like this.'"

Cal Lutheran, being an NAIA Division II school, presents a different problem from the Lobos. Instead of going into the game with a can't-lose stance, the Toreros are practically in a can't-win-big-enough situation.

"You have to live through a lot to have a good team, and we haven't lived through it yet," Egan said. "That's still in front of us. That's what I'm concerned about. We haven't arrived."

No, but they're farther down the road at this point than anyone expected — even Egan.

COMPETITION PR

UNIVERSITY OF CALIFORNIA,
SAN DIEGO

San Diego, CA
(San Diego Co.)
Daily Transcript
(Cir. D. 10,000)

NOV 2 1988

Allen's P. C. B Est. 1888

Research-To-Products Office Could Be Ready At UCSD By Early '89

By ~~LOREANE~~ PARSONS

San Diego Daily Transcript Staff Writer

UC San Diego could finish setting up its bridge for the commercialization of research — the Technology Transfer Office proposed in March after an extensive study — by the beginning of 1989, said a UCSD spokesman yesterday.

The university intends to start interviewing six finalists for the director of the office next week, said Dr. Oliver William Jones, professor of medicine and pediatrics in the UCSD School of Medicine's Medical Genetics division. It might announce its final decision by the end of December or the beginning of January, he noted. More than 200 people applied for the job, said a UCSD spokesperson who asked not to be named.

Presently, a Berkeley office

(Continued on Page 4A)

UCSD Technology Office

(Continued from Page 195)

handles licensing of technologies patented to the UC schools and patent applications. Companies interested in licensing, though, have lamented that the office takes too long to process requests, especially in a technological area where changes occur weekly. The Technology Transfer Office at UCSD might eventually take over parts of the patenting procedure, thereby speeding up the process, Jones had said in an earlier interview.

One of the more important goals of the office will be "to educate faculty how to go about this process" of turning promising research into products, a kind of nuts-and-bolts assistance for the would-be entrepreneurial researcher, said Jones.

The office — which UCSD tentatively plans to locate in the Contract and Grants Office, at least in the beginning — will open soon after the director is named, he said. Only two people will staff the office — a director and support person — but vice chancellors from Scripps Institution of Oceanography, the School of Medicine and the main campus will form an adjunct advisory committee.

Jones said that he had not seen the finalists' resumes but believed that UCSD is searching for an applicant with a "market/business" background. Whoever is chosen will step into maelstrom, judging from yesterday's panel discussion

on technology transfer during a UCSD Connect symposium.

As local executives griped about problems in working with and commercializing research from the university, UC Patent Office representatives spoke up, saying that companies must understand that "there is (still) a major difference in cultures," despite more interaction between educational and corporate worlds, said Laurence Bonar.

Executives did not dispute that. As Dr. Joe Sorge, CEO of Stratagene, stated, "it's clear that there is still some negative connotations (in the university research community) to working with industry." Many scientists perceive those who cross over the line of pure science as "evil, greedy" persons, he noted. UCSD should encourage its researchers to take sabbaticals in industry, stated David Hale, CEO and president of Gensia Pharmaceuticals.

"I think the idea of a professor moving in and out of the university is a hard one for the university to deal with," cautioned Jones. Universities are especially sensitive to the conflict of interest issue, which is "relatively poorly defined," he noted.

Last winter, several entrepreneurial researchers from UCSD who had started, owned stock or consulted for local companies and who were also working under grants from the National In-

stitutes of Health, fell under NIH scrutiny for a possible conflict of interest. The NIH later cleared them.

Corporate insistence on secrecy, too, conflicts with the research community's pressure to, as the saying goes, "publish or perish," noted Bonar. He said it also slows down the licensing process. "If there is a significant give on both sides, things can go rather quickly." To which Sorge replied that those in the UC Patent Office and universities must live in "the real world," which is, he indicated, full of disputes about patents and other assorted struggles for proprietary information.

Despite some differences with the corporate sphere, the UC schools are eager to smooth out the process for licensing these technologies, indicated officials from the patent office and UCSD. Previously understaffed, the UC Patent Office has hired more personnel to speed up licensing and patenting procedures which many have denigrated as interminably slow, said representative Frank Hartdegen. "My message is that things have changed," he said.

Hale and Sorge's message focused on clearing up the path to commercialization: Give individual universities the right to file and dispute patents; cut down on "up-front" licensing fees and instead take an equity stake in the company.

La Jolla, CA
(San Diego Co.)
La Jolla Light
(Cir. W. 9,336)

NOV 3 1988

Allen's P. C. B Est. 1888

Selections from 'Nabucco' set

2955
Selections from Giuseppe Verdi's opera "Nabucco" will be staged Wednesday night at 8 at UCSD's Mandeville Auditorium.

Professor Richard Elliott Friedman of the UCSD Judaic Studies Program will discuss the biblical background of Verdi's opera prior to the performance.

Excerpts from "Nabucco" will be performed by Constance

Lawthers, soprano; Carol Plantamura, soprano; John Peeling, tenor; William Noland, baritone and Philip Larson, bass.

The performers will be accompanied by the UCSD Concert Choir and an ensemble from the La Jolla Civic University Orchestra, under the direction of Thomas Nee.

Seal Beach, CA
(Orange Co.)
Golden Rain Leisure
World News
(Cir. W. 8,750)

NOV 3 1988

Allen's P. C. B Est. 1888

Eat your veggies, say doctors

from Mature Life Features

A study at the University of California San Diego, published in the "New England Journal of Medicine," indicates that one extra serving of fresh fruits or vegetables a day may decrease the risk of stroke by as much as 40 percent. The key nutrient

seems to be potassium, the research found. The study's co-author, Elizabeth Barrett-Conner, MD, described it as the first effort to show that people with high levels of potassium in their diet have a lower risk of stroke, the third leading cause of death in the United States.

La Jolla, CA
(San Diego Co.)
La Jolla Light
(Cir. W. 9,336)

NOV 3 1988

Allen's P. C. B. Est. 1888



Historian H. Stuart Hughes is angry about politicians misusing the term 'liberal.'

Historian defends liberalism

'A noble word... has been reduced in fact to an obscenity.'

By BRAD GRAVES

Light Staff Writer

"Frankly, I was outraged," said H. Stuart Hughes. "A noble word, a fundamental word in the American tradition, has been reduced in fact to an obscenity."

The UCSD history professor was looking back at this year's election campaign, an event during which many Republican candidates have used the word "liberal" to mock their Democratic opponents.

Campaign speeches have turned "liberal" into "the L-word," in the same way four-letter words are reduced to fit polite conversation.

Hughes wasn't alone in his anger. His friends and associates were also upset by politicians misusing "liberal" — a word with numerous meanings that go beyond partisan politics.

Late in September, Hughes got a phone call from Fritz Stern, a Columbia University historian. Stern and Yale historian C. Vann Woodward wanted to speak out about the issue.

Not about candidate-bashing. About idea-bashing.

"I said, 'I've been waiting for an opportunity to be heard,'" Hughes remembered Tuesday in his La Jolla Shores home.

Their protest came out as a full-page advertisement in the Oct. 26 issue of *The New York Times*. The ad — a statement titled "A Reaffirmation of Principle" — was a short essay defending the overall concept of liberalism. It was signed by Hughes and 62 nationally known

'The ad had nothing to do with the Dukakis campaign. It was a purely spontaneous initiative on the part of two historians.'

academics, writers and businesspeople.

"The ad had nothing to do with the Dukakis campaign," Hughes said. "Some candidates have been using the word 'liberal' to suggest their opponents recklessly tax and spend. 'As a description of liberalism, it's a wild caricature,' Hughes said.

Hughes and the *Times* ad offered a wider, less partisan and highly philosophical idea of liberalism.

Hughes said classical liberal ideas inspired Thomas Jefferson when he produced the Declaration of Independence and James Madison as he worked on the U.S. Constitution.

These liberal principles include freedom, tolerance, pluralism and the acceptance of a wide variety of views.

Intolerance goes against that definition. Such intolerance characterized the McCarthy era, which Hughes called "the worst challenge to the American democratic tradition in the 20th century."

The idea of helping society's less fortunate members came into the liberal tradition later than the ideas of tolerance and pluralism, Hughes said.

with the Dukakis campaign," Hughes said. "It was a purely spontaneous initiative on the part of two historians."

As Hughes told it, philosopher John Stuart Mill gave the intellectual rationale for connecting the liberal movement with supporting the poor. Nearly a century later, Franklin Roosevelt put the concept into practice.

That aspect of the country's liberal past — social legislation and Roosevelt's New Deal — has an ironic tie to Hughes' own past.

Hughes is the grandson of Charles Evans Hughes, chief justice of the U.S. Supreme Court from 1930 to 1941. That court gave Roosevelt's New Deal some of its toughest resistance.

The younger Hughes decried the decline of the federal government's social programs after the 1960s.

"Welfare in the eyes of many has become a bad word," Hughes said. While he conceded that some welfare spending was "not well-organized," Hughes said that some sort of "safety net" for the poor is a precursor to giving all citizens their full constitutional rights.

"To the poor, those cast out of the mainstream, the freedom of speech, assembly and of holding different views doesn't mean much if someone's not standing up for you," he said.

Hughes tied welfare in with another of this year's big campaign topics, calling welfare "the fundamental and the most humane way of dealing with the issue of crime."

San Diego, Calif.
Union
(Circ. D 217,324)
(Circ. S. 339, 788)

NOV 3 1988

Allen's P. C. B Est. 1888



The fix: Most cops, by now, have learned the lesson about fixing tickets. Still, not everybody's got the message. The other day, as Officer Jim Ackley and his supervisor, Sgt. Bob Nunley, were working Balboa Park on horseback, a citizen came running up in a lather. He'd just been ticketed twice, he claimed, for the same parking violation, and he demanded to know what they were going to do about it. The cops told him there was nothing they could do, but Ackley's horse, Major, wasn't listening. While the man was waving the tickets in front of the cops, the horse ate them.

Monetary policy: When George Bush brought his presidential bid to Scripps Institution of Oceanography on the UCSD campus Oct. 14, the university billed the campaign \$9,902.81 for expenses. And no deficit financing; Bush paid before he left town. But when Lloyd Bentsen brought his vice-presidential campaign to UCSD Oct. 17, the bill was just \$1,500. And he left town owing. The difference, says a university spokesman, is due to the nature of the campaign appearances. Bush invited himself to Scripps; Bentsen was invited by a student group (Young Democrats), and it's university policy to pay normal staffing costs associated with events sponsored by student groups — just like this weekend's reggae festival. The \$1,500 charge to Bentsen, says the spokesman, was for parking and shuttle service, and Bentsen hasn't paid because he hasn't been billed yet. An oversight.

San Diego
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La Jolla, CA
(San Diego Co.)
La Jolla Light
(Cir. W. 9,336)

NOV 3 1988

Allen's P. C. B Est. 1888

Graduate school? The public will have an opportunity to talk to admissions representatives from some of the top law schools nationwide at UCSD's Pre-Law Day Wednesday.

UCSD will host representatives from institutions such as Stanford, Cornell and about 40 other programs who will provide information and answer questions in the campus Career Services Center plaza, 11 a.m. to 2 p.m.

The events are sponsored by the center, the Office of Graduate Studies and Research and the School of Medicine.

For more information, call 534-4939. 2955

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La Jolla, CA
(San Diego Co.)
La Jolla Light
(Cir. W. 9,336)

NOV 3 1988

Allen's P. C. B Est. 1888

Friends of²⁹⁵⁵ UCSD Library plans meeting

Dr. Lola Szladits, director of the prestigious Berg Collection of Literature at the New York Public Library, will speak at The Friends of the UCSD Library Annual Meeting Monday.

Also featured in the program will be UCSD Chancellor Richard C. Atkinson. The event will be held at University House. Those interested in attending should call 534-2533 for reservations and directions. Cocktails and hors d'oeuvres will be served at 4:30 p.m.; the program will begin at 5 p.m.

Since 1969, Dr. Szladits has headed one of the world's most celebrated collections of first editions, rare books, autograph letters and manuscripts. The Berg Collection holds original and rare research materials in American and English literature from the 15th through 20th centuries.

The meeting is open to Friends of the UCSD Library, UCSD faculty and alumni, and their guests. The general public may attend by making membership contribution to The Friends at the door.

NOV 3 1988

Allen's P. C. B Est. 1888

UCSD readies for foray into television

2955
By BRAD GRAVES
Light Staff Writer

UCSD will take to the airwaves with its own programs on its own television station within the next few years. And everyone in the community will be able to tune in — no special hookup, not even a cable connection, will be required, although the station will have a limited broadcast range.

The Federal Communications Commission recently awarded channel 35 to the university, which plans to broadcast an eclectic mix of campus-produced shows and multi-lingual programming.

"It's not going to look like a regular TV station," said Sherman George, director of UCSD's media center and one of the people gearing up for UCSD's move to prime time.

"We're still trying to figure out what's the best way to do it," said Mary Walshok, UCSD's associate vice chancellor for extended studies. If all goes as planned, the station should be broadcasting in 18 to 24 months, she said.

What the channel will show has not been determined yet. Campus committees are now discussing that.

"We see (the station) as a mechanism to share the resources of the campus with the larger

community," Walshok said.

George described channel 35's fare as "counter-programming." "We're basically looking to create a station that's an alternative to regular television, if you will," he said.

"We want very much to showcase faculty achievement and faculty work," said Walshok. Programming could include dance performances, poetry readings, interviews with professors about their latest books.

UCSD camera crews could shoot special events on campus. Many visiting lecturers attract turn-away crowds, George noted; the recent appearance by Linus Pauling drew 12,000 people, most of whom had to watch on closed-circuit television in other rooms.

UCSD has no shortage of campus events to record, George said.

Educational programming is another option. People in technical professions, like engineering or medicine, could get updated information and take courses through UCSD television programs.

Walshok added that the university was "very concerned" about public education in

science.

Channel 35 may also show news and cultural events in various languages. Programming in French, German, Italian, Russian and other languages would be available to the station by satellite.

Admittedly, UCSD officials said, there is an aspect of recruitment to this. Channel 35 programming may work to draw more undergraduates to UCSD. Walshok spoke of promotional shows to attract students from different ethnic backgrounds, perhaps a documentary on campus life or a discussion of the benefits of a college degree, all presented in Spanish.

The program ideas are mostly speculative, George said.

Walshok said funding for the station will come from a variety of sources, including the university, outside grants and fees for televised courses.

The station, which in industry parlance is called a "low-power" TV station, will be much less expensive to operate than a regular station, Walshok added.

The low-power channel will broadcast with 1,000 watts of power. In contrast, NBC-affiliate KNSD (channel 39) uses a million watts of power. With little

power, UCSD's station will have a limited broadcast range.

The new station will broadcast from UCSD's antenna on Mount Soledad, which is now used by the campus police and a number of other campus agencies. The station's signal should be received up to 12 or 15 miles away, George said. Most local residents should pick it up, though there may be a "shadow" where signals are blocked in the southern part of La Jolla near Pacific Beach.

UCSD officials have been considering a low-power TV station for about five years, George said.

The university competed against a number of other organizations to get the channel. The FCC picked the winning station in a lottery this summer.

Though the university won the lottery, it doesn't yet have an FCC construction permit. George said the permit is stalled because some treaty negotiations with Mexico regarding low-power TV stations are stalled.

George was optimistic that the permit would come through. The FCC has promised the permit "any time," he said, though he added that "any time" could mean months.

San Jose, CA
(Santa Clara Co.)
Mercury-News
(AM Ed.)
(Cir. D. 268,700)

NOV 3 - 1988

Allen's P. C. B Est. 1888

2955 'Psychologist' faces charges of practicing without license, lying

By Lorenzo P. Romero
Mercury News Staff Writer

Local and state authorities have charged a 49-year-old San Jose man with lying under oath about his qualifications and with practicing as a psychologist without a license.

In a complaint filed in San Jose Municipal Court, Dennis Lee was charged with two felonies, perjury and using an altered certificate to practice psychology. He also is charged with three misdemeanors: practicing psychology without a license, representing a license to be his which was not his and displaying a fictitious and fraudulently altered license.

Lee, who was arrested Wednesday morning, is in Santa Clara County Jail in lieu of \$50,000 bail.

Al Bender, chief deputy of the district attorney's consumer fraud division, said authorities became suspicious of Lee when he testified in a Juvenile Court case last November.

Lee testified that he obtained his doctorate from "UC-San Diego" and that he had been licensed since 1982 to practice as a psychologist in California.

But, Bender said, when Deputy District Attorney Robert Masterson checked by telephone with the state's Board of Medical Quality Assurance, that agency had no record of a licensed psychologist by the name of Dennis Lee.

"Dr. Lee testified that he could not understand that, as he had his license at home," Bender said.

Lee later sent a license number to the district attorney's office and said it had been issued in 1982. But BMQA investigators found that the number belonged to Dr. James Albert Ghazil, a San Diego psychologist.

Investigators also learned that Lee apparently used an altered version of Ghazil's license to practice clinical psychology for the Family Health Foundation of Alviso. They said Lee had worked for Ghazil for less than a week in 1982 as a psychological assistant.

Also, Bender said Lee's doctorate was earned from the United States International University in San Diego and not the University of California, San Diego.

According to Bender, Lee worked for about eight months at the Alviso clinic, seeing an average of 85 patients a month.

Officials of the Alviso clinic were unavailable for comment Wednesday afternoon, but a receptionist said Lee had "been gone for about six months."

The complaint filed in court listed Lee's address as 966 Saratoga Ave., which is the address of the Saratoga Medical Clinic. The clinic's office manager said a psychologist named Dennis Lee had been renting an office there for almost two years but had few clients.

Dennis Lee, Ph.D., is also listed in the San Jose telephone book, which gives the Saratoga Medical Clinic's phone number.

Los Angeles, CA
(Los Angeles Co.)
Times
(San Diego Ed.)
(Cir. D. 50,010)
(Cir. S. 55,573)

NOV 3 1988

Allen's P. C. B Est. 1888

CLASSICAL MUSIC REVIEW

Striking New Works Emerge at UCSD Forum

By ²⁹⁵⁵KENNETH HERMAN

SAN DIEGO—Granted, the presentation of new music does not arouse either the passion or even the curiosity of, say, a newly released movie or the opening of a Broadway play. But even Beethoven was once novel, and some of today's staples of orchestral and chamber music were initially dismissed as ugly or unplayable.

**SAN
DIEGO
COUNTY**

UC San Diego's New Music Forum has a healthy reputation for offering a regular sampling of new works by the university's cadre of younger composers. If some of these emerging composers are still finding their individual musical voices, there is a fresh, invigorating character about the best of them.

Two striking new compositions surfaced Tuesday night at Mandeville Recital Hall in the first New Music Forum of the 1988-89 season. Rick Bidlack's "Four Studies on a Repeated Note" and Chaya Schwartz's "Manoalchadia" could not have been further apart in choice of medium or idiom, but this, too, is a sign of health. There is no obvious party line to follow at UCSD.

Schwartz's hypnotic songs in Hebrew for two sopranos and bass flute were as searing as a sirocco, as plaintive as the wailings of Levantine mourners. The style was at once primitive, in the incantations of the voices, and sophisticated, in the complex web of counterpoint Schwartz so brilliantly constructed.

Part of the success of the songs, which won Schwartz a prize at this summer's Darmstadt new music conference, may be attributed to the virtuosity and panache of soprano Carol Plantamura and flutist John Sebastian Winston. Julie

Randall sang the complementary soprano part.

Bidlack's studies were pure high-tech productions, metallic synthesized sounds tightly organized and cleanly programmed. Each study was illuminated by Alan Finke's crisp, geometric computer graphics that changed with the progressions of the music. If this description sounds vaguely like a highbrow video game, this reviewer found the musical and visual combination compelling in a way that most electronic music is not. If any music deserves the label futurist, this is it.

Michael Staehle's "Doppelspiegel" for two pianos, was a highly idiomatic, serialist sounding dia-

logue between the two keyboards, seriously and articulately played by Dillan Snowgrass and Jean Baum. For a genre that is associated with showy or saccharine arrangements, Staehle had something worthwhile to say for two pianos.

Abe Singer's "Epitaph" for voice, flute, tape and percussion merged these sound sources at the threshold of audibility, giving the sonic image of the breaking waves uttering a haunting benediction. Bob Willey's "Cereal Music" should have been as clever in its realization as in its title. If its pointillistic texture was initially engaging, the jazz-like ostinatos quickly slipped into a static picture.

Realities expose the myths in growth-control debate

²⁹⁵⁵
Economic statements being made by the building-industry-sponsored group, San Diegans for Regional Traffic Solutions, have little basis in fact and are far outside the generally accepted norms for political debate.

Pointing out the actual realities will expose these myths.

Myth 1: Growth controls will result in rapidly rising housing prices and massive unemployment.

Reality 1: Rapidly rising housing prices and widespread unemployment do not happen together. Reality is Houston in the mid 1980s, with its high unemployment rate and falling real housing prices; and Boston, with its currently low unemployment rate and rising housing prices.

Myth 2: The unemployment rate in San

By **RICHARD CARSON**

Diego will be substantially higher on a permanent basis if any of the growth-control measures are instituted.

Reality 2: The unemployment rate in San Diego is generally moving toward the national unemployment rate. The reason is simple: Employers move to areas with unemployed workers and unemployed workers move to areas with jobs. The unemployment rate in San Diego can not deviate far for very long from the national unemployment rate.

Myth 3: More than half of San Diego's construction workers will become unemployed if one of the growth-management measures passes.

Reality 3: Employment in the construction industry is not sensitive to the number of

Richard Carson, an economics professor at the University of California, San Diego, is a spokesman for Citizens for Limited Growth.

SAN DIEGO

new dwelling units built. To see this, look at the last two years: Countywide in 1986, 43,561 dwelling units were built and 50,900 construction workers were employed, while in 1987, 31,327 dwelling units were built and 55,900 construction workers were employed.

If any of the growth-control measures pass, there will be more construction workers employed doing additions, remodeling and replacing older structures, and fewer building new dwelling units. The number of construction workers needed to build currently planned public works such as freeways, mass transit, the new secondary sewage-treatment plant and jails far exceeds the number of construction workers who no longer will be building new dwelling units.

Myth 4: Growth controls will cause home prices to skyrocket and rents to double.

Reality 4: The number of existing dwelling units in San Diego is too large for even reductions in current construction levels far larger than those called for under any of the growth-management measures to have such a dramatic effect on home prices or rents.

San Diegans, however, are likely to see large increases in housing prices with or without growth controls, because housing prices in San Diego are moving toward the major cities with which we compete. San Diego's housing prices are lower than those in Los Angeles and Orange counties, which in turn are lower than those in San Francisco, Boston and New York. The number of houses which would have to be built in San Diego to reverse this trend would be truly staggering.

Myth 5: The growth-management measures will restrict the supply of new dwelling units through a housing cap and thus must cause housing prices to increase.

Reality 5: This is true only if the housing cap is binding so that demand exceeds the supply allowed under either of the growth-management measures. However, demand should not exceed supply under either of the

This article also was signed by the following economics professors.

University of California, San Diego: John Conlisk, Vincent Crawford, Robert Engle, Clive Granger, Theodore Groves, Luis Guash, Walter Heller, Emily Lawrance, Alfredo Pereira, Robyn Phillips, Ramu Ramanathan, Gary Ramey, Valerie Ramey, James Rauch, Lakshmi Raut, Michael Rothschild, Dennis Smallwood, Joel Sobel, Max Stinchcombe, Glenn Sueyoshi, Halbert White.

San Diego State University: Robert Barckley, Ray Boddy, Roger Franz, Jim Gerber, Adam Gifford Sr., Louis Green, J.W. Leasure, M. Madhavan, Michael Naughton, Shahrokh Shahrokh, Harinder Singh, Dan Steinberg.

growth-management measures on Tuesday's ballot in San Diego.

One of the measures allows the housing cap to be exceeded by placing additional dwelling units in redevelopment areas, and the other directs the city to develop a commercial and industrial plan which keeps the supply and demand for housing units in balance by influencing the rate of new job creation.

Myth 6: A housing cap will not solve San Diego's growth-related problems.

Reality 6: This is a true statement and comes from a University of California, Berkeley, report to the city of San Diego. However, its use by San Diegans for Regional Traffic Solutions to oppose the growth-control measures is misleading, because none of the measures on the ballot is a housing cap only. All of the measures have extensive provisions for air quality, water supply, sewage treatment, solid-waste disposal and traffic congestion problems not directly addressed by a housing cap.

Regardless of our diverse personal views on whether housing caps should be used, housing caps are a widely used and effective tool for slowing growth.

Myth 7: Growth controls will increase traffic congestion.

Reality 7: Any of the growth-management measures are likely to result in less-heavy

traffic congestion than if no growth-management measure is passed, given the current geographical distribution of population in San Diego County. The only way that Myth 7 might become true is if growth controls were put into place in San Diego, resulting in rapid growth in a few outlying areas of the unincorporated county.

The public should note that San Diegans for Regional Traffic Solutions is opposing both of the growth-management propositions for the unincorporated part of the county, which would prevent this from happening. The unfortunate reality is that traffic congestion in San Diego will continue to get worse until the rate of population growth is slowed to the rate that new freeway and mass transit capacity can be expanded.

Myth 8: Growth controls will devastate San Diego's business community.

Reality 8: There are few big developers who stand to gain or lose millions on the outcome of the vote on the growth-control measures. The average business in San Diego will be much more affected by decisions of our next president regarding the Navy in San Diego, the Federal Reserve Board's decisions regarding the money supply and Japan's continued willingness to finance the U.S. deficit, than it will be by the outcome of the vote on growth controls.

Signers of this article include supporters of the Citizens' Initiatives D and J, supporters of the City Council's Proposition H, supporters of the Board of Supervisors' Proposition B, those who oppose all the growth-management propositions and those who have yet to take a position.

There are serious issues related to growth management, which involve what the future urban landscape of this city will look like and how that future will be financed. Economists often disagree among themselves when it comes to solutions. As economists, however, the signers of this article agree that the realities above must be recognized in considering any solution to growth-related problems.

The signers believe that serious public-policy decisions should not be made on the basis of myths and hysteria deliberately induced by a well-financed special-interest group. □

Carlsbad, CA
(San Diego Co.)
Carlsbad Journal
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Ariniello promoted

Carlsbad resident Len Ariniello has been promoted to the position of audit manager in the San Diego office of Arthur Young & Company, according to Raymond V. Dittamore, office managing partner.

Ariniello, a graduate of the University of Colorado, is a member of Arthur Young's Entrepreneurial Services Group. He previously was with another Big Eight accounting firm in Denver, and later spent two years as a corporate controller, reporting directly to the entrepreneur/CEO.

He is actively involved in Arthur Young's annual Entrepreneur of the Year program, and participates in a number of industry-related activities, including the MIT Forum, San Diego Venture Group, the local chapter of the American Electronics Association and UCSD's CONNECT program.

Locally, Arinello serves on the board of directors of the Colinas de Oro Homeowners Association.

Arthur Young, one of the Big Eight accounting and consulting firms, has more than 400 offices in 91 cities across the United States and in 71 foreign countries.

San Diego, Calif.
Union
(Circ. D 217,324)
(Circ. S. 339, 788)

NOV 4 1988

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An investment in our colleges

2955
By Ms. Yvonne Larsen,
Mrs. R. B. McComie, and
Ms. Gail Stoorza Gill

In 1960, California lawmakers took a step which has proven instrumental in maintaining the state's leadership role in science and business as well as preserving the promise of higher education to its citizens. That step was the Donohue Act, which created the three-tier system of higher education that has for 28 years made California the envy of other states and nations.

On November 8, Californians once again have an opportunity to express their commitment to that system which strives to meet the needs of all its citizens who want to better their lot in life through higher education.

The vehicle is Proposition 78, the Public Higher Education Facilities Bond Act, the first proposition voters will encounter on their ballot. It is a \$600 million general obligation bond issue which will fund the construction of classroom, library, laboratory and other facilities and equipment for the California Community Colleges, the California State University system and the University of California during the next two fiscal years.

The money is critical to helping our higher education meet future needs. Enrollment is projected to increase to 1.6 million by the year 2000.

California State University enrollment, at an all-time high, has nearly tripled over the last 26 years. The current student body of nearly 350,000 students is expected to climb to more than 385,000 by the year 2000. San Diego State University has reported record enrollment for each of the past five years and has been forced to implement admissions limits to protect its quality.

The University of California is

Commentary

The Union welcomes commentaries from its readers. Submissions should be typed, double-spaced, and not more than 750 words. Information cannot be provided on individual commentaries because of their daily volume. Inquiries about them, therefore, should not be made. Manuscripts will not be returned.

struggling to cope with unexpected demand. Estimates of student enrollment in 1995 were met this fall — seven years early as more than 120,000 undergraduates flooded to the nine UC campuses. The UCSD student population has increased 20 percent in the last four years and is expected to climb an additional 20 percent in 1994.

Current enrollment at community colleges is 1.2 million.

These statistics alone are enough to send a clear message. However, there is one additional figure citizens should know. Enrollment in California's elementary and secondary schools increases by 150,000 new students each year. The implications for higher education are inescapable.

For these reasons, San Diego area voters should vote for Proposition 78. It is important to higher education in California and to San Diego County in particular.

In its first year, Proposition 78 would bring nearly \$17.5 million to San Diego and Imperial County campuses.

UCSD would receive more than \$12 million for a variety of projects ranging from badly needed renovations to the venerable Urey Hall to equipment for the new Instruction and Research Facility.

SDSU would receive more than \$1 million in planning funds for a

variety of projects, including renovations to two older buildings.

The new CSU campus to be built in San Marcos would receive nearly \$1.6 million in funding for working drawings which would be used for construction of its first buildings.

Community colleges in San Diego would receive nearly \$2.7 million for important projects. Cuyamaca College in El Cajon would be able to construct a much-needed physical education facility. San Diego Miramar College would be able to equip a classroom building. San Diego City College would be able to obtain new equipment for a life science building.

Although the second year's spending from the Proposition 78 bond issue is not yet decided, San Diego County has some exciting possibilities. Among them are the first buildings for a new CSU campus in San Marcos, a \$46.26 million dollar project.

San Diego area community colleges could also gain millions of dollars in projects.

Proposition 78 has received the bipartisan support of the legislature and the governor, as well as the California Taxpayer's Association. State officials have determined the general obligation bonds are a prudent financial tool for meeting the needs of higher education.

San Diegans concerned about the future of higher education and its availability to all of our citizens should support Proposition 78 on Nov. 8. The legislature's farsighted commitment in 1960 must be supported today if California's superb system of higher education is to prepare our young people for the immense challenges of the future.

Larsen is SDSU President's Council; McComie and Gill are members of the Board, UCSD Foundation.

Watsonville, CA
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Register-Pajaronian
(Cir. 6xW. 13,937)

NOV 4 - 1988

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Computer 'virus' sweeps country

McCLATCHY NEWS SERVICE 1193

SACRAMENTO — A computer "virus" infected the nation's largest network of computer systems yesterday, attacking machines at defense and research facilities throughout the country, and may have spread to Europe and Australia, industry sources reported.

The virus, a renegade program that spreads from computer to computer, was launched onto InterNet, a "network of networks" that has 20,000 user-systems at 600 sites — research universities, think-tanks and government agen-

cies, including the Department of Defense and NASA.

One expert described it as a "watershed," the first invasion of its kind on the nation's largest computer network, disrupting computer-based research across the country for a 24-hour period.

Unconfirmed reports said the virus may have spread to financial institutions in Europe and to Australia. The network system has electronic mail "gateways" to Europe and Asia, sources said.

Among those affected were computer systems at Massachusetts Institute of Technology, the University of Minnesota, UC-Berkeley and UC-San Diego, Stanford University, Lawrence Livermore Laboratory, the Rand Corp. in Santa Monica and SRI International in Palo Alto.

Computer-systems operators described the virus as a relatively benign "tape-worm" that consumed computing power and storage space, but did not destroy data files or other programs. No classified informa-

See VIRUS page 2 ►

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FBI probing computer 'virus'

2955
Damage termed small; graduate student possible culprit

By Tom Burgess
and Steve LaRue
Staff Writers

The FBI is investigating whether federal laws were violated by the originator of a computer "virus" that caused havoc but did little damage this week to 6,000 military and university computers linked through a Defense Department data network.

Experts said the harm generally was limited to the thousands of hours spent by computer system managers and programmers in cleansing the

bug from their systems. UCSD and two Navy research facilities here were affected.

The New York Times said in today's editions that sources have identified the possible culprit as a Cornell University graduate student who is the son of a prominent computer expert at the National Security Agency.

Robert T. Morris Jr., 23, described by friends as "brilliant," reportedly wrote the set of computer instructions as an experiment, the *Times*

said.

It was introduced into Arpanet, the Defense Department's computer network, and was to secretly and slowly make copies that would move from computer to computer through electronic mail systems. A design error caused it to multiply rapidly, ultimately jamming thousands of computers after it began showing up Wednesday night.

Morris was unavailable yesterday,

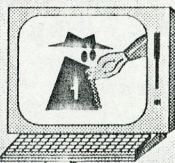
See **Computers** on Page A-16

How 'virus' invaded computers

A virus is a deliberately written piece of software code that is hidden within another program and infects any computer exposed to it.

1

The virus program was created by a malicious computer programmer...



2

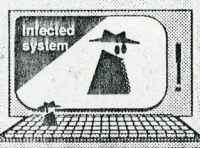
and then hidden within another program, in this case an electronic mail program called "Sendmail."



3

3

Other computers became infected by retrieving the infected program through electronic mail. The virus copied itself repeatedly, overloading the computers' memories.



SOURCE: Boston Globe

Knight-Ridder

Computers: 'Virus' caused havoc across the nation

Continued from A-1

but was said to be on his way to Washington, D.C., to hire a lawyer and meet with officials of the Defense Advanced Research Projects Agency, which owns the computer network.

His father, Robert Morris Sr., is a scientist with the National Computer Security Center in Bethesda, an arm of the security agency. He has written widely on the security of the Unix operating system, the target of the virus program, the *Times* said.

The virus was defeated roughly 24 hours after being spotted, said Dr. Raymond S. Lladay, the director of the agency.

"It was a benign virus; by that I mean it didn't destroy files," he said.

Mild viruses can flash a message on a user's screen, while "deadly" forms can destroy or cripple a computer. This virus apparently did its damage by multiplying so extensively that it slowed computers' processing speed and took up their memory space, said SD's Jim Madden, manager of academic network operations.

Most infected machines are on the Unix operating system, which is used by Arpanet computers in a network to share data among military and university researchers and contractors.

California institutions hit by the virus included NASA's Ames Research Center in Mountain View, the California Institute of Technology in Pasadena, the University of Southern California, Stanford University, Lawrence Berkeley Laboratory, Law-

rence Livermore National Laboratory, and UCLA and University of California campuses in Berkeley and San Diego.

Estimates of the cost of lost computing time and for debugging the computers were unavailable yesterday, but believed to be in the tens of millions of dollars, according to Pentagon sources.

At UCSD, "The people who suffered here were mostly poor students who were trying to do homework late at night, and some researchers who had to deal with it, and the computer managers," said Madden.

"It never made it into any machine in the UCSD campus that was doing any business computing," he said.

At least one San Diego defense contractor suspended use of Arpanet on Thursday.

Chuck Nichols, a spokesman for Science Applications International Corp., said, "We suspended use after we heard of the virus," which he said was kept out of the firm's computer system because of "additional anti-hacking safeguards" used by the defense contractor.

Also affected in San Diego was the Naval Ocean Systems Center and the Naval Personnel Research and Development Center.

FBI spokesman William Carter said a criminal probe would be launched to determine if the Computer Fraud and Abuse Act, which deals with unauthorized access to government computers or computers in two or more states, was violated.

Computer scientists at the Naval Ocean Systems Center had speculated early yesterday that the virus

See computers on Page A-17

Computers: Experiment went awry

Continued from A-16

originated at an Eastern university because the computers on that side of the nation were among the earliest hit by the electronic affliction.

The virus was spread through an electronic mail program known as Sendmail by which data is transmitted among the institutions.

"The earliest indication was an attack by the University of Pittsburgh on the Rand Corp. computers at 9:42 p.m. EST Wednesday," said a Stanford programmer.

"Then at 2 a.m. EST it hit the University of California at Berkeley and at 4 a.m. EST it hit MIT. Then it hit everywhere else," said the programmer.

No mention of computers at Cornell University, where Morris is enrolled, was made outside of *The New York Times* report.

UCSD's Madden said, "It is a well-designed bit of software. I would have very serious questions either about the authors' ethics or their maturity."

"Once it got sent from machine A to machine B, it came back to machine A again and you had two copies on machine A. The next time, you had four copies on machine A and it increased exponentially."

Military computer networks used to initiate nuclear war or help execute invasions were safe from the virus because the secret networks were separated from Arpanet and office networks in September 1984.

Interference with the military database called Worldwide Military Command and Control System, for example, would seriously impede the armed forces' ability to conduct military operations internationally.

Such tampering is "not possible," said Donald Latham, a former assistant secretary of defense for command, control and communication under the Reagan administration yesterday.

The New York Times News Service and Associated Press also contributed to this report.

NOV 5 1988

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This drama may be better read than seen

By Anne Marie Welsh
Arts Critic

2955
"Tis Pity She's a Whore" by Jacobean dramatist John Ford is one of those bloody potboilers often read and little produced. With its theme of incest, its atmosphere of aristocratic decadence and genial agnosticism, it reads modern and nihilistic.

Unfortunately it plays dull and hilarious. Or so it played Thursday night in a new production unveiled by the UCSD drama department at Mandell Weiss Theatre.

UCSD faculty member Frantisek Deak calls his adaptation "Annabella," the given name of the offending woman of Ford's title. Deak condensed Ford's five-act tragedy by cutting one subplot and editing another.

Deak's courtesy-across-the-ages is exceptional; adaptors seldom acknowledge that their script is not the one the playwright wrote.

All that said, the adaptation may be no better than the 1625 original, which had intentional comedy and a

Theater review

"Annabella"

The play will be presented by the UCSD Theatre through Nov. 12 in the Mandell Weiss Center for the Performing Arts at UCSD. Director, Georgij Paro; scenic designer, J. Michael Griggs; lighting designer, Diane Boomer; costume designer, Catherine Meachum; sound designer, Victor Zupame. Cast: David Ledingham, Luzmaria Garcia, Patrick Miller and Maggie Stewart.

turnabout ending to relieve its gloom. Two generations after Shakespeare, the Elizabethan world had obviously collapsed and sophisticated Stuart gentlemen must have watched titillated by the play's suggestions that heaven and hell may be no more real or necessary than the taboo against incest.

The character Giovanni questions all of these things in the first scene, embarks upon the romance with his willing sister Annabella, and in the end, seems a more noble and faithful man than the rotters who judge him.

David Ledingham, a beautiful student actor, had the youthful ardor and glowing idealism to carry the strange part, with Luzmaria Garcia nearly as effective as Annabella.

The real problem with the play now, however, has nothing to do with its theme or its cumbersome length or its violence, but rather with its hard core of misogyny.

Annabella is just a chattel in this battle between corrupt society and her young brother-lover. Other women characters are projections of male fear or fantasy — the aptly named governess Putana (coarsely acted by Maggie Stewart) ready to betray her mistress for a necklace; the temptress Hippolita (crudely interpreted by Molly Powell) betraying her husband for a lover.

Eventually all the women seem repugnant, which may be how Ford actually felt.

The production itself is a mixture of strengths and weaknesses. J. Michael Griggs' set mixed abstract facades with more realistic details and used a platform to highlight soliloquies and duets by the lovers. Diane

Boomer's lighting evoked all the right moods and Victor Zupanc's sound design, with its fragments of Debussy, was especially good.

The direction by Georgij Paro was spotty. Some scene changes and groupings had a fine painterly quality, but what might have been a very intense line of action was constantly being undercut by bad timing (which led to laughter) or bad acting. Floyd Gaffney's choreography was Afro-modern in style, certainly anachronistic for Renaissance Parma.

And though Kevin Connell was strong and clear as the Spanish manipulator Vasques, the priggish Cardinal of Patrick Miller watched the final carnage — Jack the Ripper may have learned from this play — as if he were overseeing a tennis match.

Despite flashes of subtlety in thought, feeling and language, "Tis Pity She's a Whore" may simply be unactable now. It's nice to be able to scratch it off the list of historical curiosities I hoped to see staged. But it now seems case history and sociology rather than human drama.

Pacific Rim Programs

Universities Feeling Pull of Far East

By LARRY GORDON,
Times Education Writer

Her father joked that her undergraduate degree in modern Japanese history probably meant that Emily Moto Murase would have a very bright career as a taxicab driver.

But she may have the last laugh. The Bryn Mawr College alumna from San Francisco enrolled this term at UC San Diego's year-old Graduate School of International Relations and Pacific Studies in hopes of eventually landing a government relations job with an American firm doing business in Japan.

"Other schools really train you to be a professor. This school really trains you to go to work," Murase said of the master's program that combines economics, international affairs and a rigorous foreign language requirement in Chinese, Japanese or Spanish.

Focus on Pacific Rim

Murase and her classmates are in the vanguard of American higher education's new fascination with the region known as the Pacific Rim.

A decade after Toyotas and Hondas began to dominate campus parking lots, many colleges and universities are starting or bolstering academic programs about the Pacific Rim, which in theory includes all nations bordering that ocean but in practice usually means the vibrant economies and cultures of East Asia, from Korea to Indonesia. The movement is strongest at American schools on the West Coast, seen as the natural beneficiary of increased trade and intellectual exchange.

"The number of Pacific Rim programs being launched around the country is staggering," said Jack Dull, a Chinese history scholar at the University of Washington's Henry M. Jackson School of International Studies, which is expanding its Asian studies this year.

'Where the Action Is'

Jack Lewis, associate director of a master's program in international business at USC, explained: "In America academe, just like everything else, people tend to float to where the action is."

To be sure, higher education is still focused on European civilization and larger universities long have offered classes about the Orient. But with so much American concern about Asian imports and so much Japanese investment in the United States, Asian studies are no longer seen as eccentric or obscure. They are seen as potential bait for donations from American and Japanese corporations and as tickets for graduates into well-paying jobs.

"Until recently, most Americans went into Asian Studies either for biographical reasons—such as they were born in Japan or their parents were missionaries in China—or they were attracted by some form of Asian aesthetics. They did not go into it for economic reasons," said Chalmers Johnson, an expert on the Japanese economy who recently left UC Berkeley to join the faculty at UC San Diego's new international school.

Young Americans, Johnson added.
Please see ASIA, Page 24

ASIA: Power of Pacific Rim Trading Partners Forges Educational Ties

Continued from Page 1

ed: are demanding more education about the Pacific region because "they know that's where they will need to function."

Some critics say that all the new emphasis on Asian studies is fadish and destined to decline. *Pacific Rim*, they sneer, is just the latest business buzzword, similar to the obsession with *high-tech* a few years ago. Some schools, fearful of competition for tuition and grant money, appear to be jumping on the bandwagon without a clear idea of how to tackle the Pacific Rim as an academic topic.

Yet the trend appears strong.

• According to a survey by the Modern Language Assn. in New York, the number of American college students enrolled in Chinese language courses increased from 9,809 in 1977 to 16,891 in 1986; enrollment in Japanese classes went from 10,721 to 23,454. Although European languages remain much more popular, their enrollments either dropped or increased only slightly during the same time.

• In the last seven years, the number of exchange programs in East and Southeast Asia sponsored by American colleges rose from 54 to 112, according to the Institute of International Education. UC administers nine programs in the region, six of them begun within the past three years, and plans to add one more in China. Stanford has four programs in eastern Asia and is planning a new one in Japan.

• Demand in American higher education for teachers with some expertise in Asian languages, politics, history or economics has jumped about 50% in the last five years, said Rhoads Murphey, president of the Assn. for Asian Studies. "It has become very trendy," said



Los Angeles Times

Chalmers Johnson
UC San Diego

Young Americans are demanding more education about the Pacific region because 'they know that's where they will need to function.'

Murphey, a professor of Asian history at the University of Michigan. "Interest is showing up in small places that didn't used to pay any attention to this before." Schools as diverse as Pepperdine University in Malibu and Bowdoin College in Maine began offering Japanese this fall; Pepperdine also began Chinese this year, which Bowdoin started last year.

• More and more, business and law schools are starting specialty degrees and non-credit seminars on the Pacific Rim. UCLA has doubled the number of its faculty experts on Japan and China in recent years to about 40, including three at the law school. UC Berkeley this fall began enrolling students in a new program for a joint master's in business administration and Asian studies.

Some of this is caused by the growing presence on campus, especially in California, of Asian-American students. "They are first- and second-generation immigrants kids who are trying to find their roots as well as a relatively easy way of getting a language requirement out of the way," said Robert Dennis, a U.S. Department of Education official who helps oversee grants to Asian studies programs. He likened that to the rise in ethnic studies by black and Latino students in the '60s and '70s.

Asian students, such as UC San Diego's Murase, a third-generation Japanese-American, say career goals, as much as family history, led them to enroll in the classes. And Anglos are in the majority in many of the programs.

Jeffrey Aden is a senior at the undergraduate School of International Studies established last year at the University of the Pacific in Stockton. He spent a semester studying in Japan last year and hopes to work in trade and tourism between Japan and his home state of Hawaii. "I look toward that rather than European side of things. Europe is in decline, except for West Germany," he said. "I think Asia is where people are needed, where there are more career benefits."

Stacy Langford came to USC as a pre-med student but an unusual turn

of events turned her into an East Asia studies major. A part-time job at Disneyland in Anaheim performing in costume as the character Snow White led to a year as Snow White at the Disneyland in Japan. "I became fascinated with the culture," said Langford, who is now thinking about a career in international law, with emphasis on Japan.

Also boosting Asian studies is the relaxation of political and intellectual controls in the People's Republic of China. "There is now the possibility for young Americans to get involved in Sino-American relations on a grand scale," said William Speidel, executive director of the school built in China two years ago by Johns Hopkins University and Nanjing University.

More U.S. universities are hosting classes about American culture for visitors from mainland China. Such a seminar at Cal State Los Angeles last summer inadvertently provided a glimpse into the difficulties of cross-cultural understanding. Classes were scheduled to be held in the Student Union until the mainland Chinese saw the flag of the rival Nationalist regime on Taiwan flying amid a large

display of international flags in the building. After negotiations, classes were held in the Alhambra motel where the Chinese were staying.

Some educators privately criticize Pacific Rim programs as window-dressing, repackaging of existing courses. Some new institutes are nothing more than a secretary and a telephone, they say. That the idea of the Pacific Rim is so ill-formed, the cynics charge, is shown by disagreement on whether to include study of Latin America, as the new UC San Diego school does, or to concentrate on Asia, as many other schools do.

A Japanese-born student at USC complained that interest in his homeland among Anglo students is shallow. "They just want to understand enough so they can do business," he said. "I wish they would study more about the people."

Jock O'Connell, international trade adviser to the California Commission for Economic Development, said he is pleased that schools are paying more attention to Asia but warns about "an unnecessary degree of excitement." American businesses are realizing how difficult it is to operate in

China and, he said, are starting to worry about the abolishment of all trade barriers within Western Europe scheduled for 1992.

"Europhype may wind up defusing some of the gas behind Pacific Mania," O'Connell quipped.

He also said enrollments in the new Asian studies classes may drop when word filters back that recent graduates are unlikely to be hired directly into overseas posts. "They are probably going to get assigned to the factory in Boise for a few years," he said.

Others point to how the rush toward Arabic studies in the '70s died when the price of Mideast oil tumbled. But Pacific Rim scholars stress that East Asian economies are not based on one commodity and the population there is so much larger than in the Persian Gulf region.

"No trend continues in a linear way forever, but the need of the community of Los Angeles to be trained in the cultures of East Asia means we will see continuing growth [in classes]," said Gordon Berger, a Japan scholar who is director of USC's East Asian studies program. He said enrollment in

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ASIA: Focus on Pacific Rim

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his classes is up 30% the past two years.

Kenneth Lieberthal, director of the Center for Chinese Studies at the University of Michigan, remarked: "There are very few safe bets in the world, but one of the few is that East Asia will be more significant in the next quarter-century than it had been in the previous quarter-century."

Even though the worth of its degrees will not be tested until its first class is graduated next spring, the UC San Diego international graduate school is planning for the long run. According to Dean Peter Gourevitch, work is starting on a \$7-million building for the school, currently housed in a temporary structure on the La Jolla campus. The faculty is expected to grow from 13 to 35 in the next two years and the number of students from 95 to 400.

One of the limits to further growth in Pacific Rim studies is a shortage of qualified faculty. "It's very tough. You can't just stand on the corner of Westwood and Wilshire and whistle for these people," said Prof. Arthur Rosett, who runs the Pacific Basin legal studies program at UCLA's law school. Young scholars from the new programs are more likely to work for the

higher salaries in industry than teach, some educators fear.

Yet, the biggest hurdle may be the difficulty of the languages.

The Hopkins center in Nanjing had a rocky first year because some American students were not ready to take all their classes, including history and economics, in Chinese as required; the center now makes sure students are somewhat fluent before they enroll, officials say.

"Learning Chinese or Japanese is really a taxing, time-consuming thing, not something you can do in your spare time or in a trendy way and do well at it," explained Cortlandt Smith, professor of political science at the University of the Pacific's international studies school.

Clearly, some students relish the challenge, especially because they see mastery of Asian languages as an asset in the job market.

"It's time we learned about our trading partners. We are past the point where we can expect them to all learn English," said Audrey Schroeder, a senior at the University of the Pacific who spent last spring in China and hopes to work there for the State Department.

Besides, she added, "to me, studying Chinese is exhilarating. It hooks up all those different brain cells."

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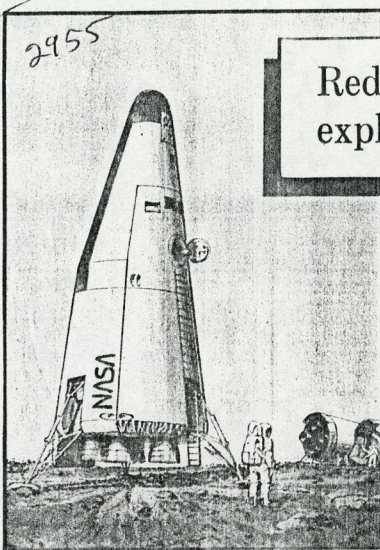
Allen's P. C. B Est. 1888
A new program implemented by the University of California will make it easier for students in San Diego and Imperial County community colleges to transfer to UCSD. Known as **Transfer Admission Guarantee (TAG)**, the program secures a place for community college students at UCSD. Students may enroll in TAG through one of nine participating colleges, where they enter into a contract that earmarks the requirements for a smooth and guaranteed transfer to UCSD.

2955

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NASA illustration of first humans landing on Mars

Red planet Mars beckons exploration like no other

By Ann Gibbons

Tribune Science Writer

The journey would take nine months of cramped travel to a land of creamy red skies, swirling dust storms and pressure so low it would make humans' blood boil.

As the astronauts opened the hatch of their spaceship, they would see a stark landscape strewn with boulders and pockmarked with craters. The air would be icy, and their spacesuits would be the only protection against radiation from cosmic rays and solar flares.

It's no Shangri-La. But, still, Mars beckons like no other planet.

It would take 25 years of effort and some \$80 billion to get there, but a manned mission to Mars is the oft-stated goal of a core of NASA scientists and prominent space enthusiasts whose ranks in-

Please see MARS: A-6, Col. 1

MARS: Expedition to the red planet remains a thrilling prospect for Earth's scientists

Continued From Page 1

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clude Carl Sagan, former NASA Administrator Thomas Paine and former astronaut Sally Ride.

Of all the space adventures being considered, an expedition to Mars is still the most thrilling to earthbound explorers.

It alone captures the excitement of putting man on the moon, yet opens a new world for scientific exploration and human colonization.

The red planet is the closest thing to Earth's twin, an orb with more Earthlike characteristics than any other in the solar system.

"It's the most Earthlike planet," said Jim Arnold, director of the California Space Institute at the University of California at San Diego. "It has water, carbon dioxide and nitrogen — all of which are essential to life."

But some daunting obstacles must be overcome before humans cross 35 million miles of space and leave their footprints in the red soil, challenges that were discussed last week at the space institute's weekly seminar at UCSD.

A mission to Mars is the most costly, most difficult and most daring of four missions now under study by long-range planners at the National

Aeronautics and Space Administration.

"We've long talked about a Mars expedition," said Barney Roberts, manager of exploration studies at NASA's Johnson Space Center in Houston. "It would be a major first step in space exploration and would reap all of the consequent benefits for national pride and prestige, as well as major new technology."

But it also would cost more than other options. NASA also is considering very preliminary plans to build an astronomical observatory on the backside of the moon, to send humans to Mars' moon, Phobos, or to explore the moon first and then colonize Mars in an evolutionary approach, Roberts said.

Just getting humans to and from Mars would be a major undertaking, because of the massive weight of their supplies for a two-year round trip and the fuel for their spacecraft.

Mars enthusiasts, however, say those problems could be solved, in part, by tapping Mars' natural resources.

Once the astronauts landed, they would find almost everything they needed for life — water, sandy soils and an atmosphere full of gases that could be heated to produce oxygen,

said James R. French, a space consultant who was in charge of Mars exploration studies at NASA's Jet Propulsion Laboratory in Pasadena until 1986.

By French's calculations, they even could make fuel for their spacecraft and land vehicles from gases in the atmosphere and water locked in the permafrost, French said.

That could be critical because the fuels that propel the spacecraft to Mars and that launch it from the Martian surface for the trip home are the single heaviest payload. The more fuel, the bigger and bulkier the spacecraft.

For any long-range mission to Mars or Phobos, NASA now is considering sending a large, unmanned cargo ship loaded with fuel and supplies to orbit Mars first. Once it's there safely, about six to eight humans would take a faster, more direct flight to a rendezvous with the freighter. Both spacecraft probably would be assembled at a space station orbiting Earth, because they would be too large to fit in the shuttle.

Once in orbit around Mars, two to four of the astronauts would descend to the planet.

Once on Mars, they would have

several options for making fuel for their land vehicles and for the return flight to orbit. If there's enough water — and many believe there is in the atmosphere and in the permafrost at the Martian poles — they would have two relatively easy ways of making fuel, French said.

The first choice would be liquid oxygen and liquid hydrogen. They could be made by taking the carbon dioxide that makes up 95 percent of Mars' atmosphere, and processing it so it releases oxygen. The hydrogen would come from water.

Or, the astronauts could use the same materials to produce liquid oxygen and liquid methane, a fuel that could be stored longer and less expensively than liquid hydrogen in Mars' low-pressure environment.

If they couldn't get to the water, the astronauts could make fuel of liquid oxygen and liquid carbon monoxide by tapping the gases in Mars' atmosphere. French calls it the "Model T" approach, because the fuel would give a modest performance. But it would be enough — as good as hydrogen and oxygen fuels are on Earth, French said.

"My argument has been for an early base to stick with the Model T version, the carbon monoxide and ox-

xygen," he said.

Later, when large crews are on hand, workers could draw water from the permafrost and dedicate their time to making higher-performance fuel.

Fuels also could be made from natural resources on the moon, Roberts said.

But French is among those who think that the long-term benefits of going to Mars instead of the moon would be worth the extra work and cost.

"Mars has greater potential than the moon," French said. "It may well have ore deposits."

"In the long term, it could well provide support for an actual Martian population."

"But I prefer to do both."

How close is the United States to sending humans to Mars?

In 1992, NASA plans to launch an unmanned Mars Observer to map the planet, study its atmosphere and measure its gravitational field.

Beyond that, there is no commitment for further exploration, even though the Soviet Union has made overtures with regard to staging an international mission with the United States.

But two prestigious advisory com-

mittees have said that settling Mars should be a high priority.

The 1986 report by the National Commission on Space, chaired by Paine, called for the first human outpost on Mars by 2015.

"The 21st century will open the moon and Mars for settlement by pioneering men and women," Paine said. "Developing the space frontier will contribute to scientific knowledge, productivity gains, economic growth, education, medicine, agriculture, international partnerships and many other features of terrestrial life."

In 1987, Ride completed a study for NASA that said: "Settling Mars should be our eventual goal, but it should not be our next goal." She

prefers to go to Mars by way of the moon, after getting the experience from setting up a lunar base first.

Regardless of the order, many believe going to Mars is human destiny.

"Barring a nuclear catastrophe, I think sooner or later it is inevitable that we will go to Mars," Arnold said.

The reason?

"The Earth is the cradle of mankind, but one can't always remain in the cradle," Arnold said, quoting the pioneering Russian scientist Konstantin Tsiolkovsky.

'Annabella' lacks feel for time period

By CHRISTOPHER SCHNEIDER

UCSD isn't the greatest place to see 17th-century, non-Shakespearean English drama. Latest unhappy example: "Annabella," Frantisek Deak's and director Georgij Paro's lumpy and none-too-clear adaptation (playing through Nov. 12 in the Mandell Weiss) of John Ford's Italianate tragedy "Tis Pity She's a Whore."

You could call "Tis Pity She's a Whore" — and that's basically what "Annabella" is, plus or minus a resolved ending and a subplot or two — a 1620s-sized, luridly tragi-comic "Romeo and Juliet" of incest. What prevents Giovanni (David Ledingham) from wooing Annabella (Luzmaria Garcia) isn't their warring families, it's that they're part of the same family. Awkwardly enough, beautiful and desirable young Annabella doesn't respond to Grimaldi (Kevin Connell) or Soranzo (Sean Whitesell) assuiter; she responds to Giovanni, her brother.

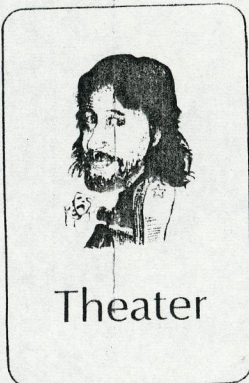
A disapproving monk (Mark Cherniack as Bonaventura) and a licentious nurse (Maggie Stewart as Putana) advise the pair. Despite her distaste for him, pregnancy forces Annabella into marriage with Soranzo; but will he remain unsuspecting for long? And what of Vasques (Patrick Miller), his scheming servant? Or the threat posed by seduced Hippolita (Molly Powell), whom the supposedly noble Soranzo dumped, Don Giovanni-like, and who now seeks revenge?

"Tis Pity"/"Annabella" lacks anything as wild as the hand in Webster's "Duchess of Malfi" or the poisoned kiss in Tourneur's "The Revenger's Tragedy," but it's still fantastical and amusingly cruel enough — watch how the word "heart" turns from gallant metaphor into bloody reality — to merit Pynchon's description of its genre as "Road Runner cartoon(s) in blank verse."

At times, it's this absurdity and trenchantly baroque melodrama in Ford that Deak/Paro seem to wish to emphasize. Why else dress Annabella the bride up like a pumpkin, Putana in a virtual E-Street special, place Grimaldi on a jilly wooden horse and then end with maimed Putana wandering disconsolate and blind? Anachronism and bloody humiliation, trashing the play in order better to reveal it, must be the aim, right?

But no. Fumblingly tone-deaf like previous UCSD attempts at the Jacobean ("The Alchemist," "Volpone"), Deak/Paro's show aims after something else. Thanks to plot similarities (i.e. sibling figures who indulge in forbidden love), the show is filled with quotes from Debussy's "Pelleas and Melisande," thus attempting to go soft fuzzy with material bloody and sharp. (Why didn't they try using Donizetti's "Luceria Borgia" or the equally trenchant early Verdi?)

There's nothing supremely irrelevant "Isadora"-type bad dancing for Hippolita's offering at the wedding feast: neo-classical kitsch just when we need bright colors and suspense. Again and again, Deak/Paro emphasize "poetry" — i.e. lackadaisical



Is it any wonder that Garcia (who's rather good in her Act IV, Scene iii colloquy with Soranzo) and Ledingham (who has the look for Giovanni but little else) come off callow and unsympathetic, whining instead of funny/tragic? It doesn't help, either, that Whitesell is a reedy tenor where the role of Soranzo calls for a strappingly villainous, commanding baritone. They all three leave the play, be it through miscasting or bad direction or just plain misunderstanding, hollow at its core.

Generally, the trashier a character's motives, the more successful this show's performance. Stewart's comic authority as Putana is bracing, reassuring. Hippolita, who will do virtually anything to gain her man and/or revenge, is given such Dona Elvire-like passion by Powell that the character seems a five-act play unto herself. And Miller is smashing good as the cynical manipulator Vasques, so funny and vivid that UCSD should feel honor-bound to stage "The Changeling" in order to show us Miller's De Flores. These three are by far the show's luckiest performers, unlike the two leads and occasional virtuosi (Cherniack, Andy Weems as the siblings' father) who stand in the background and look underutilized.

J. Michael Griggs' set gives Giovanni and Annabella a dangerous-looking platform to act on (the show's one good im-

age); lighting designer Diane Boomer has some nice effects, too, that, catch Vasques lurking in the background. Neither scenic nor lighting design, however, is used to great purpose in "Annabella." Floyd Gaffney's choreography is silly and beside the point. Let's hope the absurdities of Catherine Meachum's costume designs are intentional, even if they are misguided.

Still, there's always Steve Pearson, ever dependable, who choreographs an exciting swordfight — the sort of enjoyable interlude that, like an Agnes De Mille dream ballet, enlivens many a questionable UCSD show.

The greatest tragedy connected with "Annabella"/"Tis Pity" is that productions like this are probably our only local chance to see stagings of the Jacobean. So many of the plays are so good — "The Revenger's Tragedy," "The White Devil," "Duchess of Malfi," "The Malcontent," "The Changeling," "Women Beware Women" — that we deserve a chance to see them, and not in bastardized (director Pearson's rewritten "Volpone") or tone-deaf (Walt Jone's all-round cingeworthy "Alchemist") misappropriations. Ross Wasserman's unforgettable "Twelfth Night" proved that UCSD can handle the 17th century. So why aren't the non-Shakespearean, Jacobean tragedies given an equal chance to show their stuff?

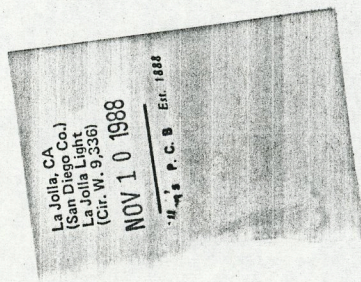
"Annabella" has honesty to its credit, in that it acknowledges (unlike Pearson's "Volpone" or John Hirsh's "Coriolanus" at the Globe) its fiddling with the words of a classic text. It also has some striking performances among the supporting roles. Lacking a sense of movement, though, or pacing, or anything like a feel for the author's or genre's style, "Annabella"/"Tis Pity" offers precious little else.

"Don't get me naked... I get so Italian when I'm naked!" says a character in "Dress Suits to Hire" — a line that captures more of "Tis Pity She's a Whore" than the entirety of

UCSD's show. For that, alone, this Holly Hughes/Peggy Whaw/Lois Weaver show (through Nov. 6 at Sushi) would have been notable, even if it hadn't been such a filthy minded delight, such trashily hilarious perfection unalloyed.

"Dress Suits for Hire" had something of the hermetic atmosphere of Genet's "The Maids," something of the pathology of "Grey Gardens." It had something or other to do with two women who were sisters ("...or worse!"): Michegan (played by Weaver), a Lana Turner-type with an Adele Jergens hairdo and a dirty way of chewing her gum, and Deeluxe (played by Shaw), a tough Rita Hayworth with an autonomous hand called Little Peter and a penchant for breaking into songs from "Gilda." It also had something to do with showing how women can be as powerfully, fascinatingly mean as anybody: "They say we're not dangerous," says one "sister," "but it's a lie... we are dangerous!"

But the wonderful writing! Gorgeously tacky phrases abounded: "...looking for a blonde to bring out the blonde in me," "You can't improve on reality — believe me, I've tried!," Shaw's line about having a bad heart "...not the kind that kills you, just the kind that makes you wear too much eye makeup." The performers' movement implied knowledge of myriad dime novels and dirty postcards. And the show's taste in expressive kitsch — "Temptation" for the pair's ludicrous tango; Gilda's song, complete with black glove, reworked as "Put the Blame on





Maggie Stewart is Annabella and Patrick Miller is Vasques, the scheming servant, in the UCSD theater department production of "Annabella."

Me, Girls!"; many other examples — was exquisite.

Shaw was her own tough-minded Sam Shepard festival, ready to star in "True West" or "Curse of the Starving Class" or as any of Shepard's wildcat heroes. Weaver had the clarity and elegant comic precision that placed her halfway between a top-notch drag queen and the heroine of a Restoration comedy — and triumphant in both realms. Together they made the show unforgettable.

The show was written — with delirious, wittily brilliant finesse — by Holly Hughes (Obie-winning author of "The Well of Horniness"), directed by Weaver, choreographed by Stormy Brandenburger, given costume design by Susan Young

and given scenic and lighting design by Joni Wong.

It was the sort of unforgettable, individual, first-rate work that one often sees at Sushi. Talk about an essential resource! Where else, other than Sushi, does one see work so striking and unusual and brilliant in this town? Just about nowhere. Sushi, essential Sushi, is the place/organization/theatrical entity that deserves our unending thanks and encouragement.

Christopher Schneider is a critic of local theater who has trained at various branches of the University of California.

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La Jolla Light
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Musical variety turns heat on in city

By FRANKIE WRIGHT

Glass and glasnost gave San Diego a wowie-zowski megavolt jolt recently. Until then, musical conduction was cool, so to speak, in November's first few days — not without life, but without monumental theatricality.

Such showiness is monstrous to some. But one listener's monster is another's merriment. One's Glass is another Guarneri. Whatever turns the heat on.

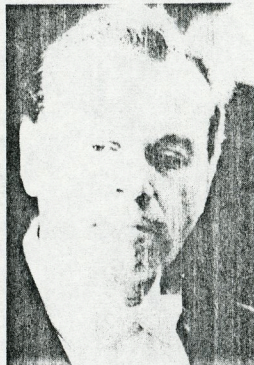
The lights were on, anyway, at several venues last week and the variety of concerts was certainly worth rejoicing.

UCSD's New Music Forum opened its 1988-89 season Nov. 1 at Mandeville Recital Hall, featuring compositions by Chaya Schwartz, Rick Bidlack, Michael Staehle and Abe Singer. At Mandeville Auditorium Saturday night, UCSD Chamber Music Series presented the Guarneri String Quartet. Performances by the San Diego Symphony last week and Phillip Glass' "1000 Airplanes on the Roof" Monday night were at Symphony Hall. Sunday night, the Civic Theatre was filled for the State Symphony Orchestra of the U.S.S.R. from Moscow.

And these performances were not the only ones. Also Sunday night, for example, Martin Wright and others combined voices for Faure's Requiem, conducted by David Bates, at the La Jolla United Methodist Church.

Bernhard Klee, smiling and good-natured, conducted the San Diego Symphony Nov. 3 and 4 in a program of Samuel Barber, Alban Berg and Johannes Brahms. Barber's "Adagio for Strings" is remembered for an emotional weightiness despite the melodic translucency. Sustained passages overlap, progressing, layering, yet shining with an inner brightness like the flecks of fire one seeks in an opal.

The symphony's playing did



Yevgeny Svetlanov

The symphony's playing did not push this piece into the sublime, where it belongs. A lack of passion — a lack of finesse, preciseness and expressiveness, rather — seems to be the evening's shortcoming, affecting the Berg and Brahms as well.

not push this piece into the sublime, where it belongs. A lack of passion — a lack of finesse, preciseness and expressiveness, rather — seems to be the evening's shortcoming, affecting the Berg and Brahms as well.

Berg's Concerto for Violin and Orchestra broods, pulses, flashes through flying arpeggios, drifts, waltzes and fascinates with detail — dissonant, harmonic, elegaic and songlike. Guest violinist Christine Edinger was clearly comfortable with the solo, and her playing was skillful, though not thrilling.

The complexities of Brahms' Symphony No. 4 in e minor, Opus 98, did not receive full attention, depriving the piece of needed dimension. Yet the symphony gave it a strong performance, particularly in the second

movement, when phrasing gained a roundness, and in the third movement, when thematic elaborations were grander. Brass tended to overwhelm the strings, unfortunately — an ongoing problem for the orchestra. The clarinet solo in the second movement and flute solo in the final movement deserve mention.

The rather short program of the Guarneri String Quartet at Mandeville Saturday was redeemed by playing that could be fearlessly tender, intense or so opulently detailed that it was, at times, hard to believe only four instruments were being bowed. Haydn's g minor quartet, Opus 74, No. 3, opened the program, followed by Dimitri Shostakovich's eighth string quartet (Opus 110) and the Quartet in a minor, Opus 13, of

Felix Mendelssohn.

The Shostakovich was gripping, sometimes somber, but never deflating. In this late work (1960), suspenseful exchanges, swirls in high places, the clearest of trills, single notes sustained for endless measures and a gorgeous cello line imploring earnestly in the high register all contrasted beautifully with darker harmonic colors.

Another exercise in charm, one of an international flavor, took place when Yevgeny Svetlanov, chief conductor of the Moscow State Orchestra, took the podium Sunday night at the Civic. The La Jolla Chamber Music Society presented this concert, by the grace of glasnost, in the second of its International Orchestra Series.

By concert's end, Svetlanov (and what felt like a thousand strings) had the capacity audience in the palm of his batonless hand. Lubov Timofeeva played a rippling, somewhat quiet, interpretation of Rachmaninoff's Piano Concerto No. 2. But the Scriabin Symphony No. 2 in c minor created an environment of powerful sound impossible to escape — but, then, who would want to?

This music, sometimes regal, sometimes pastoral and otherwise wildly dramatic, brought forth an enthusiastic standing ovation, which encouraged two encores of Russian music, played with humor, flourish and enthusiasm in turn.

And Phillip Glass? This contemporary music/theater work brought here by the San Diego Foundation for the Performing Arts will be covered next week, when amp-ample space is available for electrifying descriptions of holograms in a psycho-science fiction drama with Freudian and Kafkaesque references. How that for an unsocketed plug?

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Universities nationwide feeling pull of Pacific Rim

By Larry Gordon
Los Angeles Times

LOS ANGELES — Her father joked that her undergraduate degree in modern Japanese history probably meant that Emily Moto Murase would have a very bright career as a taxicab driver.

But she may have the last laugh. The Bryn Mawr College alumna from San Francisco enrolled this term at the year-old Graduate School of International Relations and Pacific Studies at the University of California, San Diego, in hopes of eventually landing a government relations job with an American company doing business in Japan.

"Other schools really train you to be a professor. This school really trains you to go to work," Murase said of the master's program that combines economics, international affairs and a rigorous foreign language requirement in Chinese, Japanese or Spanish.

Murase and her classmates are in the vanguard of American higher education's new fascination with the region known as the Pacific Rim.

'Float to where the action is'

A decade after Toyotas and Hondas began to dominate campus parking lots, many colleges and universities are starting or bolstering academic programs about the Pacific Rim, which in theory includes all nations bordering that ocean but in practice usually means the vibrant economies and cultures of East Asia, from Korea to Indonesia. The movement is strongest at American schools on the West Coast, seen as the natural beneficiary of increased trade and intellectual exchange.

"The number of Pacific Rim programs being launched around the country is staggering," said Jack Dull, a Chinese history scholar at the University of Washington's Henry M. Jackson School of International Studies, which is expanding its Asian studies this year.

Jack Lewis, associate director of a master's program in international business at the University of Southern California, explained: "In America academe, just like everything else, people tend to float to where the action is."

To be sure, higher education is still focused on European civilization and larger universities long have offered classes about the Orient. But with so much American concern about Asian imports and so much Japanese investment in the United States, Asian studies are no longer seen as eccentric or obscure. They are seen as potential bait for donations from American and Japanese corporations and as tickets for graduates into well-paying jobs.

"Until recently, most Americans went into Asian Studies either for biographical reasons — such as they were born in Japan or their parents were missionaries in China — or they were attracted by some form of Asian aesthetics. They did not go into it for economic reasons," said Chalmers Johnson, an expert on the Japanese economy who recently left the University of California, Berkeley, to join the faculty at UC San Diego's new international school.

Young Americans, Johnson added, are demanding more education about the Pacific region because "they know that's where they will need to function."

Interest continues to grow

Some critics say that all the new emphasis on Asian studies is faddish and destined to decline. "Pacific Rim," they sneer, is just the latest business buzzword, similar to the obsession with "high-tech" a few years ago. Some schools, fearful of competition for tuition and grant money, appear to be jumping on the bandwagon without a clear idea of how to tackle the Pacific Rim as an academic topic.

Yet the trend appears strong:

- According to a survey by the Modern Language Association in New York, the number of American college students enrolled in Chinese language courses increased from 9,809 in 1977 to 16,891 in 1986. Enrollment in Japanese classes went from 10,721 to 23,454. Although European languages remain much more popular, their enrollments either dropped or increased only slightly during the same time.

- In the last seven years, the number of exchange programs in East and Southeast Asia sponsored

'It has become very trendy. Interest is showing up in small places that didn't used to pay any attention to this before'

— Rhoads Murphey, Association for Asian Studies

by American colleges rose from 54 to 112, according to the Institute of International Education.

- Demand in American higher education for teachers with some expertise in Asian languages, politics, history or economics has jumped about 50 percent in the last five years, said Rhoads Murphey, president of the Association for Asian Studies.

"It has become very trendy," said Murphey, a professor of Asian history at the University of Michigan. "Interest is showing up in small places that didn't used to pay any attention to this before." Schools as diverse as Pepperdine University in Malibu and Bowdoin College in Maine began offering Japanese this fall. Pepperdine also began Chinese this year, which Bowdoin started last year.

- More and more, business and law schools are starting specialty degrees and non-credit seminars on the Pacific Rim. The University of California, Los Angeles, has doubled the number of its faculty experts on Japan and China in recent years to about 40, including three at the law school. UC Berkeley this fall

began enrolling students in a new program for a joint master's in business administration and Asian studies.

Spurred by Asian presence

Some of this is caused by the growing presence on campus, especially in California, of Asian-American students.

"They are first- and second-generation immigrants' kids who are trying to find their roots as well as a relatively easy way of getting a language requirement out of the way," said Robert Dennis, a U.S. Department of Education official who helps oversee grants to Asian studies programs. He likened that to the rise in ethnic studies by black and Latino students in the '60s and '70s. Asian students, such as Murase, a third-generation Japanese-American, say career goals, as much as family history, led them to enroll in the classes. And Anglos are in the majority in many of the programs.

Jeffrey Aden is a senior at the undergraduate School of International Studies established last year at the University of the Pacific in Stockton. He spent a semester

studying in Japan last year and hopes to work in trade and tourism between Japan and his home state of Hawaii.

"I look toward that rather than European side of things. Europe is in decline, except for West Germany," he said. "I think Asia is where people are needed, where there are more career benefits."

Disagreement on boundaries

Also boosting Asian studies is the relaxation of political and intellectual controls in the People's Republic of China.

"There is now the possibility for young Americans to get involved in

Sino-American relations on a grand scale," said William Speidel, executive director of the school built in China two years ago by Johns Hopkins University and Nanjing University.

Some educators privately criticize Pacific Rim programs as window-dressing, repackaging of existing courses. Some new institutes are nothing more than a secretary and a telephone, they say. That the idea of the Pacific Rim is so ill-formed, the cynics charge, is shown by disagreement on whether to include study of Latin America, as the new UC San Diego school does, or to concentrate on Asia.

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Soviets to discuss peace at UCSD open meeting

By John McLaren ²⁹⁵⁵

Tribune Staff Writer

Russian-language students at UCSD will have a chance to brush up their skills Tuesday when a four-man Soviet delegation appears on the campus under auspices of the World Federalist Association.

Getting the Soviet group to come to San Diego is something of a coup for the San Diego chapter of the association, which has members in 35 countries and a goal of achieving world peace through enforceable law.

At UCSD, the Soviets will speak to the question "Do we Russians really want peace?" during an open meeting scheduled to begin at 7:30 p.m. in Peterson Hall.

"We hope to engage them in discussion, with written questions submitted by the audience," said Therese Graf Tanalski, executive director of the chapter.

She said many of the 100 students studying Russian at UCSD are expected to monitor the proceedings.

The Soviet contingent will be headed by Andrei Dementyev, national vice president of the Soviet Peace Committee, award-winning poet and editor-in-chief of Yunost (Youth) magazine.

The others in the group are Rair Simonyan, a major general who is a member of Soviet Generals and Admirals for Peace and Disarmament; Gulliver Melya, first vice president of the Abkaiz Republic Peace Committee; and Yuri Legin, interpreter and staff member for the Soviet Peace Committee.

The Russians will come to San Diego from Los Angeles Tuesday afternoon. They will also be honored at a 5:30 p.m. reception in the UCSD Green Faculty Club. The group will leave San Diego for Washington, D.C., Wednesday morning, continuing a weeklong tour of the United States.

Tanalski said the Soviets are traveling through the nation in response to visits to Russia last summer by two groups of Federalist leaders from this country.

Joe McCosker, a retired certified public accountant who is completing his second year as San Diego chapter president, said his group has about 160 members and is growing.

The Federalists have been active in San Diego for years, McCosker said, but the group nearly withered away in the 1950s during a time of strong anti-communism known as the McCarthy era.

The late Sen. Joseph McCarthy of Wisconsin cast suspicion on the patriotism of organizations such as the Federalists that had international ties, driving many of them into hiding.

The Federalists say their principles are derived from America's Founding Fathers, who developed the concept of federalism. The concept, pushed by the Federalists on an international level, recognizes separate spheres of authority for individual states and for the collective federal unit of which they were a part.

"Our ideas are taken from the Constitution," Tanalski said. "We're selling America worldwide."

San Diego, CA
(San Diego Co.)
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NOV 11 1988

Allen's P. C. B. Est. 1888

Torres warns of budget action to open UC to minorities

By Ann Levin

Tribune Education Writer

With UCSD Chancellor Richard Atkinson in attendance, state Sen. Art Torres told a largely Hispanic audience last night that he wouldn't hesitate to use the University of California budget to reward chancellors who recruit and promote minorities.

Torres, D-Los Angeles, said Hispanics "want action" and should refuse to accept the word of chancellors in the nine-campus system who say they can't do anything to boost the woefully low number of Hispanic students, faculty and staff.

Torres was invited to the campus by the UCSD Hispanic Staff Association to talk about the future of Hispanics in higher education.

Last year, Senate President Pro Tem David A. Roberti appointed Torres to head the state Special Committee on UC Admissions. The committee was formed in response to persistent complaints from Asian-American leaders that UC has unfairly limited Asian enrollments.

Torres turned up the heat on the issue of possible discrimination within the UC system last spring after violence flared on the UCLA campus between white and Hispanic students.

The violence prompted Torres to hold hearings at

UCLA in October during which he heard emotional testimony from students who said they had suffered racial and sexual harassment.

Last night he pledged to do all he could, including holding discussions with the regents, to eradicate discrimination from the campuses and to substantially increase the number of Hispanics.

In an interview after the lecture, Torres said that he withheld \$148 million from the UCLA budget last August as a show of force to UCLA Chancellor Charles E. Young.

"I put it back after I was satisfied that things were moving along OK," Torres said, explaining that the money was restored after he and Young sat down and discussed the racial tensions that had rocked the campus.

"Chancellors are the leaders... they hold the power and the key. They ought to come to the Legislature for support if they're having problems," Torres said. He suggested that appropriations from the Legislature, which controls the mammoth UC budget, could be used as incentives for those campuses with the most aggressive minority recruitment, retention and promotion programs.

He also said, however, that using the budget as a weapon would be a "last resort."

"I view people as being friendly to improving the qual-

ity of life on campus. If we have to use the budget process, then we'll have no alternative. But I don't think we'll get to that point," said Torres, adding that he has a close working relationship with UC President David P. Gardner.

In September, Gardner wrote to each of the nine campus chancellors, giving them until Jan. 1 to come up with improved affirmative-action plans.

Gardner's strongly worded directive acknowledged that he was responding to complaints and recommendations from black, Hispanic and Asian task forces, as well as from Torres' committee on admissions.

Lucy Pearson, president of the UCSD association, said the group wanted Torres to help solve the problem of underrepresentation of Hispanics on the La Jolla campus.

"Our concern is that our numbers in areas where decisions are being made are so small when we are 24 percent of the population statewide," she said.

According to UCSD officials, only one of the 34 executive jobs from the chancellor's office through the ranks of assistant and associate vice chancellors is held by a Hispanic.

Of 220 upper-level managers, only 10, or 4.5 percent, are Hispanic, while 5.5 percent, or 86, of the 1,551 lower-

level management positions belong to Hispanics.

Of the 14,105 undergraduates enrolled at UCSD this fall, 63 percent are white, 9 percent are Hispanic, 3 percent are black and 19 percent are Asian. The remainder of the students fell into other categories or declined to list their ethnic affiliation.

Noting that Hispanics are expected to make up one-third of the state population within a decade, Torres said the University of California system has fallen down on the job of preparing Hispanic leaders for the future.

Public universities should mirror the diversity of the state, he said.

A graduate of UC-Santa Cruz and the UC-Davis law school, Torres urged the university to hire more minority faculty, provide more financial aid to disadvantaged students, work with the secondary schools to increase the pool of UC-eligible students, and offer loan amnesty for college graduates aiming for careers in public service or university-level teaching.

The nine UC campuses also have a lot of work to do to stem intolerance and hostility toward minorities, women and homosexuals, Torres said.

"Racism is raising its ugly head across the UC campuses... Not one campus is blameless... It's about time we did something about it," he said.

NOV 14 1988

Allen's P. C. B. Est. 1888

SAN DIEGO DAILY TRANSCRIPT MONDAY, NOVEMBER 14, 1988 3A

UC Engineers Take Computer Gift

UC San Diego's department of electrical and computer engineering has received a gift of \$1.8 million worth of state-of-the-art computer equipment and software from Apollo Computer Inc. and Mentor Graphics Corp.

The equipment will be used to train graduate and undergraduate students in computer-aided design of Very Large Scale Integrated VLSI circuits.

Apollo, headquartered in Hingham, Mass., has given UCSD seven Series 3500 workstations and three laser printers and

based southwest region sales office, one of the company's five new regional offices. He was with the Colgate-Palmolive Co. for 13 years prior to joining WD-40.

Philip T. Price is the new division manager of K/P Graphics, San Diego division.

Computerized Classic Bookkeeping, an accounting software program developed by Absolute Solutions of Oceanside, has been selected by Apple Computers for inclusion in its business school and

"Franny" award from Recognition Express International.

Recognition Express is a chain of independently owned shops that produce awards, signs, desk plates, name badges and other personalized recognition.

Myron Eichen, chairman Brooktree Corp. and co-founder of Ivac, Sharp Laboratories and Computer Associates, will speak this Thursday at the UC San Diego Connect Program "Meet the Entrepreneur" lecture at the UCSD Faculty Club.

Dan Pegg, president of the San Diego Economic Development Corp., will speak this Friday at the noon meeting of Prime Club at Prime headquarters on Barnes Canyon Road.

The San Diego chapter of the National Contract Management Association will have its November dinner meeting Thursday at 5 p.m. at the Holiday Inn-Montgomery Field.

Dan Supnick, special agent for the U.S. Customs Service, will speak on "The Illegal Exportation of Technology."

Herb Field, vice president and operations manager of Lloyd Pest Control, will give a talk to pest control company owners and top level managers this Wednesday in Ontario, Calif., as part of a Structural Pest Control Industry Management Conference sponsored by the UC Riverside Extension. Field will talk about in-house training.

"Is Latin America Living on Borrowed Time?" That's the subject of a lecture sponsored by the World Affairs Council of San Diego scheduled for this Wednesday at 6:30 p.m. at the Torrey Pines Inn. Paul Boeker, president of the Institute of the Americas, will present the lecture. Boeker is a former U.S. ambassador to Bolivia and Jordan and has served on the U.S. delegation to the United Nations General Assembly.

"Toddlers, Time Clocks and Tax Advantages," a panel discussion of child care, employee productivity and attendance, and pre-tax dollars working for the employer, will take place Tuesday from 8 to 10 a.m. in the conference room of the Escondido Chamber of Commerce. Cost is \$10 for members and \$15 for guests.

Mercantile Banc. Div.

Mercantile Bancorp has declared a regular quarterly dividend of 35 cents a share, payable Jan. 3, 1989, to shareholders of record Dec. 9, 1988.

Gary and Dana Ward of the San Diego franchise Recognition Express, have

The unpaid principal balance of the loans totaled \$200,354 at the time of sale package, according to the bank. The notes were subsequently discounted to yield 12 percent interest.

In addition, the bank made loans to directors, employees or their affiliates totaling \$447,000 on Dec. 31, 1987, more than four times the \$107,000 it had loaned by the end of 1986.

Also during 1987, First Western paid two director-controlled companies \$90,000 "for reimbursements of certain expenses," the financial reports states. Both companies have substantial deposits with the bank.

The bank's report also reveals that its January 1988 sale of about \$2 million in Government National Mortgage Association (GNMA) investments involved Kirchner.

Kirchner bought the Ginnie Maes for \$1.9 million, giving the bank a \$146,000 profit, according to the financial report. Last April, Coons told the Transcript the bank bought the Ginnie Maes in 1987 and lost \$150,000 writing them down to market value.

The board has approved Arthur Young & Co., last year's accountants for the bank, as independent accountants for 1988.



Business Matters

by Robert Scally

Mentor Graphics of Beaverton, Ore., has donated the software.

San Diego-based Fujitsu Systems of America has announced a new System 29 mobile route accounting products, a portable 80-column brochure printer system. Designed specifically for the beverage industry, the printer was unveiled at the end of October at the InterBev 88 trade show in Atlanta.

Allan DuBose Jr. has joined D-40 Co. as regional director of sales. DuBose will manage the Dallas-

higher education curriculum guide.

Prime Solutions Inc. of San Diego is now shipping its new Disk Technician Automated AI Software System.

Prime claims the new system can actually predict and prevent hard disk problems and hardware failure before the problems happen.

Sherman Elementary Business and Government Preparatory Magnet School this Thursday will officially launch its new educational program designed to prepare students for jobs in business and government.

San Diego Schools Superintendent Thomas Payzant and Assistant Superintendent George Frey will say a few words, the school's new landscaping donated by Pardee Construction will be donated, and 46 speakers from private and public businesses will talk with students as part of Career Day.

San Diego County small businesses and small agricultural cooperatives have until Nov. 25 to file for disaster loan assistance needed because of substantial economic injury resulting from a lost revenues to fruits growers from a wildland fire that occurred Oct. 4-11, 1987, followed by a rainstorm on Oct. 24, 1987.

Information and application forms may be obtained by writing to the Small Business Administration in Sacramento or by calling 1-800-468-1713. All applications must be received no later than Nov. 25.

Alopex Industries Inc., a pool and spa cleaning equipment company, has reorganized its sales department, hiring a number of new sales executives.

Select Temporaries Inc. has opened a San Diego office.

1st Western—

Continued from Page 1A
the amendment, 713,163 shares will be available.

According to the First Western statement, it is "likely" that the bank will grant Kirchner an option to purchase 500,000 of the bank's shares "at 100 percent of the market value of such stock on the date of the grant."

Market value of the thinly traded counter stock has been about \$1 per share for some

Kirchner is chairman and owner of Land Title, one of four title and escrow companies responsible for big fluctuations in total assets at the bank.

Sept. 30, about \$14 million in the month deposits inflated quarter total deposits to \$14 million, up from that year's \$22 million average.

According to the bank's 1987 financial statement, "certain of directors and their affiliated companies" maintain \$11.3 million in deposits at the bank.

Listed under "related party transactions," the bank says its director \$160,000 on Dec. 1987, for 16, 9 percent mortgage loans secured by second trust

Solana Beach, CA
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The Citizen
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NOV 16 1988

Allen's P. C. B. Est. 1888

2955 New program would guarantee upper-division admission to UC

By Lynn Pierce
Staff Writer

Community college students in San Diego County who plan to transfer to the University of California, San Diego, will be guaranteed admission under a new program.

Each of the county's six community colleges are this month offering workshops to students interested in the Transfer Admission Guarantee program. Locally, workshops will be held at MiraCosta College from noon to 3 p.m. Nov. 22 and at Palomar Community College from 9 a.m. to 1 p.m. Nov. 28.

"It's a good deal, it really is," said Bob Larson, director of Palomar's Transfer Center. "It'll take the worry out of transferring. It precludes anything going wrong in the process."

The program is new to the San Diego area, but similar arrangements between community colleges and neighboring four-year universities are working in other areas, including Berkeley and Irvine.

According to UCSD Registrar Ron Bowker, increasing enrollment here and elsewhere may mean that, in the future, TAG students are the only transfer students admitted.

Developed jointly in 1987 by Mesa College counselor Claire Hunter and Marian Sims, then-director of UCSD's Department of Student Outreach and Recruitment, TAG spells out the steps a community college student must take in order to be guaranteed admission as an upper-division student at UCSD.

TAG requires students to complete a college-track curriculum in high school, including four years of English, four years of U.S. history, one year of a lab science, three years of math, two years of foreign language and four years of college electives.

Then as community college students, TAG participants must complete "core courses," including two semesters each of writing, humanities, foreign language, social science and calculus or a natural science. Students must earn a C or better in each class.

TAG participants who have high school course deficiencies must clear them by taking a comparable course at the community college level and must have maintained a 2.4 grade point average as community college students.

Students sign contracts with the provision that they will com-

plete the requirements by their projected date of transfer. Students may break the contract if they wish, but the university cannot, according to school officials.

A pilot TAG program last year between the San Diego Community College District and UCSD worked well, UCSD officials said, and the program is being expanded to include agreements with all the area community colleges.

"We're hoping the majority (of community college students) will follow this (plan)," said Yoly Woo-Hoogenstyn, UCSD outreach officer. "Courses selected for core courses are somewhat rigorous. We'll get a better-prepared student. And it will increase the number of transfers, too."

Bowker said even steep admission requirements for freshmen have not quelled the enrollment crunch at the lower-division level. This year, 10,000 freshmen were admitted, but 8,000 qualified freshmen were turned away for lack of space, Bowker said.

At the upper-division level, however, 1,400 transfer students were admitted but only 600 students actually enrolled.

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A-8 THE TRIBUNE

San Diego, Wednesday, November 16, 1988

Soviets promoting peace get mixed UCSD reaction

By Richard Core
Tribune Staff Writer

Rair Simonyan, a retired Soviet major general, had come to San Diego to talk peace. He was taken aback by a flier distributed by protesters outside a University of California at San Diego lecture hall where he spoke last night.

"It says the Evil Empire is still evil," Simonyan said, holding the flier in his hand. "I don't think it was a good gesture."

The flier contained a copy of an essay from the conservative magazine The New American that used President Reagan's 1983 characterization of the Soviet Union in its argument that communists still seek to conquer the world.

Reagan, during a visit to Moscow in May, said the characterization no longer applied.

Simonyan said Soviets and Americans should not "repeat the words of mistakes... the words which are not words of friendship and will not bring any benefit to the cause of peace."

"I believe that the steps we should make should be in the direction of improving our relations," he said through an interpreter.

"We may have different ideologies, different religions, different solutions to some problems, (but) we should be unanimous in preventing any more war," he said.

Simonyan and three of his countrymen came to San Diego as part of a weeklong tour of the United States

that included stops in Los Angeles and Washington, D.C. Their appearance at UCSD was at the invitation of the World Federalist Association, a group committed to achieving world peace through enforceable in-

ternational law.

Along with Simonyan, a member of Soviet Generals and Admirals for Peace and Disarmament, were Andrei Dementyev, editor in chief of Yunost (Youth) magazine and vice

president of the Soviet Peace Committee; Gulliver Melya, vice president of the Abkhaz Republic Peace Committee; and Yuri Legin, staff member of the Soviet Peace Committee, who acted as interpreter.

Poway, CA
(San Diego Co.)
Ramona Sentinel
(Cir. W. 5,307)

NOV 17 1988

Allen's P. C. B Est. 1888

UCSD, community colleges 2955 reach transfer agreement

Palomar College has completed a guaranteed admission agreement with the University of California at San Diego. The program guarantees students admission to UCSD after completing the first two years of course work at Palomar.

The transfer program agreement was also made with other San Diego community colleges.

The transfer program, called TAG (Transfer Admission Guarantee), is effective immediately and guarantees admission to UCSD and to the college of each student's choice. The agreement, however, does not guarantee admission to a specific major. Students are required to meet with a Palomar counselor to prepare study programs with courses they

are to complete at Palomar.

To be eligible for the program, students must complete regular admission requirements for UCSD. Students will sign contracts with the provision that they will complete course requirements by their projected date of transfer.

According to Bob Larson, director of Palomar's Transfer Center, UCSD will provide a \$500 scholarship to the most academically qualified TAG transfer student each fall semester.

Palomar will sponsor TAG Day on Monday, Nov. 28, when Palomar and UCSD staff will be available to answer questions about the program.

For more information, contact the Palomar College Transfer Center at 744-1150 or 727-7529.

Walnut Creek, CA
(Contra Costa Co.)
Contra Costa Times
(Cir. D. 85,800)
(Cir. S. 92,300)

NOV 17 1988

Allen's P. C. B. Est. 1888

Cal State trustees vote to build new campus

LONG BEACH (AP) — The California State University system's Board of Trustees voted 13-4 Wednesday to appoint a president and other administrators to establish a new campus in northern San Diego County.

The California State University system's 20th campus will be built in San Marcos, said CSU spokeswoman Janice Walker.

Nearly 2,000 students currently attend classes at the San Diego State University satellite campus in San Marcos, 40 miles north of San Diego, the spokeswoman said. The San Marcos satellite campus opened 12 years ago.

"The recommendation also calls for all steps necessary for San Marcos to become a full ser-

vice, independent university campus to be taken immediately," Walker said. "It is projected that after a national search, a new president will be on board by the fall of 1989."

Cal State Bakersfield, opened in 1970, was the last university added to the CSU system.

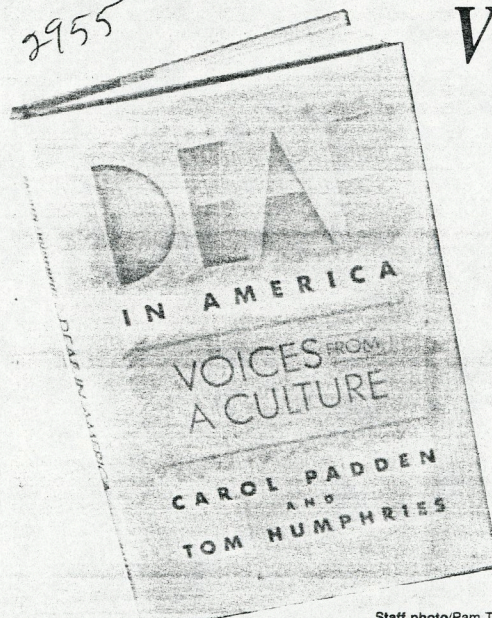
In the 1989-90 CSU budget, \$48 million was earmarked for the San Marcos university.

Opponents of early autonomy for the San Marcos campus had hoped to keep the school under SDSU's wing until 1995. They said the new college could lure a stronger faculty and build better academic programs as part of SDSU.

Encinitas, CA
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Coast Dispatch
(Cir. 2 x W. 30,846)

NOV 16 1988

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Staff photo/Pam Trainor
"Deaf in America," written by a Del Mar couple, shares stories, jokes, art and experiences of Deaf people.

Voices of Deaf America speak

By Katy Benson
North Coast Life Editor

Language must be at the heart of any culture. Without language, communication would be primitive at best, and culture would be stunted. Through language, a group of people share and give life to their history, beliefs, humor.

The Deaf of America have known that, instinctively, for hundreds of years, as they persisted against all odds in communicating with each other in sign. Yet even today they must campaign to be allowed to use their native language. Only recently have linguists acknowledged the systematic complexity of what has come to be called American Sign Language, or ASL.

As a term, American Sign Language emerged in the mid 1960s, to differentiate it from new, non-native versions of sign such as manual English or Signed Exact English. "Shortly after, people realized that if you have a language, you must have a culture," said Carol Padden, an associate professor in UCSD's Department of Communication. Padden and Tom Humphries, an associate dean in the San Diego Community College District, set out to elucidate that culture from the inside out.

Their book, "Deaf in America: Voices From a Culture" (Harvard University Press), released Oct. 1, uses Deaf people's experiences as the tools to explore the larger context of the Deaf communi-

ty in a hearing world. "The traditional way of writing about Deaf people is to focus on the fact of their condition — that they do not hear — and to interpret all other aspects of their lives as consequences of this fact," write the Del Mar couple in the introduction. "In contrast to the long history of writings that treat them as medical cases, or as people with 'disabilities,' who 'compensate' for their deafness by using sign language, we want to portray the lives they live, their art and performances, their everyday talk, their shared myths, and the lessons they teach one another."

In short, the book is an "ethnography, rather than a pathological description," said Humphries.

The term "Deaf" is used in the book, and here, when referring to the group of people who share a language and culture, while the lowercase "deaf" refers strictly to the audiological condition of not hearing. Being deaf does not automatically allow a person membership in the Deaf community; rather, it's holding a set of beliefs based on common experiences expressed in sign language that makes a deaf person Deaf.

Each of the authors brings a background to the project that illustrates a segment of the community. Padden, born deaf to Deaf parents in a family including a Deaf brother, grandparents and other relatives, learned sign as her first language; thus, she joined the culture at birth. Humphries became

See VOICES/Page B4

VOICES/Of Deaf America are heard

Continued from page B7

deaf as a child and did not know other Deaf people until attending a Deaf college. He underwent what he referred to as "immersion," becoming a part of the Deaf community gradually.

Both have been able to carry their personal experiences into their professions: Humphries has taught English as a second language to ASL-using Deaf people, and Padden has written technical descriptions of the structure of ASL. They also co-authored, with Terrence J. O'Rourke, "A Basic Course in American Sign Language."

With their newest project, they wanted to move beyond analysis — the outside view — to the heart of the matter. And although they knew that place intimately, getting there proved to be a journey in itself.

The book centers on language — how sign language and, later, ASL developed, how Deaf people used it then and now, how it has been forbidden and discouraged. Most important, Padden and Humphries show how their language reveals aspects of culture never officially acknowledged.

An anecdote in Chapter 3 helps to illustrate: The authors explain that to Deaf people, "hearing" does not mean just someone who can hear, but someone different from themselves. Deaf is the norm, while hearing is a deviation.

Thus, the ASL signs for "A-LITTLE HARD-OF-HEARING" (each hyphenated group of words represents the English translation of a single sign) means, to a Deaf person, someone who can hear hardly at all. Conversely, "VERY HARD-OF-

HEARING" would describe someone whose hearing is impaired but functional. The signs would appear to mean the opposite of what the English words say.

The reason for this apparent error became clear only after careful linguistic backtracking on the authors' part. The condition of being hard of hearing deviates from the norm of deafness; therefore, a person who can barely hear is only a little different from the Deaf, and the person who has functional hearing is very different.

The authors write: "Within this world of meaning — compared to that of English and the world of others — there is a different alignment, toward a different center." In the Deaf culture, as in any culture, members stand at the center of their world.

"We wanted to document that Deaf people have a fundamental sense of what's right and what's wrong (with their language)," said Padden.

"Deaf in America" takes care to tell all its stories — of childhood, of the first realization of Deafness, of school, of entering the hearing world like a stranger in a strange land — both heart-rending and hilarious, from this sense of center. The authors felt this to be especially important because Deaf people themselves haven't always operated from that perspective.

"We live in this culture, and we live in the (hearing) world," signed Humphries, with Merrie Davidson interpreting. "To some degree we've adopted their view of us, and those views are internalized. We had to break through that and use our own language.

"There's almost constant internal conflict



Authors Carol Padden and Tom Humphries used Deaf experiences to explore a culture.

between others' view of ourselves and our own view." He compared it to the feminist movement, saying, "It's almost like what women had to go through.

"We had to work through that, and it was very difficult."

The struggle he spoke of is the Deaf community's, as well as his and Padden's personally, as they began to tackle the book.

"At the beginning it was hard to do, because we were grappling with so many things we'd known ourselves," said Padden, who, for hearing visitors, speaks while signing. "We had to question everything we knew."

An example would be examining the different connotations, in sign language, of saying, "I don't hear" and "I can't hear." The first implies parameters within which the person functions, while the latter implies an exclusionary handicap.

The result of the authors' soul-searching and scholarly research is a book for the public interested in languages and peoples, as well as for anyone in or associated with the Deaf community. Written purposely in a non-academic style, the stories and explanations are clearly, almost poetically rendered. They are, indeed, voices from a culture that wants to be heard.

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North County
Blade Tribune
(Cir. D. 29,089)
(Cir. S. 30,498)

NOV 17 1988

Allen's P. C. B. Est. 1888

B-2 Blade-Tribune Thursday, November 17, 1988

College workshops explain guaranteed transfer

By LYNN PIERCE

Staff Writer

Community college students in San Diego County who plan to transfer to the University of California, San Diego will be guaranteed admission under a new program.

Each of the county's six community colleges are this month offering workshops to students interested in the Transfer Admission Guarantee program. Locally, workshops will be held at MiraCosta College from noon to 3 p.m. Nov. 22 and at Palomar Community College from 9 a.m. to 1 p.m. Nov. 23.

"It's a good deal, it really is," said Bob Larson, director of Palomar's Transfer Center. "It'll take the worry out of transferring. It precludes anything going wrong in the process."

The program is new to the San Diego area, but similar arrangements between community colleges and neighboring four-year universities are working in

other areas, including Berkeley and Irvine.

According to UCSD Registrar Ron Bowker, increasing enrollment here and elsewhere may mean that in the future, TAG students are the only transfer students admitted.

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cluding two semesters each of writing, humanities, foreign language, social science and calculus or a natural science. Students must earn a C or better in each class.

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community college students) will follow this plan," said Yoly Woo-Hoogenstyn, UCSD outreach officer. "Courses selected for core courses are somewhat rigorous. We'll get a better-prepared student. And it will increase the number of transfers, too."

Bowker said even steep admission requirements for freshmen have not quelled the enrollment crunch at the lower-division level. This year, 10,000 freshmen were admitted; 8,000 qualified freshmen were turned away for lack of space, Bowker said.

At the upper-division level, however, 1,400 transfer students were admitted but only 600 students actually enrolled.

Bowker said he didn't expect an enrollment overload at the upper-division level for the next five years. But TAG students from San Diego County — 300 of whom have already signed contracts for admission during the next three years — will be given

priority over all other transfer students.

"TAG students may be all we take if the numbers get too high," Bowker said.

Bowker added that by limiting enrollments to either incoming freshmen or upper division transfer students — a policy the university will strictly enforce next fall, he said — admissions officers will be able to prevent students from trying to beat the system.

Some students who have been unsuccessful in getting admitted to UCSD have simply enrolled in a community college, taken a few courses, and then applied for a transfer, Bowker said. The university has had a policy to admit all transfer students.

Bowker said the TAG program will help UCSD achieve the 60-to-40-percent ratio of upper and lower division students, respectively, that is established in the university's master plan.

"It (TAG) has benefits for us, but many more benefits for the

community college," Bowker said. "For the first time, it recognizes full partnership between two segments of higher education."

Mary Jennings-Smith, MiraCosta College transfer counselor and articulation officer, praised the TAG program saying it provides structure and reassurance to community college students who hope to transfer to UCSD.

But Jennings-Smith said she feared if the program snowballs and students statewide participate in the TAG program, community college students will have a difficult time gaining admission to a four-year university in another community.

For example, if a student attends MiraCosta College and then decides to attend UC-Berkeley, he might not be able to if too many TAG students attending community colleges in Berkeley have already enrolled there.

NOV 17 1988

Allen's P. C. B. Est. 1888

UCSD awarded for moving people in, out and around

By STEVE WATERSTRAT
Light Staff Writer 2466

UCSD, long operating as a separate entity in community planning, may be a useful place to look for advice on managing traffic and transportation problems. The governor's office believes UCSD planners are do-

ing well, granting the university a Governor's Transportation Award for its ride-sharing program to cut commuter traffic onto the campus.

The Governor's award was one of only five in the state, and the only one awarded a college cam-

pus. A selection committee picked the transportation program at UCSD for doing the best job at fighting traffic in the San Diego area during the past year.

To combat traffic, the university encourages car pooling, operates the largest van pool in

the city, uses shuttle buses and subsidizes nearby commuters who use city buses.

Greg Snee, transportation coordinator at UCSD, said his office estimates that about 45 percent of the university's 35,000 daily commuters enter the cam-

pus in cars with more than one occupant.

To make this easier, the parking and transportation office keeps a computerized list, matching up commuters from the same areas for car pools. The pool is issued a group parking permit, which can be transferred between cars for whomever is driving on a given day. Special day permits are issued for emergencies when a car pool member must drive alone to campus, Snee said.

The savings with these pools, in addition to gas, is in sharing the price of the parking permit, Snee said. Student parking permits cost about \$128 per school year, with staff permits costing about \$168.

"Staff members tend to have stable pools that last awhile, and plan a regular schedule and get a group permit," Snee said. "The students tend to do it more informally, like if there are several of them in the same house, they'll share rides."

The transportation program encourages commuters who live nearby to not even get in a car, providing free bus passes to students, faculty and staff for buses within two miles of campus. Four bus routes currently serve the campus.

The van pool program serves mostly staff members. The university operates 13 of the 15-passenger vans, which commuters living up to 30 miles away from the campus can use. Snee said university employees from as far away as Ramona, Escondido, Oceanside, National City and El Cajon are in the van pool program.

One person serves as driver and rides free, while others pay about \$50 per month to ride on the van. The driver picks up passengers in central locations, such as park-and-ride lots. The program is

popular, with all pools currently filled with a waiting list, Snee said.

"It's a good deal. It gives you a half hour, maybe 45 minutes in the morning to read the paper, get your thoughts together. Some of the van pools become social groups," he said.

Once they are on campus, many commuters are not done commuting for the day. Doctors and medical students often have to split the day between campus and the UCSD Medical Center in Hillcrest. For that, the university shuttles two 27-passenger buses between the two locations. A bus leaves each half hour from both spots between 6 a.m. and 6:30 p.m.

Snee said one ace in the hole the university counts on in managing traffic is the bicycle. The more than 1,200 cyclists entering campus daily cuts down on the number of cars, and the UCSD tries to accommodate them with plenty of routes, even encouraging the city to make the surrounding streets hospitable to cycling.

The major challenge facing UCSD traffic planners now is population growth, Snee said. With UCSD expected to absorb more of the growing enrollment in the UC system, more students, staff and faculty will be entering the campus each day in the future.

Spring Valley, CA
(San Diego Co.)
Spring Valley Bulletin
(Cir. W. 2,708)

NOV 17 1988

Allen's P. C. B Est. 1888

UCSD Engineer Dept. Gets Generous Grant

A gift of \$1.8 million dollars worth of state-of-the-art computer software and equipment was recently donated to the U. of C. San Diego (UCSD) Electrical and Computer Engineering Dept. by the Mentor Graphics Co. and Apollo Computer Inc., according to a UCSD spokesman.

The equipment will help train graduate and undergraduate students in the computer-aided design of Very Large Scale Integrated (VLSI) integrated circuits (IC).

A campus spokesman said that experience with such state of the art equipment will put UCSD students in an advantageous position upon entering the job market.

The complex microchips that students will learn to design with the new gear have a wide range of applications, including use in high performance signal processors used in radar, sonar, and the modern telecommunications systems, the spokesman said.

San Francisco CA
(San Francisco Co.)
Chronicle
(Cir. D. 630,954)
(Cir. Sat. 508,500)

NOV 18 1988

Allen's P. C. B. Est. 1888

UC Regents Panel Approves 3 New Campuses

By Diane Curtis
Chronicle Staff Writer

A committee of the University of California board of regents yesterday authorized UC officials to start planning for as many as three new campuses — first such action in almost 30 years. With no debate, the Committee

on Educational Policy set the stage for the possible additions to the nine-campus system over the next 12 years. The full board is expected to accept the committee's recommendation at today's meeting.

The last time that the regents authorized such expansion was in 1959, when the board started the process that resulted in the 1964 and 1965 openings of campuses at Santa Cruz, Irvine and San Diego.

UC Vice President William Baker said the authorization will allow university officials to develop criteria for site selection and to provide a process by which interested communities can be considered.

Communities up and down the state have expressed interest in being home to a new University of California campus. Baker said UC officials could present a list of possi-

ble sites to the board within 18 months.

Baker said he does not know what the criteria will be for picking a site. From preliminary discussions with the regents, he said, it appears that if the regents approved three new campuses, it would be "logical" to locate one in Northern Califor-

Back Page Col. 5

UC DECISION

From Page 1

nia, one in Southern California and one in the center of the state.

Fresno has been mentioned as a likely contender for the central campus.

UC President David Gardner estimated last month that enrollment at the nine-campus system will increase from the current 154,000 to 217,000 by the year 2005 as a result of a higher birthrate, immigration and the bargain price of a University of California education compared with comparable schools.

Without new campuses, and if the University of California maintains its commitment to admit the top eighth of graduating California high school graduates, Gardner said, UC will be so overcrowded as to threaten educational quality.

University officials have estimated the cost of building a new campus at \$300 million.

Although they took preliminary steps toward expansion, Gardner and other university officers and regents said the whole issue could be moot unless the Gann spending limit and Proposition 98 are rescinded or amended.

Gardner and other University of California officials painted a doomsday picture for the nine-campus system because of the combination of the two measures. The Gann limit, a 1979 voter-approved initiative puts a cap on the amount of money that state government may spend, while Proposition 98, the ballot measure approved earlier this month, guarantees public schools and community colleges a fixed percentage of each year's state budget. UC is not guaranteed a percentage.

For every percentage increase that elementary and high schools and community colleges receive, UC officials argue, cuts must be made in some other part of the budget to stay within the Gann limit.

"Everyone makes mistakes, and the voters just made a lulu" with Proposition 98, said regent Clair Burgener.

The university estimates that it will be more than \$1 billion short of its annual needs in the year 2005 because of the Gann limit alone.

Visalia, CA
(Tulare Co.)
Times Delta
(Cir. 6xW. 20,137)

NOV 19 1988

Allen's P. C. B. Est. 1888

UC Regents approve three-campus expansion plan

2055
IRVINE (AP) — Planning for adding up to three new campuses to the University of California system to serve thousands of additional students at the turn of the century was authorized Friday by the Board of Regents.

The action during the regents' two-day meeting at UC Irvine sets in motion a process that UC President David P. Gardner said would take 18 months to two years of review

before possible sites are proposed.

Gardner has proposed expansion of the nine existing campuses and adding three new campuses to handle a projected enrollment increase of 63,000 students by the year 2005.

The regents, who handled the planning proposal with little discussion, also approved a \$2.19 billion operating budget request for 1989-1990.

The budget, which calls for a

10.4 percent increase in state funds to continue existing levels of operation and support enrollment growth, next goes to Gov. George Deukmejian and the Legislature for approval.

Gardner and Baker offered no indication that any particular sites for a new campus are being favored. Gardner said, however, that the university does not expect to have to buy land.

"We expect it to be donated," he said, noting that the Santa Cruz, San Diego and Irvine campuses were built on land given to the university.

"I'm not aware of any formal offers," he said.

A committee of civic leaders from the San Joaquin Valley have organized an effort to convince the Regents to build a campus in the region, which now does not have a UC campus.

A local committee in Tulare County is working in hopes of

luring a campus to the county.

Under Gardner's proposal, new campuses would open at one-year intervals beginning in 1998. By 2005, UC enrollment is projected to total 217,000.

The number of new campuses, however, will actually be determined after reviews of long-range development plans for each existing campus. "Those decisions will inform our planning process for new campuses," he said.



SEC chief David Ruder, inset, has attended SRI's Hotel del Coronado sessions for 15 years

San Diego, CA
(San Diego Co.)
Evening Tribune
(Cir. D. 123,064)
MAY 21 1988
Jillman P.C.B. Est. 1888

Bringing together the best and brightest

SRI draws top names from throughout the securities industry

By Michael Kinsman
Tribune Financial Writer

SIO WHAT'S Marty Lipton doing in a place like this?

Here he is, running one of the nation's savviest law firms in the corporate takeover business and he's already earned more money than anyone could wish.

Lipton is flush from successfully engineering strategy for Kraft Inc. in its two-week takeover battle with Philip Morris Cos. By the time Kraft was sold for \$12.9 billion, Lipton's New York firm, Wachtel, Lipton, Rosen & Katz, earned a tidy \$20 million.

"You've got to ask why Marty Lipton would want to come here," says James Hewitt. "He just made \$20 million in two weeks."

But Lipton, like scores of other nationally prominent attorneys and accountants, will likely line up at the registration desk next January when the 16th annual UCSD Extension's Securities Regulation Institute holds its three-day session in Coronado.

He won't be alone. John Phelan, chairman of the New York Stock Exchange, sits on SRI's advisory board as does Harvey Pitt, Ivan Boesky's attorney and always a tantalizing speaker on insider trading.

Also on the board are two chairman of Big Eight accounting firms, the head of enforcement for the Securities and Exchange Commission and David Ruder, the current SEC chairman.

When they show up next Jan. 25, they will be among 700 registrants, nearly three fourths who

attended last year's SRI.

In fact, SRI builds an intense loyalty among those who have ventured to it year after year. The three-day pow-wow has turned into something akin to a club, a fraternity where you know you're going to run into people with common concerns.

Each year it's held at the Hotel del Coronado and each year the topics may look the same on paper, but the spirited discussions that take place inevitably turn out like nothing before.

"It's the quality of the program," said Hewitt, explaining why SRI now stands as the premier securities education forum in the nation. "We're on the cutting edge."

This year's program, for instance, includes a wide variety of subjects. Those that deal with topics like insider trading, stock parking, disclosure of acquisition plans and the poison pill are not designed as basic education. These are sophisticated accounts of complex situations, detailed by some of the nation's leading legal and accounting experts.

That, in effect, is what Hewitt and Washington, D.C., attorneys Al Sommer and Alan Levenson set out to do in 1972 when they first chatted informally in a Texas airport bar about putting together a securities institute.

Each of the three men, who had been speakers at the Southwest Legal Foundation, were struck that so few westerners appeared at the conference. Hewitt says he also thought the Southwest conference was better suited to new attorneys and those dealing with securities issues for

the first time.

"I brought the idea up that another conference on the West Coast could be well attended," Hewitt, SRI's first chairman, recalled. "The others agreed and that was how it started."

But the program still needed an academic affiliation and \$65,000 in seed money. Almost immediately, the UC San Diego extension program signed up as sponsor.

That was the beginning of a strong alliance between SRI and UCSD. When the State Bar, which had turned down overtures to sponsor the institute at its outset, stepped up in the late '70s and bid to back the conference, organizers were icy. If SRI hadn't been a good enough idea in the beginning for the State Bar, why was it now, they asked.

The institute was off and running with an inaugural audience of 250 in 1974. Word spread quickly, however, with capacity brimming at 700 by the dawning of the 1980s, the institute has a bright future and already has reserved the Hotel del until the year 2000.

"Securities laws since 1970 have changed so rapidly and frequently that unless you pay close attention, you're in trouble," Hewitt said. "We try to keep our group updated and they get more information here than they have time to learn."

For that reason, SRI has been taping all presentations for the past decade, selling them to attendees who want to review the conference, or to those unable to attend.

Please see SRI: AA-2 Col. 1

San Diego
(San Diego
Evening
Star)
(Cir. D. 1.)

Not
Allen

SRI: Convention draws the industry's heaviest hitters

Continued From AA-1

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In addition, each participant receives a three-volume set of speaker program outlines, which elaborate in detail on speaker topics. The hefty volumes have become an integral part of the education process, Hewitt said, since the three-day session limits its dealing with some issues.

"These outline books are the best there are," Hewitt said. "It's part of an educational program. Our participants go home with a reference research library. We're now indexing those for the past 16 years because some of the outlines done in 1974 are still applicable today."

While every speaker must submit an outline to SRI organizers, they are asked to limit it to 50 or 100 pages. But, one year when Harvey Pitt submitted a 550-page treatise, no one hesitated — SRI just added an over-

night press run because it knew its attendees would want to hear what Pitt had to say about the latest in insider-trading issues.

Sommer, a co-founder and one of SRI's first chairman, said that while SRI is sophisticated, it has not gone beyond practical application.

"We have always tried to design the program to a broad base and I believe we've been able to accomplish that," Sommer said.

He said the heavy presence of SEC officials at SRI is an important factor. SEC Chairman Ruder, for instance, has participated in SRI in one form or another for the past 15 years.

"They are the people in the forefront of establishing and administering policies in the securities industry," he said. "The SEC views these programs as a great benefit to it. If securities lawyers understand the concerns of the SEC and the reasons behind laws, they are less likely to cause problems for the SEC."

As a general practitioner, Orange County attorney Regan Kelly said that SRI helps him keep abreast of the securities industry.

"It provides me the updates that are crucial to properly monitor the evolution of the securities industry," said Kelly, general counsel for Westcorp Inc.

Over the past three years, Westcorp and its Western Financial Savings Bank subsidiary have been involved in more than \$1 billion in securities offerings.

Western Financial, which was the first savings and loan in the nation to offer securities of automobile receivables, and Westcorp have had eight separate offerings during that time, each different. Kelly said his involvement in SRI has assisted him in knowing the nuances of regulation changes.

The diversity of viewpoints will be demonstrated in the 1989 session when Ruder presides over a discussion of the 1987 stock market crash and its implications.

Among those participating will be NYSE Chairman Phelan, Joseph Hardiman, president of the National Association of Securities Dealers; Robert Glauber, professor in the Harvard Graduate School of Business Administration; and, Leo Melamed, chairman of the Chicago Mercantile Exchange's board of governors.

"When you get people like that together on a panel, you know that you'll get viewpoints from all directions," Hewitt said. "It should be a very hot session."

Yet, the opportunity to hear Marty Lipton talk about how to swallow a poison pill or Harvey Pitt discuss securities trading on the inside, is apparently hard to pass up. Busy as he is, Pitt makes the conference yearly.

"Harvey doesn't want to be left out," Hewitt said an explanation for his commitment to SRI. "It's a simple as that. His peers are here and he wants to know what's going on, too."

La Jolla, CA
(San Diego Co.)
La Jolla Light
(Cir. W. 9,336)

NOV 23 1988

Allen's P. C. B. Est. 1888

Bush faces stiff task, professors maintain

By BRAD GRAVES

Light Staff Writer

Remember the 1988 campaign? Just at the beginning of the month the Republicans were still showing the revolving-door prison furlough television commercial, while Democratic candidate Michael Dukakis was pooh-poohing the pollsters, invoking the Chicago Tribune's most famous headline: "Dewey Defeats Truman."

"To the relief of many Americans, a campaign short on substance and long on symbols is finally over. Now it's time for the politicians and academics to sift through the events and figure out why things happened the way they did."

Last week two UCSD political scientists — Sam Popkin and Gary Jacobson — met at the Institute of the Americas to discuss the campaign. Jacobson also predicted what lies ahead in the Bush administration.

One of the most significant outcomes of the election is the disparity between the Republican president and the overwhelmingly Democratic Congress.

"In the aggregate, (George) Bush faces a more hostile Congress than any president I could dig up," Jacobson said.

Jacobson explained the split — the majority vote for a Republican president and a Democratic Congress — in this way:

The public wants certain things of its president, among them low taxes, strong defense, less government regulation and generally less government.

However, there is a downside to all that. With lower taxes and less government come fewer government programs, less environmental protection, less protection from the negative aspects of *laissez-faire*. So people elect a Democrat to Congress to make sure their district isn't hurt by the policies of a leave-it-alone government.

Other factors — a general move to the right in political philosophy, an increased focus on personality rather than political parties — influenced the campaign. So did the preferences of different voter groups.

Popkin said men preferred

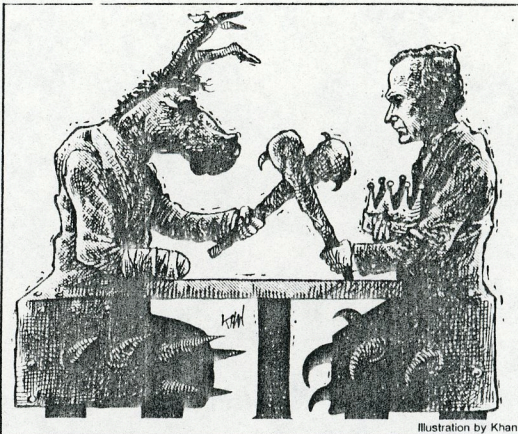


Illustration by Khan

'In the aggregate, George Bush faces a more hostile Congress than any president I could dig up.'

Bush by a margin to 57 to 43 percent. Women, however, were split almost 50-50 on the decision. "If only women had voted in this election, they would still be counting the votes," Popkin said.

Fundamentalist Christians voted overwhelmingly for Bush and provided an important bloc for the Vice President. "If you take out the fundamentalists, the election is a dead heat," Popkin said.

What the fundamentalists and other especially conservative groups want is another matter. Jacobson said that Bush, the "New England Yankee Moderate Conservative Republican," does not share the New Right's social agenda.

Jacobson predicted that Bush may use his lack of congressional support as an excuse for not following through on the New Right's programs. Congress, in Jacobson's words, could become "an excuse to stiff the right wing."

Theories aside, outright incompetence played a big role in the campaign as well. Popkin, who has worked for Democratic campaigns in the past, brought news from the front lines about the Dukakis campaign: "My friends in the McGovern and Carter campaigns, say without a

doubt, this was the worst mess-up ever."

Jacobson also spoke about congressional elections. In general, Senate races are competitive, while House of Representatives races are "remarkably uncompetitive." Of the 408 incumbents who sought reelection in the House, all but six won, and two of those were facing indictments.

To challenge an incumbent in the House, Jacobson said, the rival party needs three things: a good candidate, an issue for the candidate to debate and a lot of money to let people know there is a choice.

"There was an absence of all three," Jacobson said.

On top of that, the Bush campaign didn't provide any "rhetorical leverage" for Republican candidates in the House. "The candidates couldn't say, 'Elect me so I can carry out George Bush's programs,'" Jacobson said.

Democrats also won because they can adapt to more conservative areas, Jacobson said. Democratic candidates can take conservative stands on issues such as gun control and the death penalty and win contests in right-wing states like Idaho, Montana and Utah.

As it turned out, the whole election may have hinged on a lapse of discretion by one candidate early on.

"Imagine a Hart-Bush contest," Jacobson said. "Hart wouldn't have been nailed as a wide-eyed liberal."

La Jolla, CA
(San Diego Co.)
La Jolla Light
(Cir. W. 9,336)

NOV 23 1988

Allen's P. C. B Est. 1888

Seaborg at UCSD: Nobel Prize-winning nuclear scientist Dr. Glenn Seaborg, the man who discovered plutonium (in 1940) will give a free lecture Dec. 1 at 8 p.m. in Peterson Hall on the UCSD campus.

Seaborg, who was also chief advisor to President Kennedy on atomic affairs, former chair of the Atomic Energy Commission chancellor at UC Berkeley, will speak on "Modern Alchemy: The Man-made Elements."

For more information, contact UCSD extension at 534-3400. 2955

Spring Valley, CA
(San Diego Co.)
Spring Valley Bulletin
(Cir. W. 2,708)

NOV 24 1988

Allen's P. C. B. Est. 1888

Nuclear Pioneer Speaks at UCSD

2955
One of history's premier nuclear scientists, Glenn T. Seaborg, Ph.D., comes to UCSD December 1 to deliver a lecture titled, "Modern Alchemy: The Man-Made Elements."

Seaborg is best known for his discovery of plutonium in 1940. He has since discovered 8 other man-made elements.

Seaborg's career includes winning the 1951 Nobel Prize in Chemistry and America's highest honor in atomic science, the Fermi Award, in 1959.

He was chief advisor on atomic affairs to President Kennedy and a member of President Eisenhower's Scientific Advisory Committee. Seaborg is the former chairman of the Atomic Energy Commission and served as Chancellor of the University of California's Berkeley campus from 1958-1961.

This free public lecture is part of a series of lectures featuring Nobel Laureates and takes place at 8 p.m., Thursday, Dec. 1 at UCSD's Mandeville Center. For reservations call UCSD Extension at 534-3400.

NOV 24 1988

Allen's P. C. B Est. 1888

Communities lobby for UC campus

McCLATCHY NEWS SERVICE 2955

SACRAMENTO — From Redding to Los Angeles, communities are lobbying the University of California in hopes that one of three proposed UC campuses will be located in their back yard.

Since UC President David Gardner said in mid-October that up to three new campuses would be needed during the next 12 years, calls and letters are being received from city and county officials, business leaders and community groups, UC spokesman Richard Malaspina said Wednesday.

Although sites for the proposed campuses will not be chosen for another two years, some communities are sending long-range plans for development, promotional brochures and videotapes that show the assets of their cities, Malaspina said.

Redding, for example, produced and sent 50 to 60 videotapes to the regents and staff, Redding Mayor Maurice Johannessen said.

"I think the Redding area, because of its environment, lack of pollution and traffic, is

an ideal area for higher education," Johannessen said.

UC hopes that the land for the three campuses will be donated, Malaspina said, as it was at the last three campuses built in Santa Cruz, Irvine and San Diego.

"We have land available. We could make them a deal they couldn't refuse," Johannessen. "Even if there was only one (campus), we were convinced we would have it because logic and good planning would dictate it would go to an area like this. Now that there are three, our odds are better."

If the new campuses aren't built, Gardner said, eligible students may have to be turned away. The university accepts the top 12.5 percent of California's high school graduates.

William Baker, vice president for budget and university relations, said it is likely one campus will be located in the state's northern area, one in the center and one in the south.

Fresno is making a vigorous effort to land one of the campuses. The county Board Supervisors voted to urge UC Board of Regents to be

campus in Fresno. And getting a donation of land "will be no problem," said Bill Buzick, a member of the UC Fresno committee.

"We think Fresno is the logical place to put a new UC campus, academically, economically, socially and demographically," Buzick said. "There's unanimous public support for a UC campus coming here."

Both Roseville and El Dorado County would like to see a UC campus in their neighborhoods.

Duval Phillips said El Dorado County is preparing a

package for UC that proposes a campus be built in the area west of Cameron Park and east of the El Dorado-Sacramento county line.

"We believe we are very close to coming up with the land," Phillips said.

Roseville City Councilman Phil Ozenick has also written to UC about building a campus there. Free land has not been secured, but "it could be done, there's no question in my mind," Ozenick said. "Roseville is serious about attracting a four-year college."

San Diego, CA
(San Diego Co.)
San Diego Union
(Cir. D. 217,089)
(Cir. S. 341,840)

NOV 25 1988

Allen's P. C. B Est. 1888

\$50,000 in cable production grants awarded to 11 groups

²⁹⁵⁵
The county Board of Supervisors has awarded 11 applicants with \$50,000 in cable production grants to fund production of a variety of educational films.

Funds come from the cable franchise fees in the unincorporated areas, although none of the recipients were from those areas. That fact led Supervisor John MacDonald to call for more publicity about the program in rural areas, since residents there were generating the funds for the grants.

Recipients of the \$5,000 grants

made Tuesday included the Child's Primary School, Deaf Community Services, UCSD Institute for Research on Aging, San Diego Just Say No To Drugs and the San Diego County Office of Education.

Other amounts included \$4,700 to the county Department of Social Services, \$4,728 to the County Library System, \$4,985 to the U.S. Coast Guard, \$4,760 to San Diego County Special Olympics, \$4,200 to the Chula Vista Police Department and \$1,627 to Del Mar Public Access Television.

San Diego, CA
(San Diego Co.)
Evening Tribune
(Cir. D. 123,064)

NOV 28 1988

Allen's P. C. B Est. 1888

Atkinson plots course in science post

By Ann Gibbons ²⁹⁵⁵
Tribune Science Writer

When UCSD Chancellor Richard Atkinson becomes president of the nation's largest scientific organization in January, one of the top items on his agenda will be to focus attention on the plight of science education in the United States.

Atkinson, who will remain the full-time chancellor of the University of California at San Diego, has been elected president of the American Association for the Advancement of Science, a prestigious post that will make him one of the most visible

scientists in the nation.

Sheila Widnall, the outgoing president who is a professor of aeronautics and astronautics at Massachusetts Institute of Technology, says, "The AAAS is really the leading interdisciplinary scientific society in the world."

She said its president "can speak out on a broad range of issues, in testimony before many committees of Congress."

The position lasts for one year, but the work really lasts for three years because the AAAS president serves as president-elect for one year, presi-

dent for the next and then chairman of the board of directors.

In a recent interview, Atkinson said he hopes to use the position to draw attention to science policy issues that concern him, especially the state of science education.

"I've kidded Atkinson about being our education president," Widnall said.

The issues Atkinson named were:

- A need to improve the public's understanding of science and technology, and to better educate and train scientists and technicians for careers in academia and the work

place.

- A need to give scientists access to George Bush when he becomes president and to make sure his science adviser plays a key role in helping the new administration make decisions that involve science and technology.

- Helping the United States be competitive internationally, in part by restoring the nation's investment in non-military research and development.

In addition to focusing attention on those issues, Atkinson will be called *Please see POST: B-2, Col. 1*



RICHARD ATKINSON
Eyes nation's science policy

POST: Setting agenda

Continued From B-1

2955
on to help shape AAAS positions on science issues.

He said scientists may have to decide for themselves how to set priorities among the worthy scientific research projects competing for federal funding.

Although his idea is preliminary, Atkinson said scientists may need a peer review system to rank projects for funding, such as the superconducting supercollider, deciphering the human genetic code, building a space station or a national aerospace plane, or deploying a space-based weapons system, among other multi-billion-dollar proposals.

"If scientists don't make those decisions, then Congress will," Atkinson said.

Not surprisingly, one of the chief concerns for Atkinson, a veteran educator, is the "sorry state of pre-college education in this country."

He frequently cites statistics that show that while American students spend 180 days in class every year, Japanese children attend school 240 days a year and Europeans 220 days.

Not only do they go to school more days, their school days are also longer.

More and more graduate students in American universities are foreigners, and more than half of engineering graduate students are foreign-born.

"The general instruction and understanding of science in this country is in a crisis," he said. "At the very least, it represents a looming resource crisis for the national research system."

"While additional financial support for improvements in pre-college education would certainly help," he said, "national leadership is an even more pressing need."

Atkinson said he also is disheartened by surveys that show the American public knows little about science and isn't very interested.

Some of the most critical issues facing the nation involve understanding science and technology, whether it's drafting laws to protect the atmosphere from the greenhouse effect or deciding whether to build a space-based weapons system.

That's also why it is so critical, Atkinson said, that President-elect Bush choose a respected science adviser and frequently seek his advice.

COMPETITION PR
SAN DIEGO STATE UNIVERSITY

Marysville, CA
(Yuba Co.)
Appeal-Democrat
(Cir. 6xW 23,500)

NOV 5 - 1988

Allen's P. C. B Est. 1888

Deaf-blind kids getting help with communication problems

2955

SAN DIEGO (AP) — Three-year-old Stephanie Rendon's world is dark and muffled, but she and other deaf-blind children are getting some help they need to reach out and take the risks that lead to learning.

Stephanie already speaks a few words, signs about 15, is slowly learning how to walk and is being toilet trained — all major accomplishments for a child born without any hearing or sight, whose bright mind is difficult to reach.

Most with her handicaps remain helpless, passive individuals, unable to do anything but express the most basic needs.

"It is difficult to teach profoundly deaf-blind children communication and language, so they function far below their potential and usually as a retarded individual," said Cathee M. Christensen, a San Diego State University associate professor of communicative disorders.

Christensen runs an experimental program aimed at finding out how to motivate deaf-blind children to learn. The U.S. Education Department, which is spending \$286,000 for two years on the program, serves about 5,520 deaf-blind children and young adults, said program specialist Charles Freeman.

The Helen Keller National Center in New York estimates there are between 30,000 and 40,000 deaf and blind adults in the United States, said Freeman.

A deaf-blind person's success in education depends on intelligence, quality of education, level of parents' involvement, whether training began at an early age and if they have any residual hearing or sight, he said.

"These children don't have concepts. They come to school without knowing what a square is, or a ball ... But before you teach them the

concept of the mirror, you must establish some kind of common link. Once you establish that, you can start their education."

With a student-teacher ratio of 1-3, Christensen's program allows more personal attention than is normal in programs for handicapped children.

Much of the time is spent in a laboratory classroom, where teachers use such devices as a hand-held microphone that vibrates to sound waves, or puzzles made of various textured pieces. New teaching devices also are being developed through the college's electrical and computer engineering department.

Parents participate during the twice-weekly instruction, and staff members make regular home visits. Therapy sessions are videotaped, and the children's oral and physical communication signs are analyzed.

San Diego, Calif.
Union
(Circ. D 217,324)
(Circ. S. 339, 788)

NOV 9 1988

Allen's P.C.B. Est. 1888

School funds measure tally too close to call

Construction bonds for higher education, K-12 classrooms both win easy approval

By Daniel C. Carson
Staff Writer

SACRAMENTO - The fate of a statewide ballot proposition to allow big funding increases for the operation of public schools and community colleges remained in doubt last night, as election returns showed Californians were almost evenly divided over the measure.

The results on Proposition 98 were too close to call, with some voters reacting to warnings by critics that it could lead to budget reductions in other state-financed services.

As votes were tallied throughout the evening, the initiative sponsored by the California Teachers Association continued to gain ground.

Two other propositions to build new classrooms easily voter approval.

Proposition 78 authorizes \$600 million in bonds for new buildings for higher education facilities, including start-up money for the proposed San Marcos State University. Proposition 79 is an \$800 million bond issue to build and renovate kindergarten through 12th-grade (K-12) schools.

The verdict on the three school financing initiatives comes in a year when public concern about the state of education looms as a major national political issue.

According to varying interpretations, the CTA-backed Proposition 98 would have required between \$215 million and \$796 million to be shifted to school budgets during the current fiscal year.

Because the state has a lower than normal budget reserve this year, California lawmakers and Gov. Deukmejian would be faced with the difficult choice of either using up the reserve or cutting into state programs in order to carry out Proposition 98.

Rejection of Proposition 98 would again demonstrate the voters' unwillingness to amend the state constitutional spending limit sponsored by anti-tax leader Paul Gann in 1979. Were the measure to pass, hundreds of millions of dollars in expected state surpluses due to be returned to the taxpayers as rebates in future years would instead have been spent on the schools.

CTA President Ed Foglia, Superin-

tendent of Public Instruction Bill Honig and others in the education community mounted a low-key but multi-million dollar television campaign stressing that the extra money would help reduce the size of California classes — now ranked as the nation's most crowded — without imposing a tax increase.

An unlikely alliance of rival public employee organizations and taxpayer groups belatedly opposed Proposition 98, arguing that it would sap other important public services while gutting the state's spending limitation law.

The campaigns for the bond issues were lopsided. No group was organized to defeat either debt proposal.

Backers of Proposition 78 emphasized that even if the \$600 million bond measure passed, an even larger backlog of college building projects would remain unfunded. But the unusually close vote on several of the bonds demonstrated voter concern at the record-setting \$3.3 billion in new debt proposals that appeared on the ballot.

The Legislature had already bet on passage of the measure by budgeting \$124 million of bond proceeds for University of California projects, \$117 million for the California State University system, and \$118 million for community colleges.

Defeat of the higher education bonds would have thrown many projects into limbo, including \$47 million to start construction of a new North County branch of San Diego State University at San Marcos.

Proponents of Proposition 79 likewise argued that public schools would be condemned to mediocrity, or worse, if \$800 million were not allocated to build new classrooms and renovate outmoded ones suffering from lack of maintenance.

More than 150,000 new students a year are being added to the K-12 system. Previously approved school construction bonds did not provide nearly enough money to clear up a \$4 billion backlog of applications for school construction grants.

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The Vista Press
(Cir. D. 7,676
(Cir. S. 7,967)

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Allen's P. C. B. Est. 1888

2955 Passage of Prop. 78 brings relief

By Catherine Kolonko
Staff Writer

California State University officials and North County community leaders involved with the development of a San Diego State University San Marcos breathed a sigh of relief Wednesday after voters approved Proposition 78.

Part of the funds that will be generated by the \$600 million bond issue have been tagged for future development of the 300-acre university site in San Marcos.

"We thank the people for voting the right way," said Lee Kerschner, vice-chancellor of academic affairs for the CSU system.

"We are obviously very pleased. It was absolutely essential for all of the CSU campuses, but particularly important to the construction of the North County campus," Kerschner said.

Prop. 78 is a statewide general bond measure that will raise funds for construction of facilities for California higher education institutions. About \$1.7 million of the \$300 million

generated by the proposition in the first year is slated by the State Legislature to complete planning and preliminary work on buildings for the SDSU San Marcos campus, according to Kerschner.

The North County SDSU campus currently serves about 2,000 upper-division students out of leased office space in San Marcos. However, plans are under way for construction of a new university that would open in 1992.

CSU plans call for another \$46 million for preliminary con-

struction to flow to the San Marcos campus in the second year, provided the Legislature approves the funding.

Kerschner and Richard Rush, dean of the North County center, said they feel confident that the Legislature will provide the second-year funding necessary to keep the development of the San Marcos campus on schedule. Completion of the first set of buildings is slated for 1992.

"Once that legislation is passed, we are going to build a university," Rush said Wednesday.

nesday.

"I am hopeful that with all the projects important in the CSU system, that we will get the funding. We certainly need it," Rush said. "But I don't anticipate any problem."

State Sen. William Craven, R-Oceanside, said he was "delighted" with the voters' response. "Getting money for these type of construction projects is never an easy task," Craven said. "With so many issues on the ballot, I was somewhat fearful that it might not make it."

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(Cir. D. 123,064)

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Allen's P. C. B Est. 1888

SDSU taps McKellar for 65-acre project

By Frank Stone

Tribune Staff Writer 2955

The San Diego State University Foundation has decided to negotiate with McKellar Development of La Jolla to redevelop nearly 65 acres of land adjacent to the campus into a residential and commercial area planned to meet the university's needs.

Foundation General Manager Harry R. Albers said the organization's board of directors unanimously approved selection of the McKellar firm. The board's recommendation now goes to SDSU President Thomas B. Day for approval.

The foundation is a non-profit corporation chartered to develop and administer matters that help the educational mission of SDSU.

The area the McKellar firm will develop is just south of the SDSU campus, generally bounded by Plaza Drive on the north, 55th Street on the West,

Montezuma Road on the south and College Drive on the east. The area now includes houses, apartments and some stores.

The foundation said the 64.5 acres involved in the proposed development, known as the University Support Area, will be rebuilt as apartments, office space and shops.

An SDSU study concluded there is a need for housing for up to 10,000 students who now commute to the campus from long distances or live in residences in the College Area where houses are converted to rentals to accommodate six to eight students each.

Housing more students close to the campus should help alleviate traffic congestion in the College Area, the foundation said.

"We see this as a fantastic opportunity to mitigate traffic, housing and parking problems creat-

ed by the university's rapid growth," Albers said. "Concurrently, we envision a plan that will dramatically change the character of the College Area, making it a project we can all feel proud to have created."

Albers said that with Day's approval, the foundation will enter into an exclusive negotiating period with the McKellar firm.

"We have every confidence that an agreement can be reached, and that we will be working to plan and create a mixed-use development," he said.

Dr. James W. Cobble, vice president of the foundation and chairman of its board of directors, said the McKellar firm was selected after a thorough review of its written proposal, interviews with the company's personnel and visits to McKellar construction projects.

San Diego, CA
(San Diego Co.)
San Diego Business
Journal
(Cir. W. 7,500)

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Allen's P. C. B. Est. 1888

make up more than 50 percent of the Chamber
of Commerce membership.

The Achievement Rewards for College Sci-
ences Foundation has awarded \$20,000 to San
Diego State University to provide four \$5,000
scholarships to graduate students studying in
the science fields. It is the first time SDSU has
been selected to receive the scholarship funds.

Herbert J. Solomon has been selected

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San Diego, Calif.
Union
(Circ. D 217,324)
(Circ. S. 339, 788)

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Allen's P. C. B Est. 1888

San Marcos campus fight looms

²⁹⁵⁵ Legislators vow to oppose split from SDSU before '95

By Michael Scott-Blair
Staff Writer

Efforts to separate the new San Marcos satellite campus from San Diego State University by next fall have raised a firestorm of opposition from Southern California legislators, including two senators and five members of the Assembly.

In letters to university officials and trustees, the legislators speak of "serious jeopardy" to the university's future, "bureaucratic" behavior and "vigorous opposition" to the proposal that would separate the two cam-

puses next year instead of in 1995 as originally planned.

California State University trustees will vote Wednesday on the proposal, which is supported by CSU Chancellor W. Ann Reynolds and her top administrative staff at the 19-campus system's headquarters in Long Beach. Recently a trustee committee also backed the idea.

The legislators have cited concern about the future academic reputation of the San Marcos campus, its ability to attract top faculty on its own and the CSU staff's apparent disregard for local sentiment in favor of the link to SDSU.

One of the letters was written by state Sen. Marian Bergeson, R-Newport Beach, vice chairwoman of the

Senate's education budget and fiscal review committee. She said the future of the North County campus would be "seriously jeopardized" if it is separated from SDSU as soon as next fall.

Although CSU trustees are not answerable to the Legislature, the system is dependent on the governor and Legislature for its yearly budget.

"Reynolds and her staff are acting like typical bureaucrats in seeking power and control over the North County campus," Assemblyman Larry Stirling, R-La Mesa, said in an interview. "But she is dead wrong on this early separation, dead wrong, and I vigorously oppose it."

Stirling was elected last week to a

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San Diego, CA
(San Diego Co.)
Daily Transcript
(Cir. D. 10,000)

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McKellar Teamed With SDSU For Support Area

The San Diego State University Foundation yesterday named McKellar Development of La Jolla as its partner for development of 64.5 acres known as the University Support Area.

The evaluation was based on McKellar's written and oral presentations, development and redevelopment experience, property management expertise and financial strength.

SDSU's Foundation will enter into a 90-day exclusive negotiating agreement with McKellar to



Construction Notebook

determine the details of the project, including scope and cost, following approval by the university's president, Thomas B. Day.

The large-scale mixed-use project will include university office and research space, commercial and housing space and support retail space.

The project is an effort to mitigate crowding and traffic problems now facing the campus.

Construction of the property is expected to begin within two years.

* * *

Construction of the Silver Strand Plaza at 625 Palm Ave. in Imperial Beach will begin at 10 a.m. on Nov. 15 with a ceremonial "first pour" of cement.

Participating in the ceremony will be Ivan Gayler, David Winkler and John Nash of The Del Mar Partnership, developer of the project; John Mahoney, vice mayor of the City of Imperial Beach; and Terry Wadley, president of the Imperial Beach Chamber of Commerce.

Silver Strand Plaza is a \$5 million center built on the former site of Rainbow Plaza. It includes 45,000 square feet of leasable space in four buildings and will accommodate office, retail and restaurant uses upon completion in April.

* * *

R.E. Hazard Jr. Inc. has been awarded a \$3,779,311 contract for construction of Mira Este Business Center, a four-building office and industrial project to be located at Dowdy Drive and Silverton Avenue in Mira Mesa.

The project, designed by Paul Graf of Paul Graf & Associates, will feature a combination of split-face concrete block and fluted-split scalloped-face concrete block.

The four buildings will total 77,931 square feet and 133 lease spaces will be available for office units ranging in size from 285 to 500 square feet and industrial units ranging from 578 to 1248 square feet.

The project, scheduled for completion in March, is being developed by Greystone Development Co. Lou Weinman and Ben Acree of Industrial Property Co. are the leasing agents.

* * *

Replacement of an aging waterline at Camp Pendleton is on schedule with the design finalized and the construction bidding process closed.

The project, designed by Luke-Dudek Civil Engineers Inc. of Encinitas, involves the replacement of a 12-inch waterline which serves the MAS 3 Area, Edson Range, the new Landing Craft Air Cushion Base and neighboring areas.

It also includes a new pressure reducing station with surge protection, a new flow-meter and connections to existing facilities.

The line is expected to be replaced within nine months at a cost of about \$700,000. The design team is headed by Steve Deering of Luke-Dudek.

* * *

PDQ Contractors has completed tenant improvements in the Centerside I Building in Mission Valley for three new tenants. They are Shearson's 4,500-square-foot project at a cost of \$11,976, Argonaut's 5,700-square-foot project at \$29,000 and Zurich's 1,553-square-foot project at \$9,664.

San Diego, Calif.
Union
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(Circ. S. 339,788)

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Allen's P. C. B Est. 1888

SDSU: Rift looms over San Marcos

Continued from A-1

state Senate seat.

Sen. William Craven, R-Oceanside, who wrote legislation for state funds to develop SDSU's satellite center into a full university, will take the unusual step of attending the CSU board meeting to urge that the original 1995 timetable be maintained.

The argument is that San Marcos will have a better chance to grow in academic strength if it first builds its faculty and departments by using the national reputation of SDSU to attract top people before becoming independent.

Craven will be joined by area leaders, including San Diego County Supervisor John McDonald, a past president of Palomar Community College in San Marcos; Kenneth Lounsbury, vice president and chief counsel of Lusardi Construction Co. and a member of the San Marcos Center advisory council; and Brian Thoburn, vice president of the San Marcos student body. All oppose separation in 1989.

State Assembly members Lucy Killea, D-San Diego; Robert C. Frazee, R-Carlsbad, whose district includes parts of San Diego and Orange counties; Sunny Mojonier, R-San Diego; and William Bradley, R-San Marcos, whose district includes parts of San Diego and Riverside counties, are among others who have written to the board supporting continued ties with SDSU into the mid-'90s.

Killea called early separation "shortsighted," and Mojonier said there have been no "compelling arguments" for the change.

The lawmakers say this is not just a North San Diego County problem — it involves at least Orange and Riverside counties as well, with thousands of students.

Clearly, the trustees are in a very difficult position.

Reynolds has gone on record wanting separation, and a committee of trustees has voted 4-to-1 to support her. Opponents say that committee was weighted in favor of Reynolds' position.

"With this kind of opposition, it's time for Reynolds to pull back, call for a reconsideration, and get the trustees off this hook," said one informed state source.

The source said personal animosity between CSU and SDSU officials has played a significant role in the push for early separation, "and that may have forced the trustees into battle lines behind which side they support."

"Those feelings must now be set aside ... The very future of what could be a major university is at stake, and it is time for the trustees to listen to this outpouring of public and legislative opposition."

North County leaders say Reynolds created the problem a year ago when she suddenly switched from the 1995 timetable, a plan that generally had been accepted by trustees, SDSU officials, students and the North County community that has worked to establish the campus.

Instead, CSU officials started talking of making the campus independent as soon as next fall. It would, they said, have its own president answerable to the CSU administration, an approach later supported by the trustee committee.

Area officials, including Carlsbad city manager Frank Aleshire, a member of a local advisory committee, say they don't believe the trustee committee was interested in their concerns.

"We implored (trustee committee chairman) William Campbell to meet with us and hold public meeting in North County," Aleshire said in a letter to the trustees. "This was not done ... It is most strange that the chancellor's office is rushing this decision through without seriously con-

See SDSU on Page A-4

SDSU: Legislators vow to fight split

Continued from A-3 ²⁹⁹⁵

sidering the wishes of people this institution is supposed to serve.

"Public comment would be required if a fire station, dam or jail were to be built. Is a university of less importance?"

In her letter, Assemblywoman Mojonnier told the trustees: "The clear perception among North County residents is that the San Marcos campus was to maintain its ties with SDSU in the near term with serious consideration afforded independent status in 1995."

Mojonnier said that many compromises were reached among area cities and interest groups to create strong local support for the new campus.

Honoring that effort by adhering to the 1995 separation "will mean much more to the future of higher education in this area than an academic debate over the value of administering or budgeting for either a satellite or an independent college," she said.

The legislators said students are worried about the value of a degree from a university with no academic reputation. "The students expect and deserve an accredited university. This cannot be accomplished (at San Marcos) by September 1989," Frazee said.

Bradley told the trustees that students' chances of gaining admission to top graduate schools would be "substantially decreased" if their degrees come from an independent San Marcos campus instead of SDSU. The San Marcos assemblyman said he "strongly opposes" the early separation.

CSU administrators have told trustees the young San Marcos campus would be accredited, but other university officials say this is unlikely.

The administrators also maintain that the Legislature will be less willing to finance a San Marcos campus that is part of SDSU if future budgets get tight. The legislators also dispute this.

Bergeson added, "Education dol-



File photo

W. Ann Reynolds
CSU chancellor

lars are too precious. We cannot afford to call into question the quality of higher education at this new institution."

CSU administrators have said that faculty members would be more attracted to the new campus by the chance to develop their own departments rather than operate under the shadow of SDSU.

Frazee said his staff surveyed faculty outside the CSU system and "no experienced professor expressed an interest in leaving an accredited university to be on the ground floor of a new department in an unaccredited institution."

"They would consider a move to SDSU with the understanding that they would be teaching at North County, which in approximately 1995 would be independent," Frazee said.

The conflict has already cost San Marcos one academic leader of national repute, according to Carol Cox, administrative assistant to Craven. The person accepted a job offer at the North County center, but later declined it when CSU officials said the person might be fired when a new president is appointed.

"We were heartbroken to lose that person," Cox said. "We couldn't believe that the central administration would tell such a person they could be fired just a few months later."

If San Marcos stays part of SDSU during its formative years, campus officials say new faculty people will be hired specifically for the San Marcos campus without the option of transferring to SDSU after separation. This is the same employment condition that exists for SDSU's Imperial Valley campus.

SDSU faculty who chose to go to San Marcos for a few years would, however, retain the right to return to SDSU if they wished.

If the trustees vote for early separation, that is the end of the issue as far as he is concerned, Craven said. "I will be bitterly disappointed, and annoyed, but it's a trustee decision and that will be it," he said.

A legislative device could be used to block the trustees, although Craven and his staff insist it is not being considered.

To separate the San Marcos campus from SDSU and designate it as the 20th campus of the CSU system, a bill must be introduced into the Legislature to change the California Education Code.

Craven has written the two other bills involving the San Marcos campus, one authorizing a feasibility study and the other providing the money. Since the campus is seen as one of the highlights of Craven's political career, it is expected that his colleagues in the Legislature will permit him the honor of carrying the final bill to bring San Marcos State University into being.

"That bill," said one state official, "could carry a statement keeping San Marcos a part of SDSU, if the author chooses."

In an earlier interview, Craven reflected: "If I had expected anything as foolish as this proposed premature separation, I would have written the 1995 date into the bill providing the money for the San Marcos campus."

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Don't cut it adrift

2955
The really significant decision before the California State University trustees tomorrow is whether the new university to be created at San Marcos will be under the tutelage of San Diego State University during its construction until 1995 or be cut adrift immediately.

Chancellor Ann Reynolds and her colleagues insist the new San Marcos campus be under a completely independent administrator who would report directly to them at CSU's Long Beach headquarters. In a costly duplicative scheme, they want SDSU to operate its North County satellite campus as it has for the last 10 years without reference to the adjacent San Marcos campus. Incredibly, the chancellor even demands that SDSU foundation funds be directed to the San Marcos campus despite the complete separation she would impose.

Although SDSU President Thomas Day and his fellow administrators and faculty are prepared to nourish the new San Marcos University during its formative years, they are not advocates of this approach. Sen.

William Craven, R-Oceanside, who wrote the legislation creating the new campus, is an advocate of SDSU oversight, as is Senator-elect Larry Stirling, R-La Mesa, and Sen. Marian Bergeson, R-Newport Beach.

State Assembly members Lucy Killea, D-San Diego; Robert C. Frazee, R-Carlsbad; Sunny Monnier, R-San Diego; and William Bradley, R-San Marcos, are advocates, along with Supervisor John McDonald.

Educators in institutions of higher learning across the state emphasize the difficulties an unaccredited young campus would have in attracting top-drawer faculty members against fierce competition throughout the country. And they stress the enormous savings that SDSU oversight could mean in contrast with the inevitable, costly difficulties arising from decisions by a small, inexperienced, independent staff.

In opposing arguments published across the way on today's op-ed page, Chancellor Reynolds and Lee Grissom, president of the Greater San Diego Chamber of

Commerce and a CSU trustee, set forth their views on the San Marcos issue.

Each has made, we believe, the best argument that can be made pro or con. We invite our readers to study these commentaries and judge for themselves.

We believe the arguments for SDSU's oversight of the San Marcos campus during its time of creation are overwhelming. Chancellor Reynolds last year to switched suddenly from the agreed-on timetable for 1995; which had generally been agreed upon by trustees, SDSU officials, students, and the North County community.

If the trustees tomorrow define policy on this matter strictly on the weight of evidence instead of yielding to the chancellor's prejudices against SDSU, they will vote for SDSU oversight of the San Marcos campus during its formative years. Otherwise, Sen. Craven and other San Diego area legislators should specify in the enabling legislation for the San Marcos campus that it be a part of SDSU until its construction is completed.

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NORTH-CAMPUS DEPENDENCE:

PRO: San Marcos campus should remain under SDSU's wing

By Lee Grissom²⁹⁵⁵

Soon after becoming president of San Diego State University in 1978, Dr. Thomas Day recognized the need to open a North County Center to extend educational services to the area and relieve growth pressure on the main campus.

In 1979, the center opened in Vista and offered twelve classes. Later, it moved to San Marcos, and with wise leadership and support from SDSU, has expanded to include 170 courses taught by 120 faculty members to almost 2,000 students.

In 1987, the first students graduated from the North County Center who had never taken courses at the main campus, having completed their lower division at local community colleges, and the final two years at the San Marcos facility.

Recognizing the pressing need to further expand educational opportunities in North County, Sen. William Craven authored legislation, which the governor signed, calling for a full examination of the feasibility of constructing the 20th campus in the California State University System in the area.

Based on the results of the study, we recently acquired 304 acres in San Marcos which should open for upper division students in 1992, and accept entering freshmen in 1995 if funds for the construction of facilities are available.

Commentary

This is always a perilous effort. The passage of Prop 78 helps some, but we'll need to pass similar propositions in 1990 and 1992 to create an adequate physical plant. Not an easy assignment.

The key issue to be resolved which will significantly impact the quality and character of this new university is the date at which it severs its relationship with San Diego State University and becomes an independent campus. If this happens too early, the new university's development could be significantly retarded. However, the issue is not independence — that is inevitable — the issue is the timing of the independence.

After thorough consideration of the issue, I strongly believe that keeping San Marcos under San Diego State's administrative and support wing in the early years — probably until freshmen enter in 1995 — makes abundant sense for a number of reasons.

Cost savings are achieved because of reduced overhead and the use of existing ancillary resources like the SDSU bookstore and library. Additionally, the ability to use SDSU when recruiting new faculty is an extraordinary resource at a critical time.

The California State University is anticipating the loss of 11,000 full-

time professors between now and 1995, and the University of California is anticipating a loss of 7,000 professors during the same period.

This is a national phenomenon, as teachers that were educated under the GI Bill following WWII and Korea, leave the profession. Every university in this country will be in stiff competition for a diminishing pool of academic talent.

Competition for the best professors will be fierce, and these instructors are the critical resource needed by an embryonic campus to establish a tradition of excellence and attract bright students. A new campus with no lower-division program, limited physical facilities and no academic tradition would be at a significant disadvantage in the market place in comparison with other universities.

The continued liaison with SDSU would lend much needed stability to the new campus, and would also allow the San Marcos facility to benefit from the excellent programs, quality leadership and outstanding academic reputation of SDSU.

Another benefit would be the continued accreditation of San Marcos by appropriate academic overseers instead of needing to plow through the six-year process required for new institutions. The new administrative

overhead could also be phased in during this initial period, saving money, assuring efficiency of operation, reducing duplication and providing quality control.

The California State University staff in Long Beach has proposed the immediate hiring of a president and an administrative cabinet, with appropriate deans and support staff, for the San Marcos site. But they want to keep the existing students and faculty under supervision of San Diego State's administration until at least 1992.

In essence, they are creating a university-leadership team with an annual cost of \$2.3 million, but no students, no professors and no facilities. And I say "No Deal." What an absurd waste of taxpayer money!

But the chancellor and her staff, in a very cavalier fashion, want the best of both worlds. While asking separation, they simultaneously have requested \$394,000 from the SDSU Foundation (with no interest to be paid), to initiate planning studies for the physical plant at San Marcos.

Foundation funding for studies of this kind is not unusual, and obviously foundation funds are non-existent at a new campus. Yet, the CSU headquarters staff wants to separate San Marcos, but use funds that would ordinarily be used to benefit the SDSU campus. Perhaps "cavalier" is too kind a word.

Herbert F. York, the Founding



Lee Grissom

Chancellor of UCSD, and Founding Director of Lawrence Livermore Laboratories, has noted that "a new campus is an exciting place to work in the best of times when there is plenty of money and lots of available professors. But these are not the best of times, and San Marcos will grow better with the protection of San Diego State University.

"Lawrence Livermore would not be the world-renowned institution it is today if it hadn't been nurtured under the protective wing of UC Berkeley for a number of years, and UCSD, though independent, was seen as being connected with the Scripps

Institution of Oceanography, and that's what attracted top faculty. There seems to be a feeling that San Marcos will become a reflection of SDSU. What's wrong with that? SDSU is an excellent university, with the finest reputation in the CSU System."

Sen. William Craven, Assemblyman Robert Frazee, Mayor Lee Thiabadeau of San Marcos, Palomar College President George Boggs, Mira Costa President Deon Holt, and county Supervisor John MacDonald all recognize the wisdom of maintaining the San Marcos/San Diego State connection until 1995.

The CSU staff in Long Beach is arguing for an independent path as early as 1989. This will clearly draw state legislative scrutiny, will stunt the development of the new campus, and we run the risk of creating an academic dwarf in an area where we could build an intellectual giant.

CSU San Marcos, given time, could become within the California State University System what UCSD has become within the University of California System: A model of excellence, experimentation and creativity. The argument for maintaining the SDSU liaison is overwhelming unless a person is suffering myopia because of political considerations.

Grissom is president of the Greater San Diego Chamber of Commerce.

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CON: The new campus deserves unique identity and personality

By W. Ann Reynolds

The people of San Diego should feel great pride in the accomplishments of San Diego State University. It is today one of the finest comprehensive universities in the nation.

With more than 37,000 students, San Diego State is the largest of the 19 campuses of the California State University, and is serving one of the fastest growing and most dynamic regions in the world. As the population of San Diego County continues to grow, so does the demand for higher education. This demand, particularly in North County, has made it clear that a second CSU campus is needed to meet the needs of the community.

I recently presented a report to an *ad hoc* committee of the Board of Trustees charged with the responsibility of recommending to the full board the best approach to implementing an effective and viable transition of the SDSU Off-Campus Cen-

ter to a full-service campus. My report included recommendations based upon the following six major goals:

- 1) To provide the best approach to selection and hiring of a superior faculty and an administration of national stature;
- 2) To establish a coherent academic plan responsive to the unique educational needs of the North San Diego County/Southern Orange County service area both in the immediate future and in the long term;
- 3) To provide an administrative process that will be most effective in identifying and addressing the tasks necessary for the achievement of regional accreditation and specialized accreditation;
- 4) To develop an effective managerial plan that minimizes and resolves potential labor-relations conflicts and grievances related to the hiring and/or transfer of faculty, staff and



W. Ann Reynolds

administrative personnel;

- 5) To plan for and then accumulate the necessary material and fiscal re-

sources needed by the new institution to carry out its mandated functions; and

- 6) To provide a method for ensuring that the new campus will be best served with regard to auxiliary enterprises, such as bookstores, food services, and a research foundation.

After reviewing a comprehensive set of diverse materials, the *ad hoc* committee approved a resolution to support the early appointment of an administration solely devoted to creating a new campus in North San Diego County and to provide the resources available for that campus to become an independent university as quickly as possible.

The development of a new campus is as rare as it is exciting and challenging. The administrative and academic leaders who will be hired to assume that challenge will be selected on the basis of their vision, skills,

and eagerness to create a new institution, one from which its students will be proud to graduate. I sincerely believe that the sooner we have those administrators and faculty in place, the easier it will be to serve the complex needs of the people of North County.

The model selected by the *ad hoc* committee of the board is consistent with a method utilized in the overwhelming number of cases involving the development of new universities. Indeed, if we study the most recent news accounts involving the need to create new campuses within the University of California, those institutions will in all likelihood develop into full-service universities in the same manner. No one could reasonably argue that somehow the quality and reputations of those universities would suffer as a result of not having a slower transition.

The collective experiences, resources, programs and policies which have shaped and supported the growth and development of 19 campuses will be utilized to help guide the 20th. But, this newest CSU university deserves its own unique identity, personality, and image shaped in large part by the growing and vigorous community it serves.

In the same way that that community has helped to nurture new industries, we believe that a new university can and will prosper. The Academic Senate at SDSU believes that such an approach can and will succeed, and so do I.

I look forward to working with the people of North County in developing the San Marcos campus into a superb university.

The author is chancellor of the California State University System.

Escondido, CA
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Times Advocate
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NOV 15 1988

Allen's P. C. B Est. 1888

Legislators fight early SDSU split with branch

■ Sen. William Craven writes
about North County Campus con-
troversy, B6 1590

By Roy Rivenburg 2955
Times-Advocate Staff Writer

SAN MARCOS — A handful of local state legislators have joined last-ditch efforts to block the separation of San Diego State University and its North County satellite center in 1989.

State university system trustees will vote Wednesday on a proposal to form an independent San Marcos State University next year. The plan is backed by a subcommittee of trustees, the state university chancellor's office and the faculty union for the state university system.

Right now, the campus offers upper-division and graduate level courses out of leased office space in San Marcos. About 1,800 students are enrolled there. Undergraduate students are scheduled to be admitted in 1995. Originally, the campus was to stay under SDSU's control until that date.

Please see **Campus**, page A2

Campus

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590

Two state senators and four members of the Assembly have fired off letters to the trustees, arguing in favor of that original plan. Sen. William Craven, R-Oceanside, and county Supervisor John McDonald plan to attend Wednesday's meeting in Long Beach to oppose early independence for the campus.

Craven and others say the campus would have problems luring good teachers and winning accreditation unless it can take advantage of SDSU's reputation.

The office of Assemblyman Robert Frazee, R-Carlsbad, said it surveyed college professors outside the Cal State system and found that they would not be interested in leaving their schools to join a new, possibly unaccredited campus. But only three professors were queried and Frazee spokeswoman Camille Dozier would not name the schools where those professors now teach.

Frazee was one of the legislators who wrote letters opposing the separate campus. Others were

state Sen. Marian Bergeson, R-Newport Beach, and state Assemblyman William Bradley, R-Escondido, Senator-elect Larry Stirling, R-La Mesa, and Assemblywoman Sunny Mojonier, R-San Diego.

Craven and a members of an advisory group for the North County campus have asked legislators, city councils, school boards and others to write to the Cal State trustees.

Officials at the chancellor's office in Long Beach said they had no idea what effect the letters might have on Wednesday's vote.

But Herbert Carter, executive vice chancellor for the Cal State system, said it was unlikely that a decision in favor of early separation would undermine the Legislature's support for the fledgling campus.

Supporters of early independence for the San Marcos campus have said it would be easier to hire faculty and get state funding for the new school if it were on its own.

Unless ties are severed early, they said, newly hired teachers would have tenure at SDSU and could demand a transfer to the

main campus once it broke ties with the San Marcos branch. For that reason, the state faculty union supports early separation.

Cal State officials also argue that funding for the new campus would be easier to get without SDSU controlling the purse strings, a claim that the local legislators dispute.

Cal State officials also dismiss arguments that an independent campus would have trouble winning accreditation. Anthony Moyé, a deputy vice chancellor, said the new campus will have to earn its own accreditation even if it stays under SDSU control.

If 1989 separation of the campus is approved, a legislator would have to be found to sponsor a bill designating San Marcos as the 20th campus in the state university system, said Carol Cox, an administrative assistant to Craven.

Cox said she wasn't sure if Craven — who sponsored legislation to get the San Marcos campus under way — would be willing to sponsor such a bill, but she said the senator won't fight whatever decision is made by the trustees.

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North County
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NOV 16 1988

Allen's P. C. B Est. 1888

Trustees ponder SDSU's status

2955
By LYNN PIERCE

Staff Writer

LONG BEACH — The California State University board of trustees is expected to decide today whether SDSU-North County in San Marcos should open as a branch campus of the university or as an independent entity.

A representative of the San Diego State University-North County student body is scheduled to bring before trustees a petition signed by hundreds of students indicating their plans to transfer back to the main campus if separation is recommended.

An ad hoc committee last month recommended independence for the university, despite the recommendation of temporary dependence by the SDSU-North County Advisory Council.

In September, the advisory council strongly recommended to trustees that the new \$10.4 mil-

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SDSU 2955

► From Page A-1

lion campus planned for San Marcos remain under SDSU's wing until 1995.

At that time, the fledgling university will expand its offerings from upper-level courses to a full four-year program. The advisory council — appointed in 1984 by State Sen. William Craven, R-

Oceanside, to study issues pertaining to the new campus of SDSU — unanimously agreed 1995 would be a more appropriate time for the campus to stand on its own.

"We have good momentum now. Over 2,000 students are enrolled," said Fifth District San Diego County Supervisor John MacDonald, one of the advisory council members who will address trustees this afternoon.

San Diego, Calif.
Union
(Circ. D 217,324)
(Circ. S. 339, 788)

NOV 14 1988

Allen's

SDSU prepares for challenges of growing biotechnology industry

By David Graham
Staff Writer

San Diego State University officials have undertaken an ambitious effort to improve the school's capabilities for teaching biotechnology in a move to meet a growing demand for expertise by California's growing biotechnology industry.

The effort includes a National Science Foundation grant of \$588,000 to the university that will allow it to hire staff members and buy equipment to map the location of human genes on chromosomes, said Stephen Dahms, director of the SDSU Molecular Biology Institute.

Dahms and others also have organized a California State University proposal seeking \$1.4 million in state money to establish an elaborate net-

work within the 19-campus system to improve the expertise of biotechnology faculty members and to purchase modern laboratory equipment.

Understanding of biology is expanding so fast that faculty need to be re-educated about the latest developments, Dahms said.

Using techniques commonly referred to as biotechnology, scientists can study the basic biological information in genes that is the blueprint of life and manipulate it to make commercial products, such as insulins and growth factors, and to create new forms of life.

"We realized because of the rapid change in technology a lot of faculty had been left in the dust," Dahms said.

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Continued from B-1 2955

The proposal has been submitted to the CSU trustees, which last year approved a similar plan that Gov. Deukmejian ultimately chose not to finance, Dahms said.

Much of the proposed program would be based at SDSU and San Francisco State University, campuses that have greater faculty experience and equipment in biotechnology, Dahms said.

Faculty from other campuses would come to SDSU for additional training. There also would be satellite television transmissions of information to the CSU campuses. Some money would be made available for modernizing lab equipment.

San Francisco's part of the effort would include seminars to better educate high school science faculty in advances in biotechnology so that students entering college would be more knowledgeable about the new field.

The program, which would operate under the name California State University Program for Educational and Research in Biotechnology, could also forestall other problems facing academia and business by promoting the education of more students to become technical personnel, engineers and doctoral-level researchers, Dahms said.

"In the next 10 years most universities will lose half of their faculty to retirement," Dahms said. "People aren't in the pipeline for Ph.D. personnel and faculty, and at the same time corporate biotechnology is undergoing revolutionary changes."

About 150 of the nation's estimated 400 biotechnology companies are in California, according to the California Industrial Biotechnology Association, and half of those companies are in San Diego, Dahms said.

"The growth of industry has increased its demands considerably," said Brian Sway, the biotechnology association's executive director. "It needs scientists, engineers and skilled workers in numbers the universities have never before produced."

A study generated by SDSU shows that during the next five years, San Diego companies alone will need 800 bachelor's degree candidates, 300 master's and 200 doctoral candidates in their businesses.

California has been at the forefront of research and industrial development in biotechnology since the early 1970s, but the state must work harder now to compete for new biotechnology companies as other states vie to recruit them, Sway said.

"Part of the reason California is home for such a large segment of the industry is its university system," Sway said. "You need institutions to be adapting their program to be in (line) with the progress being made by industry."

The California State University proposal is a modest, but useful step toward keeping the state competitive, Sway said.

Vista, CA
(San Diego Co.)
The Vista Press
(Cir. D. 7,676
(Cir. S. 7,967)

NOV 16 1988

Allen's P. C. B. Est. 1888

Board to decide on university's fate

1590 2955
By Catherine Kolonko
Staff Writer

The California State University governing board is expected to vote today on the issue of early independence for a San Marcos State University.

The governing board will be voting on the recommendation of a California State University ad hoc committee charged with reviewing the process and timing for the North County Center

in San Marcos to become a full-service, independent campus.

Last month that committee recommended hiring, as soon as possible, a separate president, faculty and administration for the campus slated to open in 1992. If approved, the change would sever all current administrative ties to the San Diego State University main campus.

The campus, now a satellite for SDSU, was originally

scheduled for independence in 1995 when lower-division classes are expected to be added. The North County campus currently serves about 2,000 upper-division students out of leased office space in San Marcos.

The committee's position, supported by CSU Chancellor W. Ann Reynolds, is that San Marcos State would be able to attract better faculty and state funding if it were independent.

However, opponents argue

that the separation should not come until 1995, and an earlier date would stunt the growth of the university, possibly jeopardizing efforts to attract top-notch faculty or receive additional state funding.

Representatives from the North County community, including education administrators, city and state government leaders and a handful of students, plan to attend the meeting in Long Beach

to voice their opposition to the early separation.

Sen. William Craven, R-Oceanside, San Diego County Supervisor John MacDonald, Ken Lounsbury of the SDSU North County Advisory Council, and a representative of the North County student government are among those expected to attend today's meeting to urge the board to vote against the early separation.

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NOV 17 1988

Allen's P. C. B. Est. 1888

Way cleared for 'San Marcos State' in '89

By Roy Rivenburg

Times-Advocate Staff Writer

2955
1590
SAN MARCOS — After a sometimes "agonizing" 90-minute hearing, California State University, trustees voted Wednesday to immediately sever ties between San Diego State University and its North County branch.

The 13-4 vote clears the way for the North County branch to become the 20th California State University campus in 1989.

It was bitter news for state Sen. William Craven, R-Oceanside, and a phalanx of local government and business leaders who wanted the North County campus to stay under SDSU control until 1995.

The board made a "grievous judgmental error," Craven said this morning. "It wasn't a level playing field. . . . It was rampant bureaucracy in action."

Craven said his next step will be to call a meeting of the advisory

group that advises SDSU officials about the North County campus.

A legislator must sponsor a bill officially designating San Marcos as the 20th campus in the state university system.

Craven, who sponsored bills to get the North County branch under way, would probably be given first crack at carrying such legislation by his colleagues. But it's not clear if he will.

"I will maybe do some rearrange-

ment" of the trustees' action when it comes before the Legislature, he said.

Craven and others attended Wednesday's trustee meeting in Long Beach, arguing that the "halo effect" of SDSU's reputation would make it easier for the fledgling campus to hire teachers and win accreditation.

Student leaders, armed with petitions signed by more than half the 1,800 students at the North

County branch, also spoke against forming an independent San Marcos State University in 1989. Students are worried about academic quality, the representatives said.

Trustees "appeared to listen" to all the arguments, but "it was clearly a stacked deck" in favor of an immediate split, said Ken Lounsbury, a member of the North County campus advisory committee. "I

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Way

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don't think we changed one mind."

Lee Grissom, a San Diego area university trustee, said Tuesday that the vote would be "just one battle — the war isn't over yet." He said opponents of the early separation might ask the Legislature to intervene.

Those supporting 1989 independence for the North County branch included the state university chancellor's office and the faculty union for the Cal State system. They said the new campus should develop its own identity instead of becoming a mirror image of SDSU.

Right now, the campus operates as a satellite of SDSU, offering upper-division and graduate courses out of leased office space in San

Marcos. Undergraduates are to be admitted in 1995.

Possible problems with hiring faculty apparently influenced the trustees' vote. State university officials said they feared that unless ties were severed early, newly hired teachers would have tenure at SDSU and could demand a transfer to the mother campus once it broke ties with the San Marcos satellite.

Lee Kerschner, vice chancellor of academic affairs, said he hoped Wednesday's vote would put an end to feuds over the fate of the campus.

The decision was an "agonizing" one, he said, but now that it's made, everyone should "rally around the new campus. . . . This is an exciting event. This is the only place in the country where a new campus is being built."

Anthony Moyer, a deputy vice chancellor, said the decision was not meant as a slap in the face to North County leaders who opposed early independence for the campus. The board felt it was the best choice, he said, and "we will work very carefully with the community to establish rapport."

He also said that students at the San Marcos branch need not worry. Those now enrolled at the North County branch will receive diplomas from San Diego State, Moyer said. A decision has not been made about diplomas for students who enroll at the campus next fall, Moyer said.

The chancellor's office must now prepare a budget and begin its nationwide search for a president for the new campus. "We'll start working, probably tomorrow, on developing a 1989-90 budget," Moyer said Wednesday.

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North County
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Independence granted to new NC university

2955
By LYNN PIERCE

Staff Writer

SAN MARCOS — California State University trustees voted 13-4 Wednesday to immediately grant independence for its new North County campus at San Marcos despite the apparent unpopularity of the move.

Lee Grissom, a San Diego area trustee who favored the new campus starting as a branch of SDSU, said opponents to the early separation may pursue a legislative remedy to the board's decision.

CSU spokeswoman Janice Walker said Wednesday's decision came quickly after trustees heard 30 minutes of presentations from supporters of opening the university as a branch campus of San Diego State University.

Included was SDSU-North

County senior Elizabeth Cassidy, president of the North County College Council, who delivered the signatures of more than 1,000 students who favor remaining under SDSU's wing.

Fearing their degrees will be meaningless if issued from an unknown university, the students signing the petition said they "would prefer to attend the San Diego campus of SDSU, with all its services, faculty and diversity of classes rather than a fledgling university located in North San Diego County."

"We were disappointed," Cassidy said today. "But I guess we have to live with it now. I hope they'll tell us clearly what they plan on doing. We know it'll be an independent university, but we don't know any of the changes they're going to make."

Cassidy said many students

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University

► From Page A-12955

enrolled on the current North County SDSU branch campus take one or more classes at the San Diego campus and utilize that campus' library, health center, bookstore and job placement services. There is no guarantee these services will continue, she said.

The SDSU-North County Advisory Council strongly recommended that the new, \$10.4 million San Marcos campus remain a branch of SDSU until 1995 when the campus expands its offerings from upper-level courses to a full four-year program.

The advisory council was appointed by State Sen. William Craven, R-Oceanside. Members unanimously agreed 1995 would be the best time for the campus to make the transition to independence.

Escondido, CA
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Times Advocate
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(Cir. S. 47,000)

NOV 18 1988

Allen's P. C. B Est. 1888

Students anxious about San Marcos campus ruling

By Roy Rivenburg 2955
Times-Advocate Staff Writer

SAN MARCOS — Confusion and a dose of anxiety seemed to reign at San Diego State University's North County campus the day after state officials decided to make the campus independent from SDSU in 1989.

California State University trustees voted Wednesday to break ties between the campuses next

year, which would make San Marcos the 20th campus in the state university system.

Students interviewed Thursday said they worried mostly about the name of the school that would appear on their diplomas. "I don't want a degree from a San Marcos State University," said Dawn Morgan, a psychology student from

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Students

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Murrieta. 245

Lee Kerschner, vice chancellor of academic affairs for the state university system, said all students now enrolled at the campus would be guaranteed a diploma from SDSU.

"Is that in writing?" said Sherrie Young, an accounting major.

But the fate of students who begin their studies next fall and beyond is not decided, Kerschner said.

Without the guarantee of an SDSU degree, an exodus of students was predicted by some — despite the commute and parking problems at SDSU's main campus. One in four students at the North County campus majors in business and many enrolled because of SDSU's established reputation in that field, students said.

"If I were just starting — as an accounting major — there's no way I'd go to San Marcos State," student Jennifer Skoog said. "Why put up with an untested product?"

More than 1,000 of the 1,800 students at the North County center signed petitions urging that SDSU remain in control through 1995, said Cyndie Claypool, a student vice president at the San Marcos campus.

But students also acknowledged that many of their anxieties were based on "rumors" about what effect the separation might have on the San Marcos campus. Many of their comments echoed the rhetoric used by local politicians and business leaders who opposed severing ties between the campuses.

The student petition said early separation would "stunt the growth" of the new campus, the same wording used by local leaders. And some students also said they thought the trustee vote resulted from a feud between Cal State Chancellor Ann Reynolds and SDSU president Thomas Day, a claim made by opponents of early separation but denied by the chancellor's office.

Richard Rush, dean of the North County campus, said he was as baffled as many of the students about what was going to happen to students, faculty and programs. "I haven't a clue" until the chancellor's office issues directives.

Carlsbad, CA
(San Diego Co.)
La Costan
(Cir. W. 5,000)

NOV 18 1988

Allen's P.C.B. Est. 1888

SDSU north campus to be independent

By Lynn Pierce
Staff Writer 2955

SAN MARCOS — Despite the apparent unpopularity of their decision, California State University trustees voted 13-4 Wednesday in favor of immediate independence for its new North County campus here.

Lee Grissom, a San Diego area university trustee who voted in favor of the North County campus starting out as a branch of SDSU, has said opponents to the early separation may pursue a legislative remedy to the board's decision.

According to Janice Walker, CSU spokeswoman, yesterday's decision was made quickly, after trustees heard 30 minutes of presentations from those who support opening the university as a branch campus of San Diego State University.

Among the speakers was SDSU-North County senior Elizabeth Cassidy, president of the North County College Council, who delivered to trustees signatures of more than 1,000 students who favor remaining under SDSU's wing.

Fearing their degrees will be meaningless if issued from an unknown university, the students who signed the petition indicate they "would prefer to attend the San Diego campus of SDSU, with all its services, faculty and diversity of classes rather than a fledgling university located in north San Diego County."

"We were disappointed," Cassidy said today. "But I guess we have to live with it now. I hope they'll tell us clearly what they plan on doing. We know it'll be an independent university, but we don't know any of the changes they're going to make."

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■ Campus 1590

From page A1

Cassidy said many students enrolled on the current North County SDSU branch campus take one or more classes at the San Diego campus and utilize that campus's library, health center, bookstore and job placement services. There has been no guarantee these services will continue, she said.

In September the SDSU-North County Advisory Council strongly recommended to trustees that the new, \$10.4 million campus planned for San Marcos remain a branch campus of SDSU until 1995 when the campus expands its offerings from upper-level courses to a full four-year program.

The advisory council was appointed by State Sen. William

Craven, R-Oceanside, to study issues pertaining to the new campus of SDSU. Members unanimously agreed 1995 would be the best time for the campus to make the transition to independence.

However, an ad hoc committee last month recommended independence for the university, arguing that the recruitment of faculty and funding would be difficult if the new university opened as a branch campus.

"The question has been, how do you get from no university to an independent university? We thought having SDSU as a mentor was the way to go," said advisory council member Frank Aleshire, retired city manager of Carlsbad. "The main issue here is that this university is a wonderful asset to North County.

I'm sorry it had to get off to a rocky start."

Aleshire said he was "certain" the relationship between CSU Chancellor W. Ann Reynolds and SDSU President Tom Day is part of the problem. The administrators reportedly have been at odds since Day last year led an unsuccessful attempt to oust Reynolds.

"The chancellor's office is not willing to expand the power of Tom Day," Aleshire said. "From the beginning, Dr. Day was willing to get the university going, and that's the way we've been working. In the end, Day and the faculty and alumni backed off, leaving the advisory council out at point, trying to carry the fight."

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Daily Transcript
(Cir. D. 10,000)

NOV 18 1988

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In the wake of the state college trustees' ²⁴⁵defeat of his proposal for an initial linking of SDSU and the North County campus, Sen. Bill Craven is studying the options for the future of San Marcos State University. The senator intimated Wednesday that he might use the Legislature to disrupt the trustees' plans. But an aide yesterday emphasized that Craven won't do anything to jeopardize the future of a new college here. "Frankly, I think he was a little surprised by the trustees' action," said Scott Johnson. Craven said a new administration — duplication of SDSU's staff — will be much more expensive than having the campus stay under SDSU's wing for the next five to seven years.

* * *

Chancellor W. Ann Reynolds wants the search for an SMSU president to begin immediately. The reply from Craven's office: "President of what is the question we would ask at this stage."

* * *

Escondido, CA
(San Diego Co.)
Times Advocate
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NOV 18 1988

Allen's P.C.B. Est. 1888

Editorial

The campus war²⁹⁵⁵

A bitter fight has broken out over what someday will be San Marcos State University.

Local heavyweights, led by Sen. William Craven, are persuaded that the 20th campus in the state university system should be nurtured under the protective wing of San Diego State University until 1995, when undergraduates are scheduled to enroll for classes. Craven argues — and he's never less than convincing — that the fledgling school needs the expertise and clout of San Diego State University to attract quality professors, develop academic programs and gain accreditation.

Craven believes the \$2.3 million earmarked for administration until the campus opens in 1992 constitutes a gross waste of taxpayer money. (Presumably, SDSU can take care of future planning *gratis*.)

The senator thinks the controversy boils down to a simple turf battle between Chancellor W. Ann Reynolds and SDSU President Thomas Day. If Reynolds would just put the interests of the new university above her envy of Day's burgeoning power, Craven argues, then she would yield to the combined wisdom of the united front from down south that includes Craven himself, Assemblyman Robert Frazee, state Senator-elect Larry Stirling, Supervisor John MacDonald, Greater San Diego Chamber of Commerce President Lee Grissom and a host of other influential individuals.

All of Craven's arguments were duly considered — and then rejected — Wednesday by the California State University trustees, who voted 13-4 to cut SDSU out of the San Marcos action. Though SDSU will continue supplying teachers in the short term, come the fall of next year the responsibility for planning and recruiting will fall to the new SMSU president and staff.

This rebuff in Long Beach has prompted speculation that Craven & Co. will hijack the decision when the Legislature acts on the San Marcos university budget. Adding an amendment to the enabling legislation would be an interesting test of the San Diego County coalition's pull in Sacramento.

While we see both sides of the story, we're not wholly persuaded that the future of the San Marcos campus will be compromised if its independence is declared early.

We don't believe that the authority of San Diego State University is so great that quality professors will spurn the new university if SDSU administrators aren't making the pitch.

Let's face it. The major inducement for professors to teach at SDSU is the region's weather, not SDSU's august academic reputation.

It's our suspicion that the young university, benefiting from the backing of the state college system — and dynamite demographics — will attract qualified professors who want to live in a paradisaical setting and pursue their craft among sun-bleached students wearing shorts and tank tops. (Also, the professors who are hired won't harbor ambitions to transfer to San Diego State at some later date, which could happen if SDSU oversees hiring.)

It's tempting to conceive of SDSU as a benign midwife easing the transition from northern satellite to full-fledged university. But it's just as likely that SDSU would — consciously or unconsciously — mold the "little university" as an ancillary institution rather than a bold innovator in a competitive market.

Now that the trustees have voted to let the San Marcos university grow outside the shadow of SDSU, it's time for everyone interested in the new university to get behind their decision.

We urge Sen. Craven to resist the impulse to amend any future appropriations bill reinstating SDSU as the parent campus.

Temecula, CA
(San Diego Co)
The Californian &
The Valley Press
(Cir. W 5,874)

NOV 24 1988

Allen's P. C. B Est. 1888

SDSU honors famed ecologist

1590 2955
By MARK ZELMER

Californian staff writer

TEMECULA — San Diego State University educators gathered at the 4,500-acre Santa Margarita Preserve just west of Temecula last Saturday to dedicate the Philip Miller Field Research Station.

The late Miller, a famed educator and ecologist, surely would have been proud to see his name on the station, which has a laboratory, classroom, overnight sleeping space, and kitchen accommodations. The preserve itself was set aside in 1962 "for research and education."

On Saturday, the educators took time to hike the magnificent Temecula Gorge at the preserve, which has topography ranging from 500 to 2,300 feet in elevation. Santa Margarita Preserve also is home to deer, beaver, wildcats, mountain lions and more than 100 species of birds.

Rare or endangered species found there include the San Diego horned lizard and the ringtail cat. There also is a 10-acre grove for the study of 18 species of eucalyptus trees.

SDSU students now study vegetation and watershed maps at the preserve, and mountain

lions are tracked with radio telemetry.

The Luiseno Indians were the first humans attracted to the area. Later, ranchers with Spanish land grants ran cattle north of the canyon.

SDSU officials concerned about Santa Margarita Preserve's future have been keeping an eye on Fallbrook Public Utility District's proposal to build a dam on the river that cuts through the gorge. College officials also are awaiting the result of Eastern Municipal Water District's proposal to discharge treated waste water down the river.

'Heart-o'-the-Hills'

In the 1920s, a social reformer named Murray Schloss chose the area as a place to await the Apocalypse.

Schloss and his handful of followers believed their "Heart-o'-the-Hills" colony would be a refuge for the last survivors of the human race. Instead, the preserve has become a refuge for wildlife and vegetation near the rapidly-developing Temecula area.

Schloss, who died in 1927, willed the land to trustees, specifying that it should be used for the public good and not sold. Disputes among the trust-

ees turned into a court battle, and in 1962 Riverside County Superior Court gave the land to the state.

SDSU got jurisdiction in 1968, but only in the last eight years have scholars focused their attention on the preserve. The recent interest resulted from Southern California's development, which had begun threatening some of field stations elsewhere.

In the 1970's, Metropolitan Water District erected gates blocking off most dirt roads that lead into the preserve. The gates were to protect an aqueduct MWD had built through the canyon.

Other SDSU biological field stations in the general area are in Chihuahua Valley near Aguanga (Sky Oaks), south of Palm Springs (Deep Canyon), in San Diego County (Echo Valley and Fortuna Mountain), and on the coast (Pacific Estuarine).

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NOV 23 1988

Allen's P. C. B Est. 1888

Egypt Taps SDSU With \$16 Million For Agricultural Aid

²⁹⁵⁵
San Diego Daily Transcript Staff Report

The Egyptian Ministry of Agriculture has given San Diego State University and its foundation a contract worth \$16 million. The contract will run for a period of 65 months. Called the training component of the National Agricultural Research Project, it will involve the foundation staff based both in Cairo and San Diego.

The project is designed to strengthen agricultural research and systems management, enhance the technical skills levels of Egyptian agricultural scientists, and elevate the overall quality of agricultural research in Egypt.

The training program will cover a wide number of fields ranging from genetic engineering to agricultural administration and man-

Continued from Page 4A

Egypt Wants SDSU Aid —

Continued from Page 1A 2955

agement.

Both scientists and students from Egypt will have access to academic and technical training programs, coursework advisers, research supervisors, and actual research opportunities in this country, Egypt, and at international agricultural research centers throughout the world.

The contract calls for 120 Egyptians to be trained in its academic portion and an additional 728 to receive short-term technical training.

"In this new program," said SDSU President Thomas Day, "we will build upon our experience in operating the successful Cooperative Arid Lands Agricultural Research Program in Egypt over the past seven years."

Day said SDSU will work with other universities, institutes, agencies, and private sector companies to provide the best training to Egyptian agricultural students and trainees.

"We will provide the very training opportunities and personnel available anywhere to assure the success of this important program," Day said.

"With a current population of some 50 million and growing at the rate of 1 million every nine months, Egypt is one of the world's fastest-growing nations. This factor is compounded by the fact that Egypt currently farms a little over 3 percent of its land; the rest is desert," said SDSU Foundation General Manager Harry Albers.

To meet the challenge of balancing the agricultural sector's output with national food needs, Egypt is examining a number of potential solutions.

"Expanded training for its agricultural scientists is one of the

viable solutions," said Albers. "Such training will help in the reclamation of Egypt's desert regions and in utilizing them for needed food production."

The SDSU Foundation will be responsible for the fiscal administration of the contract and will provide support training management services. Dr. Keith Roberts will serve as Cairo office manager for the NARP Training Component and Betsey Marsh will manage the project office in San Diego. Both have a record of service in Egyptian agricultural development projects. A management committee made up of university and foundation staff will oversee the operation of the training project.

The foundation is the largest auxiliary in the California State University 19-campus system. Its purpose is to help develop and administer those activities which aid and supplement the educational mission of SDSU.

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Egyptian food grant

A \$16 million grant has been awarded to the San Diego State University Foundation to develop training programs for Egyptian scientists and technicians studying to improve food production in their desert nation.

²⁹⁵⁵
The grant, from the U.S. Agency for International Development, is the largest ever received by the SDSU Foundation. It will extend over five and a half years and is part of a \$130 million, seven-year AID program to help the Egyptians.

The foundation will manage the development of academic and technological training programs for the Egyptians at universities and institutions in the United States.

The SDSU Foundation already has extensive experience in managing an eight-year, \$9.2 million AID program of developing cooperative programs between Egypt and Israel to increase food production in arid lands.

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Evening Tribune
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NOV 23 1988

Allen's P. C. B Est. 1888

Foundation at SDSU gets \$16 million

²⁹⁵⁵
By Ann Levin

Tribune Education Writer

The Egyptian Ministry of Agriculture has awarded San Diego State University's private foundation a \$16 million grant — the largest in the university's history — to develop a program of agricultural research and training.

The money originated from the federal Agency for International Development in Washington, D.C., which SDSU officials say has funneled \$130 million into Egyptian agricultural projects through the ministry since 1985.

"We've received a grant for one component of that, a training component," said Frea Sladek, associate general manager for development at the San Diego State University Foundation.

The foundation is a private corporation established in 1943
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San Diego, CA
(San Diego Co.)
Evening Tribune
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NOV 24 1988

Allen's P. C. B Est. 1888

SDSU offers 2 study tours

²⁹⁵⁵
San Diego State University's College of Extended Studies is offering two tours in March.

One is a tour of the wildlife sanctuaries and botanical preserves of the Florida Everglades. It will be lead by Dr. Phillip Kern, professor of geology at San Diego State University. The tour is scheduled for March 18-25 and is priced at \$770, plus air fare.

The tour will visit the Keys, Everglades National Park, Coral Reef State Park and the National Audubon Society Corkscrew Swamp Sanctuary.

There will also be a boat ride up the Caloosahatchie River to view the elusive manatees, and a ride on the Shark Valley tram will

provide views of alligators, birds, deer, turtles and other species.

For information, contact Patrick Lathrop at SDSU Extended Studies, 594-2645.

The second tour is an eight-day study of Mayan archaeology at Uxmal, Chichen Itza and Tulum on Mexico's Yucatan Peninsula.

An array of archaeological sites, the colonial city of Valladolid and the natural aquarium of Xel-ha will be visited.

The tour is scheduled for March 19-26 and is priced at \$725, plus air fare.

For more information on the study tour, contact Professor Miguel Martinez at 421-1033 or SDSU Travel Study at 594-2645.

Metro news

SDSU: *Foundation wins grant*

Continued From B-1

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to help faculty members and campus research groups seek grants and contracts to supplement state-funded salaries and programs.

"We will provide the very best training opportunities and personnel available anywhere to assure the success of this important program," SDSU President Thomas B. Day said in a prepared statement released by the foundation yesterday.

Harry Albers, the foundation's general manager, said the training component of the National Agricultural Research Project is critical if Egypt is to feed a rapidly growing population. Great technical and scientific expertise is required if Egypt is to reclaim its deserts and use them for food production, he added.

Sladek called the \$16 million grant "quite unusual,"

noting that grants to an individual professor typically fall in range of \$50,000 to \$60,000, while research institutes on campus might be awarded as much \$500,000.

The foundation netted the money because of many ties forged between SDSU and Egyptian officials involved in other farming projects funded by the federal agency, Sladek speculated.

AID has channeled a total of \$9.2 million to the foundation since 1982 as part of an eight-year cooperative program involving U.S., Egyptian and Israeli technicians and scientists.

The new multimillion-dollar contract will place 120 Egyptian scientists and agricultural leaders in master's and doctoral programs in U.S. universities.

Another 728 Egyptians will be tapped for shorter training programs focused on specialized topics.

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SDSU prof says Japanese loss to Soviets changed course of WWII

Writes book about obscure 1939 Nomonhan War

By Michael Scott-Blair
Staff Writer

Japan's loss of an obscure war with the Soviet Union in 1939 — barely mentioned in most history books — probably changed the course of World War II and led to the atomic bomb, says a scholar who has written a 1,250-page epic about the event.

San Diego State University history professor Alvin D. Coox, internationally respected for his knowledge of Japanese military history, spent 30 years and interviewed more than 400 people to research the consequences of the Nomonhan War, in which Soviet forces crushed Japan's Kwantung Army.

Avenging the unprecedented defeat obsessed Japanese military leaders.

To them, the cataclysmic attack on Pearl Harbor in 1941 was incidental to the desire to attack Siberia and eastern Soviet Union, Coox believes.

But the Nomonhan War had undermined Japan's confidence. Year after year the Japanese delayed joining Germany in the kind of two-front attack against the Soviet Union that probably would have caused the collapse of Stalin's government and set

an entirely different course for world history.

Coox, who holds bachelor's, master's and doctor's degrees in history from Harvard University, has been associated with the University of California, University of Maryland, Johns Hopkins University, the research division of the U.S. Army and Air Force, the U.S. Naval War College and Shiga National University in Japan.

He will discuss his findings in a free public lecture at 4 p.m. Thursday in the Powell Theater of the SDSU dramatic arts building.

A vivid lecturer, Coox recounts the fight at Nomonhan on the windswept plains of the Mongolia's border with Manchuria. An estimated 50,000 Soviets and 20,000 Japanese died in the dispute over a few miles of desolate border land.

In 10 days of August 1939, the Soviets defeated the Japanese in three separate battles and won the undeclared war.

Within days, Coox said, the Soviet-Japan conflict had ended, the Soviet Union gave Germany the green light to go ahead with unopposed attacks in Europe, World War II started and the Soviets invaded eastern Poland.

In Japan, the emperor fired all the top army leaders and plans were developed for a full-scale army assault on the Soviet Union's Eastern front.

"But Japan had lost its nerve against Russia, and the plans were delayed," said Coox.

"When Germany threw 500 divisions, the greatest force in history, against Russia's Western front, the timing was perfect for a Japanese attack in the East, but still they hesitated.

"Had they gone forward there would be no Russia as we know it today," he said.

In the meantime, the United States, concerned about growing Japanese imperialism in the South-east Pacific, had pressured the Dutch into cutting off fuel supplies from the Dutch East Indies to Japan.

Japanese naval leaders urged a showdown battle at sea with the U.S. Navy (a battle the United States also was considering). Once fuel supplies could be assured, they would agree to the war with the Soviet Union.

Army leaders argued for finishing off the Soviets first and then going after the Dutch Indies oil.

"The Japanese were playing it by ear, watching the German progress. The U.S. was never a target, it was contingency depending on how well the Germans were doing, a plan to simply neutralize the U.S. Navy and get the Dutch oil, and that was all," Coox said.



The San Diego Union/Howard Lipin

Professor Alvin Coox says Japan wanted revenge on Soviets.

The Japanese thought a single blow would finish any threat from the West.

"They had been convinced by the Nazis that Britain was senile and that America would collapse internally in a mess of race riots and religious bigotry — a nation of cowards with no sense of patriotism," Coox said.

Then Japanese Adm. Isoroku Yamamoto took a different tack, arguing "for neutralizing the U.S. Navy in Pearl Harbor, followed by the at-

tack on Russia," Coox said.

Probably it was Yamamoto's threat to resign that won the day, and hasty plans for the attack on Hawaii were formed, Coox said.

"Incredibly, they opted to delay the Russian attack yet again," said Coox.

Yamamoto then faced the challenge of sinking ships nestled in the shallow, virtually landlocked Pearl Harbor.

See Defeat on Page B-8

Defeat: SDSU prof says obscure '39 loss changed course of WWII

Continued from B-3

Bombs would have bounced off the armor plating and sunk in the mud. "Torpedoes could not be launched inside the harbor," Coox said.

But the Harvard-educated Yamamoto, an avid follower of news bulletins, had read of the 1940 British attack on the landlocked, shallow Taranto Harbor in which the Italian fleet was destroyed.

The British had developed a torpedo that could be launched from the air, strike the water, and then level out toward its target.

Yamamoto put Japanese scientists

to work duplicating that technology as a solution to the Pearl Harbor problem.

But when the Japanese fleet sailed in November, the Japanese still had not perfected the torpedo launch mechanism. They finished it as the fleet moved across the Pacific Ocean, Coox said.

Yamamoto then made a second mistake, in Coox's opinion.

Instead of commanding the Japanese fleet himself, he sent Vice Adm. Chuichi Naguma who dispatched two waves of attack planes against Pearl Harbor, as ordered, and then quickly

withdrew, Coox said.

"Yamamoto would have pressed the attack and done immeasurably more damage, maybe critical damage," he said.

But the real damage had already been done, not physical damage, but the damage of underestimating the Western response and resolve, Coox said.

"Instead of collapsing, the American people were suddenly fighting back ferociously through the terrible battles of the South Pacific," said Coox.

It was a mistake of cultural stereotyping that ultimately would lead to Japan's defeat.

As the American counteroffensives started, Germany was being pushed back in the Soviet Union. The Japanese Army was still focused on the Soviets, but the winter months and lack of resolve caused further delays into 1942 and 1943, said Coox.

By 1944, Japan was losing the war, but the plan to attack Russia was still in place. The United States was developing the world's first atomic bomb, a weapon that would end the

war in August 1945, exactly six years after Japan's first stunning defeat at Nomonhan.

When Marshal Georgi Zhukov, the Soviet military commander at the fall of Germany in 1945, was asked about his most difficult battle, he replied immediately: Nomonhan.

It was Zhukov who defeated the Kwantun Army, a victory that "probably saved his life," said Coox. "Zhukov was on Stalin's hit list of people to be purged from the army.

Nomonhan made him a hero."

Coox' two-volume work, "Nomonhan: Japan Against Russia, 1939," published by the Stanford University Press, has been translated into Japanese, even though the Japanese people still are reluctant to acknowledge the defeat of 1939, Coox said.

And if his conclusion is correct, that Pearl Harbor was an afterthought for a Japanese military obsessed by Russia, it was an afterthought that changed the world.