

The Carmel Pine Cone

Volume 98 No. 5 On the Internet: www.carmelpinecone.com February 3-9, 2012

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P.B. WOMAN DIES IN MYSTERIOUS KITCHEN FIRE

By MARY SCHLEY

A PEBBLE Beach woman found lying on her kitchen floor with second- and third-degree burns covering 90 percent of her body last Thursday evening later died at a Santa Clara County trauma center.

While the Santa Clara County Coroner's Office would not release the cause of death, an official confirmed the victim was 64-year-old Mary Wyatt, who was discovered by her caregiver at around 5:20 p.m. Jan. 26.

After the caregiver dialed 911, according to Cal Fire public information officer Jonathan Pangburn, firefighters arrived to find Wyatt lying on the floor, critically burned but conscious and breathing. Residual smoke drifted in the kitchen, but there were no immediate signs of fire.

Because she was in dire need of urgent medical care, the crew rushed to get her to the hospital and did not try to ask her what happened, according to Pangburn.

"Her clothing caught fire, but by the time our folks got there, it was pretty much gone. Any kind of material she may have been wearing was unrecognizable," he said. "They didn't spend a lot of time with her, because they wanted to get her out quickly."

Due to the severity of Wyatt's injuries, the paramedics requested an air ambulance to fly her to the nearest burn center. But fog prevented the helicopter from landing, so she was taken to Community Hospital of Monterey Peninsula, where an ER surgeon assessed Wyatt and made arrangements to transfer her to a burn center, according to Pangburn.

Meanwhile, at the residence at Padre Lane and Laureles Lane, firefighters searched for further signs of fire but found none.

See MYSTERIOUS page 22A

Highwire act in Big Sur



PHOTO/COURTESY CALTRANS

Highway 1 reopened Tuesday at Pitkins Curve after crews cleared debris from a Jan. 22 landslide. They also risked their lives to prevent more rocks from reaching the road. See page 11A.

PEPE'S CAMPAIGN GETS BIG KICKOFF



Vesuvio restaurant was packed Tuesday night with more than 300 supporters of Rich Pepe's mayoral campaign. The candidate (left) told the crowd he would use his "business expertise" to help "lead Carmel to a new cultural and economic renaissance," and promised that, as mayor, he would devote all his attention to the city's problems and not use the post as a "stepping stone" to higher office.

PHOTOS/GINA TARO



Neighbors question Mission Fields firefight

By MARY SCHLEY

THE STORY swept through the neighborhood like a wildfire: The hydrant failed when firefighters tried to save a burning Mission Fields home last Monday, forcing the crews to wait 10 or 15 minutes before aggressively battling the blaze.

But fire officials said the rumor isn't true and that everything worked according to plan when they fought the fire — including the hydrant.

The claim: a 'trickle'

Several property owners in the area of David and Debbie Travaille's residence, where a garage fire spread to the laun-

Water district fights to restore 'user fee'

By KELLY NIX

THE GENERAL manager of the Monterey Peninsula Water Management District will make a desperate plea to a judge in San Francisco next week to restore a "user fee" on customers' water bills the district argues is necessary to avoid layoffs and a drastic reduction in the environmental work it performs on the Carmel River.

The user fee, which accounts for 46 percent of the water district's \$10 million annual budget, had been collected from customers since 1983 in order to help pay for staff salaries,

See FEE page 27A

Showdown at Brinton's as owner tries to change locks

■ Store also sued for not repaying loan

By CHRIS COUNTS

THE ABRUPT closure of Brinton's — which was announced Jan. 22 to its employees and went into effect the following day — took an unexpected turn this week when a Monterey County Sheriff's deputy was called to enforce a court order requiring that the store be vacated by 3 p.m. on Jan. 31.

"The owners refused to leave," said attorney Tony Lombardo, who is representing the Prim Family Partnership in Nevada, which owns the Carmel Rancho shopping center. "We went to change the locks, and there was a big scene. They tried to block our entrance. We had to call the sheriff to carry out the court order."

Sgt. Mike Burns confirmed the sheriff's office responded to the dispute. He said the owners asked for more time to remove some property from the store. "An arrangement was made to give them a little more time," Burns said.

According to Lombardo, Brinton's owner, Richard Brinton, was on scene during the incident.

Prim Family Partnership, meanwhile, is in negotiations with a possible tenant for the now vacant space in its shopping center, Lombardo confirmed. He described the business as a "general store," but said it's too early to release any more details. "The deal isn't completed," he said.

See BRINTON'S page 22A

dry room, attic and roof, causing an estimated \$300,000 in damage shortly before 9 a.m. Jan. 23, claimed water from the firehose was just a "trickle" after it was hooked to a hydrant. They also said firefighters were either forbidden to use the water on their engines or "had to wait" for a water truck to arrive.

See NEIGHBORS page 24A

Doctor who sued caregiver over financial abuse dies

By KELLY NIX

LAWRENCE LOFTUS — the Carmel man who filed a lawsuit against his former caregiver nearly two years ago for taking millions of dollars from his estate — has died. He was 88.

Loftus, a retired physician who had a home on Scenic Road, passed away Jan. 21 less than two years after he filed suit against his former caregiver, Charles Harper.

"He was a sweet guy," Loftus' Carmel attorney, Frank Hespe, told The Pine Cone Tuesday.

Loftus made news in February 2010 when he filed suit against Harper in Monterey County Superior Court, alleging the caregiver looted his estate, includ-

See LOFTUS page 21A

Sandy Claws

By Lisa Crawford Watson

Lovely Logan

THEY SAY everything is smaller in the Shetland Islands: the ponies, the sheep, the dogs. Logan is a 5-year-old Shetland sheepdog, which is too big a title for

someone so small, so he is better known as a Sheltie. Logan is the sixth Sheltie his family has raised. Their attraction is to the animal's sweet nature, sensitive eyes and gorgeous, soft coat which, despite a lot of shedding, never loses its beauty or bulk.

Similar to a collie in appearance but not stature, the Sheltie is often mistakenly called a "miniature collie." Although both the collie and the Sheltie are descendants of the border collie, the Sheltie is very much its own breed.

Though it's a long way from Scotland, the cool climate of the Central Coast is ideal for Logan, who lounges in the family's jewelry salon during the day but spends his off hours outdoors. He loves his visits to Carmel Beach, which are scheduled right before his weekly wash. His hijinks at the shore and his high-maintenance hair guarantee him a bath after the beach.

"Logan loves the beach," his family says. He runs across the sand, bites at the bubbles in the brine, and acts like he wants to go in the water. But as soon as a wave rushes upon the shore, he retreats to the safety of dry sand. Unlike the retriever that races into the surf,



Logan will wait for a waterborne ball to float back to him.

Logan is just as likely to enjoy a leisurely walk on the lawn as a stroll in the sand. As the sun begins to sink into the sea, he looks forward to his evenings on the fairways of the Pebble Beach Golf Links. Once his person unhooks his leash, he runs and runs across his "heaven on earth."

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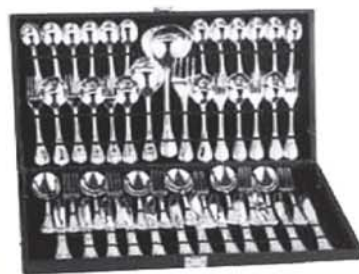
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Police &

Sheriff's Log

Doesn't she have
'Find my iPhone'?

HERE'S A look at some of the significant calls logged by the Carmel-by-the-Sea Police Department and the Monterey County Sheriff's Office last week. This week's log was compiled by Mary Schley.

TUESDAY, JANUARY 17

Carmel-by-the-Sea: Report on Dolores Street of identity theft and fraudulent transfer of money from a personal credit card account.

Carmel-by-the-Sea: Anonymous person turned over a found cellular phone at Del Mar to CPD for safekeeping.

Pacific Grove: Person reported graffiti in the restroom of Caledonia Park. No suspect information.

Pacific Grove: Newspaper racks on Lighthouse Avenue vandalized with black marker. No suspect information.

Pacific Grove: Willow Street resident reported harassing calls from a previous member of her military unit. Suspect was contacted and advised not to call her directly and to handle the dispute through proper channels.

Pacific Grove: Anonymous person reported via a note left at a store on Ocean View store that a male adult, 6 foot 2 inches, approximately 47 to 52 years old, was seen looking at patrons using the restroom. It was reported the male adult was using the mirror and a crack in the door to view patrons in the restroom. An area check yielded nothing of interest.

Carmel area: Victim reported being involved in an argument with his wife. The wife became upset and threw a plastic dumbbell, striking him in the leg.

Pacific Grove: Woman came into the station to turn in a found knife. Subject stated she found the folding knife in the parking lot of the Save Mart grocery store about two weeks ago. Knife placed into evidence for destruction.

Pacific Grove: Dispatched to reported vandalism on Ransford. Woman reported hearing a loud "splat" three times on her front bay window while with friends in living room of her residence. She observed three neon green paint markings on window, ran to the window and observed a silver vehicle rapidly leave the area. No suspect leads. Nothing further.

Pebble Beach: Woman reported suspicious activity that occurred outside her residence on Jan. 15.

Carmel area: Man reported a motorcyclist threatened him.

WEDNESDAY, JANUARY 18

Carmel-by-the-Sea: Non-injury accident on Fourth Avenue.

Carmel-by-the-Sea: Report of a peace disturbance between mother and daughter on Monte Verde Street. Upon arrival, both parties were contacted, and it was found to be a verbal dispute only. Assistance and resource counseling were provided.

Carmel-by-the-Sea: A general contractor working on a hotel on San Carlos Street reported a subject interfering with his workers and harassing them. He wanted this incident documented.

Carmel-by-the-Sea: Traffic stop on Junipero for a CVC vio-

lation. Per DMV records, the driver was found to be have a suspended license for a prior DUI. He denied having a DUI and was transported to CPD for booking. Drive was later released per 849(b) PC, as investigation could not determine his license was suspended at the time of the stop.

Carmel-by-the-Sea: Driver stopped on Highway 1 for a lighting violation and found to have a suspended license.

Pacific Grove: Woman on Forest Avenue reported an employee used her business' checks to buy personal items without her permission. Probable suspect info.

Pacific Grove: Assault on Sunset Drive.

Pacific Grove: Subject came into the station to report fraudulent money orders. Woman received these money orders in the mail in response to a secret shopper advertisement. When she attempted to make a deposit, her bank refused to accept them and directed her to contact the post office. The post office verified the money orders were fraudulent and sent her to the police department. Documents were scanned into the case report. The email received outlining how the money orders were to be distributed is also included. Forwarded to detective division for possible followup.

Pacific Grove: Subject, a 24-year-old male, was arrested on

See **POLICE LOG** page 6RE

CHS Basketball:
Boys win 9th straight,
girls' streak ends at 8

By CHRIS COUNTS

WITH WINS over Soledad High and Pacific Grove High, the Carmel High School boys basketball team ran its win streak to nine games. The CHS girls basketball team, meanwhile, had its eight-game win streak snapped Jan. 31 by Monte Vista Christian School.

The boys won a see-saw battle 45-40 against Soledad High Jan. 27 on the road. **Matt Rudolph** led a balanced attack with 13 points, including 3 baskets from beyond the arc. **Mason Braun** also put 13 points on the scoreboard, while **Michael Alrole** added 10 points.

The Padres won their ninth straight game Feb. 1 when they topped the Breakers 40-29. Playing on its home court, Carmel High was paced **Devin Pearson** with 12 points. Rudolph added nine points.

The boys are now 9-0 in league play and 11-8 overall. They travel to Gonzales High Friday, Feb. 3, for a 7 p.m. game.

With its offense firing on all cylinders and its defense stepping up to contain the Monterey Bay's leading prep scorer, the girls coasted to their 8th straight win Jan. 27, downing Soledad High 66-36 win at home.

Sarah Anderson filled up the box score for the Padres with 21 points, 8 rebounds, five assists, four steals and a pair of blocks. **Emma Fuzie** scored 12 points and hauled down 7 rebounds, while **Mackenzie Dooner** put 16 points on the scoreboard, grabbed another 7 rebounds and blocked 5 shots.

Kaitlin Davis, meanwhile, had the challenging task of shutting down Soledad High's **Felicia Villarruel**, who leads all local prep players with an average of more than 23 points a game. Davis' aggressive defense held Villarruel to only 10 points, including just 2 field goals.

The girls' win streak ended Jan. 31 when they lost on the road to Monte Vista Christian School 44-40. A day later, they bounced back, topping rival Pacific Grove High 41-27. Anderson led the way with 18 points.

The girls are now 9-0 in league play and 12-5 overall. They play next Friday, Feb. 3 against Gonzales High at home. The game starts at 6:30 p.m.

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Nonprofit for deputies, volunteers gets ambitious

By MARY SCHLEY

“SHERIFFS COME and go, but the deputies remain in need of our help,” said Teddy Balestreri, the new president of the nonprofit Sheriff’s Advisory Council that raises funds to buy equipment, resources and training for frontline forces. Started in 1984 by the late Ed Haber, SAC also supports related volunteer organizations like the posse, aero squadron and emergency assistance team.

Under the leadership of Balestreri, who took over as president of the SAC board after David Bernahl stepped down last year, the organization is undergoing a revamp in 2012 that began with the launch of a new website. He said he hopes to build the group’s membership — which is open to the public — as well as its role in keeping deputies well equipped and keeping the vital volunteer groups intact.

“I want our members to be the most informed citizens in the county when it comes to countywide law enforcement issues,” he said. “The stakes are too high for the men and women on the street — they need our help.”

To work on the foundation, Balestreri, who has an extensive background in hospitality, first sought a review of the organization’s procedures and membership. The board he heads includes Sheriff Scott Miller as chairman, VP Sam McLeod, treasurer Francis Ingraham and secretary Steve Bloch, as well as publicist Ashley Huffman, builder Al Saroyan, hotelier Denny LeVett, Alan Richmond, Norbert Relecker, Tom Rowley and representatives of the volunteer groups.

Over the past several years, SAC and its accomplishments — such as raising funds to purchase night-vision binoculars, a SWAT vehicle, a phone for hostage negotiation and other necessary equipment — have not been highly publicized, and the events it has hosted have been intermittent, but Balestreri hopes to take SAC to a new level.

Part of that vision entails keeping members better informed via the website and regularly scheduled events.

“We have regular board meetings, and traditionally there have been sporadic fundraisers throughout the years, but I want to have regular fundraisers and more educational events — family events to find out not only what SAC is doing, but also the aero squadron, the posse, the mounted unit and other groups,” he said.

SAC supports the search and rescue team and the Sheriff’s Emergency Assistance Team, which is also working to build its core group of volunteers.



Teddy Balestreri

See SAC page 19 in the Real Estate section

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a: Always use a heat protectant spray before you flat iron and keep the temperature at medium, or at 325°- 350°. Try our in salon treatment such as L'Oreal's Professional Fiberceutic treatment to maintain the strength and integrity of your hair. We think you'll love the results!

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LA PLAYA OWNERS REFINE UPGRADE PLAN, WILL APPLY FOR PERMITS SOON

■ Hope to recoup some cash with sale of Executive Suite

By MARY SCHLEY

THE LABOR-INTENSIVE process of figuring out how to soundproof every room in La Playa Hotel — not to mention how to update the entire place to meet the expectations of modern-day travelers — is nearly

complete, according to Matt Crow, who runs the company that acquired the hotel last November.

“La Playa is a gorgeous historic property, so we’re trying to preserve everything that’s great about it but also figure out how to make it a modern operation with a whole new level of world-class service,” Crow said Wednesday.

One part of the property, however, won’t be undergoing any upgrades. The 3,360-

square-foot Executive Suite at the south end of the hotel is on the market as a single-family home.

“The acquisition was very expensive, and we knew the renovation was going to be expensive, so if there are small pieces of the property that could provide a return of some of our capital without affecting the business, that’s our hope,” said Crow, CEO of Classic Hotels & Resorts.

La Playa Hotel has plenty of conference space, but under the previous ownership, the Executive Suite was used for meetings. According to Tom Bruce of Coldwell Banker, it has cathedral ceilings, a kitchen, a master bedroom suite, a second bedroom, a wood-burning fireplace, two full baths, two half-baths and a den/study, but no formal dining area or parking. It has commanding ocean views and a terrace that overlooks the hotel’s beautiful gardens and is being offered for \$1.9 million.

An ‘obsession’

Crow said the team working on the renovation spent about six weeks figuring out the best ways to soundproof the hotel’s guest rooms. “It was a painstaking approach, looking at every single wall,” he said. “One of the reasons we think we’re good in the hospitality business is that we pay a lot of attention to details.”

Crow said the company also designed new furniture and bathrooms, and has “architectural drawings for every single room, with layouts of the furniture.”

Soon, they will be getting rid of the existing furniture by donating it to local charities and having the remainder hauled away.

“And I hope that within the next few months, we’ll have the building permits,” he said. The team hasn’t completed its operational plan or started the hiring process, yet.

Once they obtain permits, the construction will take several

months. A sign outside anticipates a fall 2012 reopening.

When the hotel reopens, Crow said it will offer food service, but probably not a full-scale restaurant like the Terrace Grill that operated there for years. “One of the great benefits of Carmel is the incredible food,” he said, adding that he doubts a hotel restaurant could do a better job than the town’s restaurants. “What we want to do is be a portal to Carmel for guests from all over the world, and along those lines, when we do get our operating plan in place, it’s our intent to form close relationships with all of the local restaurants, so we can help with arrangements before our guests even get to town.”

But the hotel’s historic bar will remain intact, Crow promised.

“The bar is such a gem and has so much history and has been so beloved by the citizens of Carmel that we’re going to change it very little,” he said. “There’s nothing wrong with the bar — it’s an exceptional place.”

Although a man with reservations to stay at La Playa in August said he’s been told the hotel would reopen by Aug. 1, Crow declined to name a date and simply said the company would make “extraordinary efforts” to find accommodations for anyone who has reservations if it’s not yet reopened.

“The last thing we want to do is over-promise anything,” he said.

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5 Freedom from danger

7 A desirable mental state

8 Many choices

9 A device or service which eases a task or effort

10 A state of calm and composure

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1 Absence of control from others

3 Ability to make one’s own choices and decisions; to move without restriction

4 The sense that one is safe and protected

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Misdemeanor charge in fatal accident

■ D.A. won't comment on results of drug/alcohol tests

By MARY SCHLEY

RYAN ARMSTRONG, the Carmel Valley teenager accused of crashing a Jeep in Cachagua last summer, killing 19-year-old Keenan Lucero and seriously injuring another passenger, has been charged with misdemeanor vehicular manslaughter, according to Monterey County Managing Deputy District Attorney Ed Hazel.

After a lengthy delay largely blamed on the backlog at the state's crime lab, where toxicology tests were being performed, the district attorney's office decided on the accusation last week. While the less severe charge could suggest the results were insufficient to convict Armstrong of being under the influence of alcohol and marijuana — as the California Highway Patrol initially believed he was — Hazel said he could not comment on the specifics of the case.

"Just because an individual is not charged a certain way does not mean certain factors didn't happen," he said. "I can't comment on that directly."

The misdemeanor vehicular manslaughter charge means Armstrong is suspected of "negligent operation of a motor vehicle that led to a death," or "a criminal offense not amounting to a felony that resulted in a death," he said. (Accidents resulting in injury or death in which the driver was drunk or on drugs are usually charged as felonies.)

The fatal crash occurred the night of Aug. 13, 2011, when Armstrong was behind the

wheel of the borrowed Jeep Wrangler he drove off of Tassajara Road. Then 18, he was arrested and taken to Monterey County Jail by the California Highway Patrol but later released.

After the CHP filed its report with the county, attorneys waited for results from the Department of Justice lab that would indicate whether Armstrong had been drinking or taking drugs before the wreck. Due to a huge backlog, the process took several months. But in mid-January, Hazel said the results were in and attorneys on both sides had to meet with the lab technician to discuss their contents and implications.

"There are all kinds of options, depending on what the results are," Hazel said at the time. "Hypothetically, if the results were zero, for example, that would lead to a different set of charges, and if the blood alcohol were really high, that would lead to a different set of charges, up to vehicular homicide and murder. We want to look at it as completely as possible."

Ultimately, the district attorney's office decided on misdemeanor vehicular manslaughter, and Armstrong is set to be arraigned in a Salinas courtroom Feb. 8.

Tiffany Lucero, Keenan's mother, said she has been in regular contact with the district attorney's office and did not want to discuss the case.

"Keenan's family and I are relieved that a charge has been filed, and some accountability may result in Keenan's sudden and tragic death," she said last week. "We hope that there will be the possibility of moving forward in our grief. Keenan is deeply missed, well loved, and we will fight for him."

Scouts learn the ropes at CFD



PHOTO/COURTESY STEW ROTH

The kids of Scout Pack 127 don fire hats and grin after a tour of the Carmel fire station, where firefighter David Meurer (left) and firefighter/paramedic Dan Hamilton (right) taught them about the engines and how to prevent fires.

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Appeals court denies Mandurrago's demand for fees

By MARY SCHLEY

THE SIXTH District Court of Appeal last week denied building designer John Mandurrago's demand for fees in his lawsuit against the City of Carmel over his years-long effort to demolish the old bank building at Dolores and Seventh and replace it with underground parking, retail and living space.

After the city finally denied Mandurrago's application in late 2009, he sued for a multitude of offenses, including violation of his constitutional rights and laws governing low-cost housing. The city countered by arguing its actions were protected from what are known as Strategic Lawsuits Against Public Participation, or SLAPPs, because the decisions were made after public hearings and based on comments made and approved by council members.

While the Monterey County Superior Court judge agreed with the city, the state appellate court reversed that decision in June 2010, finding that interpreting the anti-SLAPP law to

protect government officials would be "squarely contrary to the underlying legislative intent" behind the law and would make it too difficult for citizens to challenge illegal or unfair government actions.

"Many public entity decisions are arrived at after discussion and a vote at a public meeting," one of the justices noted. If lawsuits challenging such decisions were subject to being thrown out as SLAPPs, "it would chill the resort to legitimate judicial oversight over potential abuses of legislative and administrative power [and] ironically impose an undue burden upon the very right of petition for those seeking [judicial] review."

As a result, Mandurrago sued taxpayers to recover his attorney's fees, contending that "the city's motion had been frivolous and intended to delay and harass him," but Monterey County Superior Court Judge Lydia Villareal denied his motion.

"This court finds that the motion to strike filed by the City of Carmel-by-the-Sea was not frivolous, nor was it filed with the intent to cause unnecessary delay or to harass the petitioners," she wrote. "The city relied on appropriate legal authority in filing the motion, and nothing contained in the decision of the appellate court supports petitioners' claims."

Mandurrago appealed that decision, too, but this time, the appellate court justices agreed with Villareal. Mandurrago argued that since the city failed to meet the threshold for an anti-SLAPP suit, its action against him "must be found frivolous." But the appellate justices responded, "Not so. The fact that the city's motion ultimately failed does not mean that it was frivolous as a matter of law."

After the decision and ruling were released Jan. 23, attorney Jon Giffen notified Mayor Sue McCloud of the result.

"The appellate court would have reversed Judge Villareal's ruling if it found that her decision to deny fees was a prejudicial abuse of discretion which resulted in a manifest miscarriage of justice," he wrote. "Fortunately, that was not the case, and we are extremely pleased with the court's ruling."

Meanwhile, the former bank building is empty, and there have been no new permits filed to do anything with it.

Auditions for PacRep shows

SINGERS, DANCERS and actors are encouraged to audition Saturday, Sunday and Monday Feb. 4-6 for roles in three PacRep Theatre musicals, "Fiddler on the Roof," Disney's "Beauty and the Beast" and "Spamalot."

The Golden Bough Playhouse will host the auditions, which are scheduled Saturday from 10 a.m. to 5 p.m., Sunday from 9 a.m. to noon, and Monday from 6 to 9 p.m. Each audition will last three minutes and should include a 1-minute excerpt from an upbeat song, a 1-minute excerpt from a ballad, and a 1-minute monologue or poem.

"Fiddler on the Roof" will be presented from April 26 to May 27, "Beauty and the Beast" will run from Aug. 16 to Sept. 23, and "Spamalot" will be staged from Nov. 21 to Dec. 23.

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Feb. 3 & 4 - Live Music & Food is Awesome at Plaza Linda, 9 Del Fino Place in C.V. Happy Hours, Sun.-Thurs., 4-6 p.m. (\$2 beers!); Wed., 7-9 p.m., Open Mic; Friday, Feb. 3, 7 p.m., Martin Shears; Sat., Feb. 4, 7 p.m., Nancy Jones & Kiki Wow w/Victory Lane. Weekend Concerts are \$10 and include a drink! For reservations call (831) 659-4229. www.plazalinda.com.

Feb. 3 - Experience **Scheid Vineyards** new Carmel-by-the-Sea Tasting Room. Attend the Grand Opening, Feb. 3-5 and Winemakers Dinner at Casanova, Feb. 3. San Carlos & Seventh. (831) 626-WINE (9463), www.scheidwines.com.

Feb. 3 - A **"Meet the Candidates for Carmel Mayor"** event, 5 - 7 p.m., at the former Homescapes building, Dolores & Seventh, SE corner, will be hosted by Coldwell Banker Commercial. For more info, please contact Amber Hathaway, (831) 626-2283.

Feb. 6 - Carmel Woman's Club presents local author and historian Kathryn Gualtieri, Monday, Feb. 6 at 2 p.m. Mrs. Gualtieri will share "Early Carmel" stories and myths. She has written "Murder In The Pines" and "Half Moon Bay: Birth of a Coast Side Town." Memberships available and guests are \$3. Everyone is welcome. Refreshments are served. San Carlos & Ninth. Contact: (831) 622-7412.

Feb. 10 - In the spirit of "The Crosby" clambakes of old, and scheduled to be held on Friday, Feb. 10, in conjunction with the AT&T Pro Am in Pebble Beach, the Golf & Grapes Foundation is set to host its **Third Annual Clambake for a Cure** charity event. This year the event will be held upstairs at 30 Old Fisherman's Wharf, at the Marina View Lounge overlooking the beautiful Monterey Bay from 4 to 9 p.m. Proceeds from the Golf & Grapes Clambake for a Cure go to benefit brain tumor research and treatment through the Musella Foundation www.virtualtrials.com. Clambake for a Cure tickets can be purchased at www.clambakeforacure.com for \$125 per person, which is fully tax deductible.

Feb. 10 - Straight from Carnegie Hall, **Transatlantic Ensemble**, composed of internationally acclaimed musicians Marilyn Adam, clarinet, and Evelyn Ulex, piano, will play the **Bardis Performing Arts Center at All Saints' Day School**, 8060 Carmel Valley Road, Friday, Feb. 10, at 7 p.m. Reservations (Adults \$15, Students \$10) recommended at www.asds.org or (831) 624-9171.

Feb. 11 - Free Demo on "Bowen Therapy for Animals" at The Raw Connection in the Barnyard on Saturday, Feb. 11, 1 p.m. (30-minutes). This therapy removes nerve blockages, releases muscle spasms, and reduces inflammation without drugs or side effects. Very gentle on your pet. Space is limited! Reservations: call (831) 626-7555, Barb Ahern (AnimalPractitioner.com).

Feb. 18 - Artist Reception - "Simply Red" Featured Artist **Bill Moden**: Functional Sculpture Artist will be present), New Works by **Mary Titus**, free drawing for an original Titus Painting, Feb. 18, 4 - 7 p.m. Titus Gallery located on San Carlos between Fifth and Sixth, (831) 622-9880.



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Large water allotment given back to P.G. for projects

By KELLY NIX

OWNERS OF a big parcel in Pacific Grove who for more than a decade had planned to build an office building on several lots on Forest Avenue have abandoned the project and relinquished the water entitlement back to the city so other businesses can use it.

Sometime in the 1990s, the Yonan and Munir families, which own the property where Little Chicken House and other businesses (1169 to 1193 Forest Avenue) are located, had planned to replace them with an office building. The proposed building had more than two acre feet of water allocated for it, but very little was done to move it toward construction.

In December 2011, Pacific Grove city officials told the owners they had to move ahead with the project.

"We put them on notice that they needed to achieve a certain level [of permit and construction work] to keep the building permit active," Sarah Hardgrave, the city's environmental programs manager told The Pine Cone.

But the owners — who have a Pebble Beach address, according to the Monterey County Planning Department — told the city they weren't prepared to go forward with the project and gave the city the water entitlement, which

amounts to more than 650,000 gallons a year. The owners were reimbursed thousands of dollars for the water permit that they originally purchased for the project.

On Wednesday, the Pacific Grove City Council — which is responsible for deciding how the water should be distributed — voted unanimously that one acre feet of the water should be used for commercial projects and the remaining 1.5 acre feet should be placed in the city's community reserve. The city's planning staff had also recommended some of the water be set aside for government use, but the council rejected that idea.

The council's decision will mean that hotels and inns within the city will be able to expand and some storefronts and businesses that don't have water, will now have some available.

Until a few years ago, P.G. had a lengthy list of residents who were waiting for water to be available for projects. But in 2008, the city distributed five acre feet of water to those on the list.

"We were able to serve everybody on the list," Hardgrave said. "More than 40 projects went forward."

The city began a new waiting list, and so far, there are nine residential projects in P.G. that are line for water, including four residential vacant lots that don't have water credits.

CPUC approves Smart Meter opt-out plan

By KELLY NIX

AFTER MONTHS of deliberations and study, the public utilities commission gave final approval this week to a plan that will let customers opt-out of having Smart Meters at their home — but it will cost them \$75 upfront and \$10 a month to do so.

PG&E customers enrolled in the CPUC's low income program who want to opt out will be charged a one-time fee of \$10 and a monthly charge of \$5.

A relatively small number of those with Smart Meters, which transmit energy use data by radio waves, claim the devices emit harmful radiation levels and have made them ill.

PG&E contends the meters are not only safe — more than 9 million gas and electric Smart Meters have already been installed in Central and Northern California — but will help lower customers' bills giving them more control over their energy use.

CPUC commissioner Timothy Alan Simon called the

commission's decision "a great example of how public initiative and participation can result in better regulatory policy."

CPUC President Michael Peevey said the standard for metering is transitioning globally around the world from analog meters to newer Smart Meter technology.

"We are not reversing that by allowing for an analog opt-out," Peevey said, "but we are recognizing that certain customers prefer an analog meter."

Those who wish to abandon their Smart Meters or keep their old ones should do it soon. The costs the CPUC approved Wednesday are "interim to allow residential customers to begin selecting the opt-out option immediately," according to the CPUC. And the costs, the commission said, are subject to adjustment upon conclusion of a second CPUC proceeding where issues concerning actual costs associated with offering an analog opt-out option will be addressed.

The plan approved by the CPUC Wednesday will help PG&E recover some costs associated with visiting houses and manually reading meters.

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Dancing ‘like they never have before,’ kids shine in S.F. competition

By CHRIS COUNTS

EACH WEEK, dozens of local girls and boys put in as many as 20 hours practicing their dance moves. Last weekend, their hard work paid off when they earned a first-place tie in a prestigious regional dance competition in San Francisco.

The iHollywood dance competition — which was hosted by the Westin Hotel Jan. 28-29 — offered dancers from the Carmel Academy of Performing Arts an opportunity to test their skills against students from more than 20 dance schools in California, Nevada and Arizona.

The kids — who range in age from 6 to 18 — competed in a variety of dance genres, including jazz, tap, lyrical, contemporary, hip-hop, ballet and more.

Rising to the challenge, the Carmel dancers won six Platinum awards and three High Gold awards in the group competition and two Platinum awards and six High Gold

awards in the solo competition.

Taking home individual honors were Tristen Rammel and Elise Cricchio, who won Platinum awards, and Katelyn Fletcher, Tabitha Bond, Chantel Galdo, Kaitlyn Hayden, Sydney Jang and Angela Cricelli, who captured High Gold awards.

“We had an incredible weekend,” said Carol Richmond, director of the Carmel dance academy. “We’ve never placed this high before. The kids danced like they’ve never danced before. Everything came together.”

The Carmel kids’ success earned them an opportunity to participate in a national competition in Los Angeles in June. Richmond attributed the strong performance, in part, to the guidance they’ve received from academy directors Tia Brown and Ashley Rutherford. She also praised the girls’ and boys’ dedication to becoming better dancers.

See DANCE next page

Mission hosts lecture on Mora



PETER HILLER, curator of the Jo Mora Trust, will tell the story of the artist’s horseback tour of the California Missions more than a century ago during a lecture at Sunset Center Sunday, Feb. 5, at 3 p.m.

“Jo Mora: From the Mission Trail Journals to Sculpting Serra at Carmel,” is sponsored by the Carmel Mission Foundation in support of historical and artistic exhibits connected to the Mission, where Mora’s famous Serra tomb (pictured above with the artist) was dedicated in 1924.

According to organizers, Hiller’s talk will include nearly 100 slides of Mora’s work and personal photos, as well as “rare video footage of the October 1924 event, with a black and white home movie from Jo’s collection of a parade in downtown Monterey which was part of the festivities.”

The lecture, which is free, will be held in Studio 105 at Sunset Center on San Carlos Street between Eighth and 10th avenues.

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SUMMONS – FAMILY LAW
CASE NUMBER: DR 51863
NOTICE TO RESPONDENT:
CARLY A. BRUSH
You are being sued.

PETITIONER’S NAME IS:
NICHOLAS A. JODOIN
You have **30 CALENDAR DAYS** after this *Summons* and *Petition* are served on you to file a *Response* (form FL-120 or FL-123) at the court and have a copy served on the petitioner. A letter or phone call will not protect you.

If you do not file your *Response* on time, the court may make orders affecting your marriage or domestic partnership, your property, and custody of your children. You may be ordered to pay support and attorney fees and costs. If you cannot pay the filing fee, ask the clerk for a fee waiver form.

If you want legal advice, contact a lawyer immediately. You can get information about finding lawyers at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), at the California Legal Services Web site (www.lawhelpcalifornia.org), or by contacting your local county bar association.

NOTICE: The restraining orders on page 2 are effective against both spouses or domestic partners until the petition is dismissed, a judgement is entered, or the court makes further orders. These orders are enforceable anywhere in California by any law enforcement officer who has received or seen a copy of them.

NOTE: If a judgment or support order is entered, the court may order you to pay all or part of the fees and costs that the court waived for yourself or for the other party. If this happens, the party ordered to pay fees shall be given notice and an opportunity to request a hearing to set aside the order to pay waived court fees.

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The name, address and telephone number of the petitioner’s attorney, or petitioner without an attorney, is:
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by V. Hernandez, Deputy
Publication Dates: Feb. 3, 10, 17, 24, 2012. (PC 205)

SUMMONS – FAMILY LAW
CASE NUMBER: DR 52344
NOTICE TO RESPONDENT:
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MIGUEL A. MARTINEZ-MARTINEZ
You have **30 CALENDAR DAYS** after this *Summons* and *Petition* are served on you to file a *Response* (form FL-120 or FL-123) at the court and have a copy served on the petitioner. A letter or phone call will not protect you.

If you do not file your *Response* on time, the court may make orders affecting your marriage or domestic partnership, your property, and custody of your children. You may be ordered to pay support and attorney fees and costs. If you cannot pay the filing fee, ask the clerk for a fee waiver form.

If you want legal advice, contact a lawyer immediately. You can get information about finding lawyers at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), at the California Legal Services Web site (www.lawhelpcalifornia.org), or by contacting your local county bar association.

NOTICE: The restraining orders on page 2 are effective against both spouses or domestic partners until the petition is dismissed, a judgement is entered, or the court makes further orders. These orders are enforceable anywhere in California by any law enforcement officer who has received or seen a copy of them.

NOTE: If a judgment or support order is entered, the court may order you to pay all or part of the fees and costs that the court waived for yourself or for the other party. If this happens, the party ordered to pay fees shall be given notice and an opportunity to request a hearing to set aside the order to pay waived court fees.

The name and address of the court is:
SUPERIOR COURT OF CALIFORNIA,

COUNTY MONTEREY
1200 Aguajito Road
Monterey, CA 93940

The name, address and telephone number of the petitioner’s attorney, or petitioner without an attorney, is:
MIGUEL A. MARTINEZ-MARTINEZ
619 E. Romie Lane #45
Salinas, CA 93901
682-4706
RONALD D. LANCE
11 W. Laurel Dr., Suite #255
Salinas, CA 93906
(831) 443-6509
Reg: #LDA5
County: Monterey
NOTICE TO THE PERSON SERVED: You are served as an individual.

Date: Jan. 11, 2012
(s) Connie Mazzei, Clerk
by V. Hernandez, Deputy
Publication Dates: Feb. 3, 10, 17, 24, 2012. (PC 209)

FICTITIOUS BUSINESS NAME STATEMENT File No. 20120135. The following person(s) is(are) doing business as: **COMMUNITY CHIROPRACTIC CENTER**, 630 Fountain Ave., Pacific Grove, CA 93950. Monterey County. **GAYLE A. WALSH DC AND MICHAEL J. MARTELLO DC**, 630 Fountain Ave., Pacific Grove, CA 93950. This business is conducted by a husband and wife. Registrant commenced to transact business under the fictitious business name listed above on: 1984. (s) Gayle A. Walsh DC. This statement was filed with the County Clerk of Monterey County on Jan 23, 2012. Publication dates: Feb. 3, 10, 17, 24, 2012. (PC 211)

FICTITIOUS BUSINESS NAME STATEMENT File No. 20120019. The following person(s) is(are) doing business as: **OUR GARDEN ART**, 715 Tioga Ave., Sand City, CA 93955. Monterey County. **NICHOLAS TARTERELLI**, 706 Henson Ct., Marina, CA 93933. This business is conducted by an individual. Registrant commenced to transact business under the fictitious business name listed above on: Jan. 5, 2012. (s) Nicholas Tarterelli. This statement was filed with the County Clerk of Monterey County on Jan 5, 2012. Publication dates: Feb. 3, 10, 17, 24, 2012. (PC 213)

NOTICE OF TRUSTEE’S SALE UNDER DEED OF TRUST

YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED March 8, 2007. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONSULT A LAWYER.

Notice is hereby given to you that **Ronald C. Johnston**, as substituted trustee, pursuant to the Deed of Trust executed by **Robert Y. Jackson**, an unmarried man, recorded on **03/09/2007** as Instrument No. **2007019538** in the Recorder’s Office of **Monterey County**, and pursuant to the Notice of Default and Election to Sell thereunder, recorded **10/26/2010** as Instrument No. **2008005000** of said Official Records, **WILL SELL on 02/29/2012, at the main entrance to the County Administration Building, 168 W. Alisal Street, Salinas, CA at 11:00 A.M. AT PUBLIC AUCTION TO THE HIGHEST BIDDER FOR CASH** (payable at the time of sale in lawful money of the United States), all right, title and interest conveyed to and now held by it under said Deed of Trust.

The property address of the real property described above is purported to be: **210 Granite Street, Pacific Grove, CA 93950.**
Assessor’s Parcel Number: 006-313-013

The total amount of the unpaid balance of the obligation secured by the property to be sold, and reasonable estimated costs, expenses and advances at the time of the initial publication of Notice of Sale is: **\$176,000.**

In addition to cash, the Trustee will accept a cashier’s check drawn on a state or national bank, a check drawn by a state or federal credit union or a check drawn by a state or federal savings and loan association, savings association or savings bank specified in Section 5102 of the Financial Code and authorized to do business in California. The Trustee may withhold the issuance of the Trustee’s Deed until funds become available to the payee or

endorsee as a matter of right.

Said sale will be made, but without covenant or warranty, express or implied, regarding title, possession or encumbrances, to satisfy the indebtedness secured by said Deed, advances thereunder, with interest as provided therein, and the unpaid principal balance of the Note secured by said Deed with interest thereon as provided in said note, fees, charges and expenses of the trustee and the trusts created by said Deed of Trust.

This Notice supersedes any prior Notice of Trustee’s Sale. Any prior Notice of Trustee Sale is void.
For questions, call **Ronald C. Johnston, Trustee, (831) 372-7666**
1100 Melton Place, Pacific Grove, CA, 93950
Publication Dates: Feb. 3, 10, 17, 2012
(PC 214)

County Clerk of Monterey County on Jan 26, 2012. Publication dates: Feb. 3, 10, 17, 24, 2012. (PC 215)

SUPERIOR COURT OF CALIFORNIA COUNTY OF MONTEREY

ORDER TO SHOW CAUSE FOR CHANGE OF NAME AND GENDER
Case No. M115936.

TO ALL INTERESTED PERSONS: petitioner, **CRAIG ANDREW FLESCHER**, has filed a petition with this court for a decree changing petitioner’s name to: **HEATHER ANDREA FLESCHER**

THE COURT ORDERS that all persons interested in this matter shall appear before this court at the hearing indicated below to show cause, if any, why the petition should not be granted.

NOTICE OF HEARING:
DATE: March 16, 2012
TIME: 9:00 a.m.
DEPT: 15

The address of the court is 1200 Aguajito Road, Monterey, CA 93940.

A copy of this *Order to Show Cause* shall be published at least once each week for four successive weeks prior to the date set for hearing on the petition in the following newspaper of general circulation, printed in this county: The Carmel Pine Cone, Carmel.

(s) Lydia M. Villarreal
Judge of the Superior Court
Date filed: Jan. 26, 2012
Clerk: Connie Mazzei
Deputy: J. Cedillo
Publication dates: Feb. 3, 10, 17, 24, 2012. (PC 217)

AT&T PEBBLE BEACH

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February 10, 2012

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Highway 1 reopens after slide cleared, motorists to pause for photo shoot

By CHRIS COUNTS

THANKS TO a gravity-defying high-wire act by road workers, Highway 1 reopened just south of Pitkins Curve in Big Sur Jan. 31, nine days after it was closed by a rock slide.

But motorists could face delays Friday, Jan. 3 to accommodate a photo shoot at Bixby Bridge.

Safety comes first

A rock slide located about 56 miles south of Carmel closed Highway 1 Jan. 22. The incident occurred just south of an ambitious \$30 million project to construct a 620-foot-long bridge and rock shed along one of Highway 1’s most troubled sections of pavement.

Caltrans spokeswoman Susana Cruz told The Pine Cone this week that her agency’s biggest challenge was not removing rock and debris from the highway, but ensuring the steep hillside above the road is stable enough so motorists won’t be hit by falling rocks. To accomplish that task, highway workers used

ropes to scale a nearly vertical cliff and install safety netting.

While the job looks dangerous, Cruz said the workers — who are independent contractors and state employees — are well prepared to safely maneuver more than 100 feet above the scenic route.

“They have many hours of training and considerable experience working on other slides,” Cruz said.

With the safety netting installed, the highway reopened last Tuesday to motorists, who can expect delays at Pitkins Curve of up to five minutes. That section of Highway 1 has long been one way because of the unstable conditions. Traffic is controlled by a signal light.

Photogenic bridge makes \$\$

If you’re traveling south on Highway 1 Friday, you can expect delays of up to 10 minutes at Bixby Bridge, where a marketing company, Caspar and Co. of London, England, is overseeing a photo shoot.

While some drivers might grow impatient over such delays, Karen Nordstrand — the

director of marketing for the Monterey County Film Commission — said film projects bolster the local economy and boost tourism. She said on-location film projects generated more than \$4 million last year that directly benefited local communities.

Caspar Davies, the founder of Caspar and Co., echoed Nordstrand’s sentiments. “While in the area, our crew will occupy 30 or so rooms in local hotels, and use local businesses for services such as catering, traffic control and transport,” Davies said.

It comes as no surprise that the photo shoot, which began Feb. 1, aims to capture the thrill of driving a car across the famous bridge.

“We are producing still photography for a company that provides financial services for automobiles,” Davies explained. “The pic-

tures will be used for overseas markets. The unique natural beauty of the Big Sur area and dramatic setting of Bixby Bridge provide an epic backdrop to the shots that any prospective car owner would aspire to drive through.”

Davies said his company is working hard to reduce any delays motorists might face.

“We understand that productions such as ours can cause potential inconvenience for local residents, and we try to minimize this,” he added. “We appreciate their goodwill because it allows us to carry out our work smoothly.”

Also, taxpayers don’t need to worry about footing any portion of the bill for the photo shoot. Nordstrand said Caspar and Co. will pay off-duty highway patrol officers to monitor traffic Friday.

DANCE

From previous page

“It’s a huge commitment,” she said of the hard work involved with preparing for a competition. “These kids are talented, and they have passion. They also have parents who support that passion. These kids are not hanging out at the mall — they’re learning discipline that will help them in all aspects of life. These are kids who understand the value of hard work at an early age. I’m proud to be part of their lives.”

Richmond said 54 girls and boys partici-

pated in last weekend’s competition. While most of the kids live on the Monterey Peninsula — and many attend Carmel High School, Carmel Middle School and Carmel River School — some travel from as far away as Salinas and Gilroy.

Richmond points to the 13-year-old Cricchio as an example of how determined the kids are to pursue their love of dance. Immediately after participating in the competition, she succesfully auditioned with the San Francisco Ballet and won an opportunity to participate in its summer program. “That’s a huge accomplishment for a 13-year-old,” Richmond added.

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Casey Thompson, *Bravo's Top Chef*
Mark Ayers
CLM/Pebble Beach Food & Wine
Tom Snyder, *Esteban, Monterey*
Tim Woods and Marc Jones
Carmel Valley Ranch
Brian Meier and Steve Salle
Del Monte Meat & Ports Seafood
Mary Font, *Mrs. Delish*
Baum & Blume Catering, *Carmel Valley*
Dory Ford, *Point Pinos Grill*
Erika McDonnell
FlouRish Organic Breads
Kevin Phillips, *Albalonetti Bar & Grill*
Amufo Martinez, *Gilbert's Seafood*

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CHATEAU MARIE ANTOINETTE
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ELIZABETH SPENCER WINES
CLOS LA CHANCE WINEREY
DELICATO FAMILY VINEYARDS

NOTICE OF PROPOSED RATE INCREASE BY CALIFORNIA AMERICAN WATER

In accordance with the provisions of California Public Utilities Commission (CPUC) General Order 96-B and Section 454 of the Public Utilities Code, California American Water has filed Advice Letter 929 for its Monterey District requesting authority to recover payments made to the National Oceanic and Atmospheric Administration (NOAA) for Endangered Species Act (ESA) mitigation activities on the Carmel River.

California American Water is requesting a revenue increase of \$2,206,873, or 5.04% including interest. Customers in the Monterey Main systems will see a volumetric-based surcharge beginning May 1, 2012 through April 30, 2014.

The revenue increase requested will recover only the payments made to NOAA, including interest. This request will not increase operating income to California American Water.

Protests and Responses:

Anyone may respond to or protest this advice letter. A response supports the filing and may contain information that proves useful to the Commission in evaluating the advice letter.

A protest objects to the advice letter in whole or in part and must set forth the specific grounds on which it is based. These grounds are:

- (1) The utility did not properly serve or give notice of the advice letter;
- (2) The relief requested in the advice letter would violate statute or Commission order, or is not authorized by statute or Commission order on which the utility relies;
- (3) The analysis, calculations, or data in the advice letter contain material error or omissions;
- (4) The relief requested in the advice letter is pending before the Commission in a formal proceeding;

or

- (5) The relief requested in the advice letter requires consideration in a formal hearing, or is otherwise inappropriate for the advice letter process; or
- (6) The relief requested in the advice letter is unjust, unreasonable, or discriminatory (provided that such a protest may not be made where it would require relitigating a prior order of the Commission.)

A protest shall provide citations or proofs where available to allow staff to properly consider the protest.

A response or protest must be made in writing or by electronic mail and must be received by the Water Division within 20 days of the date this advice letter is filed. The address for mailing or delivering a protest is:

Tariff Unit, Water Division, 3rd floor
California Public Utilities Commission,
505 Van Ness Avenue, San Francisco, CA 94102
water_division@cpuc.ca.gov

On the same date the response or protest is submitted to the Water Division, the respondent or protestant shall send a copy by mail (or e-mail) to us, addressed to:

David P. Stephenson
Director – Rates & Regulation
4701 Beloit Drive
Sacramento, CA 95838
Fax: (916) 568-4260
E-Mail: dstephen@amwater.com

Cities and counties that need Board of Supervisors or Board of Commissioners approval to protest should inform the Water Division, within the 20 day protest period, so that a late filed protest can be entertained. The informing document should include an estimate of the date the proposed protest might be voted on.

If you have not received a reply to your protest within 10 business days, please contact the California American Water Rates Department at (916) 568-4222.

Publication date: Feb. 3, 2012 (PC216)

Garcia clears air on campaign loan

By KELLY NIX

PACIFIC GROVE mayor and Monterey County supervisor candidate Carmelita Garcia said she has repaid all \$40,000 loaned to her by a local developer for her state assembly bid, which she abandoned in January.

On Dec. 28, 2011, Moss Landing Commercial Park, LLC, a company owned by Nader Agha, loaned Garcia the money for her assembly campaign, which she dropped in January in favor of running for county supervisor against incumbent, Dave Potter.

Garcia said she wanted to clear up rumors

that the money Agha loaned her had been a contribution.

“It was a \$40,000 loan,” Garcia told The Pine Cone Tuesday. “It’s been paid back 100 percent. None of that money has ever been used. It was a loan, which is very different than a contribution.”

Apart from Agha’s loan, Garcia loaned herself \$500 on Nov. 30, 2011, for her assembly run.

According to the state Secretary of State’s website, Garcia for Assembly from July 1, 2011 to Dec. 31, 2011 raised \$51,300.98 — through loans and contributions — and spent \$8,092.22.

Youth center needs help at pro-am

TO RAISE the money for a significant portion of its budget, the nonprofit Carmel Youth Center runs concessions stands during the AT&T Pebble Beach National Pro-Am every year and relies on volunteers to do the work.

With this year’s tournament beginning with practice rounds Monday, Feb. 6, and running through Feb. 12, organizers are looking for help — especially on weekdays.

Started by Bing Crosby in 1949, the youth center was created two years after the actor brought his fundraising Clambake golf tour-

namment to Pebble Beach, and CYC volunteers have sold food and drinks to fans every year for the past six decades. That work is vital to keeping the downtown youth center open to kids from all over the Monterey Peninsula.

Volunteers will receive free admission to the tournament before or after their shifts, free meals while working, and free shuttle service to and from the event.

To sign up or obtain more information, email VolunteerCYC@gmail.com or call (831) 624-3285.

New book praises ‘urban homesteaders’

IN HER new book, “Urban Homesteading: Heirloom Skills for Sustainable Living,” author Rachel Kaplan draws parallels between rural settlers of the 19th century and urban environmental activists of today. Kaplan, who lives in Petaluma, will sign copies of her book Feb. 4 at Happy Girl Kitchen in Pacific Grove and Feb. 5 at Pilgrim’s Way in Carmel.

“If you thought living in a city limited you to recycling plastic bottles and shopping at a local farmer’s market, think again,” Kaplan writes. “In cities and towns across the country, a growing number of urban

dwellers are turning their homes into mini-farms complete with chickens, rabbits and goats. Homesteading in cities and towns is a pioneering effort in the creation of local economies and revitalized urban landscapes—a proactive response to some of our culture’s thorniest problems.”

Saturday’s event starts at 2 p.m., while Sunday’s book signing begins at noon. Happy Girl Kitchen is located at 173 Central Ave. For more information, call (831) 373-GIRL. Pilgrim’s Way is located on the east side of Dolores between Fifth and Sixth. For more information, call (831) 624-4955.



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Art opening offers alternative to Super Bowl frenzy

By CHRIS COUNTS

IF YOU'RE dreading the notion of listening to hours of pre-game football chatter on television in advance of Sunday's Super Bowl, an art reception for a father-daughter painting duo offers a refreshing alternative.

The Unitarian Universalist Church of the Monterey Peninsula hosts a reception Feb. 5 from 2 to 4 p.m. for an exhibit showcasing work by Rollin and Melissa Pickford.

Rollin Pickford, who passed away in 2010 at 98, was one of the Monterey Peninsula's most beloved painters. Splitting

his time between Fresno and Pacific Grove, he was a member of the Carmel Art Association for more than a half century.

"He was a master watercolorist who loved painting in Carmel, Pacific Grove and Monterey," explained Melissa Pickford, who curated the show. "He devoted his life to painting. He painted every day for 80 years. He was a true plein air painter. His aim was to capture the light and the atmosphere of the places he painted."

While the elder Pickford preferred to paint landscapes with watercolors, his daughter takes a more abstract approach. "Our work is so different that I almost called this exhibit, 'Apples and Oranges.'"

Despite their different creative approaches, the younger Pickford was profoundly influenced by her father.

"He was a quiet, hard-working and humble man," explained Pickford, who is also the curator of Monterey Peninsula College's art gallery. "He was a daily inspiration to me. He was an even better dad than he was a painter. It is my great honor to be the caretaker of his collection."

The exhibit will be on display until Feb. 13. The church is located at 490 Aguajito Road. For more information, call (831) 373-8606.

■ From Steinbeck to Chang

Monterey artist Warren Chang will sign copies of his new book, "Narrative Paintings," Saturday, Feb. 4, at the Winfield Gallery.

After establishing himself as a successful commercial artist, Chang turned his attention a decade ago to fine art. Like the late writer John Steinbeck — whom he much admires — Chang is a Monterey Peninsula native who draws creative inspiration from the fieldworkers who toil in the region's inland valleys.

"What's interesting to me about Warren's work is that he has attacked some very gritty subjects — such as the fieldworkers — and he's given them a sense of dignity," gallery owner Chris Winfield said. "He's a very good painter and a very interesting local artist who deserves to be recognized."

An exhibit of Chang's work is also on display at the Winfield Gallery. Included is a painting that was used for a new Jamison Whiskey advertisement. "It's all over the subways of New York right now," Winfield added.

See ART page 22A

BETTY BUCKLEY COVERS BROADWAY, UKELELES UNITE IN C.V.

By CHRIS COUNTS

TURNING GENDER roles in popular music upside down, singer Betty Buckley pays tribute to "The Boys of Broadway" at Sunset Center Saturday, Feb. 4.

Although Buckley has sung her share of Broadway classics, she has long admired many songs written specifically for male actors. In response, she's put together a show around that theme. "I've wanted to sing these songs for quite a few years," Buckley told The Pine Cone this week.

Among Buckley's favorites are a pair of songs from "West Side Story" — "Jet Song" and "Maria."

"I had a huge crush on Russ Tamblyn," said Buckley, referring to the actor who played "Riff" in the 1961 film version of "West Side Story."

By singing songs intended for male actors, Buckley is carrying on a lengthy stage tradition that dates back to the 17th century in England.

"My voice is not operatic," Buckley explained. "There were no parts in the opera for girls with voices like mine."

As a result, if Buckley had lived a century or two ago, I would have been limited to playing the roles of boys. "Women often played young men in the British Music Hall," she said.

Still, they were hardly accepted by everybody. "At the time, it was quite scandalous for women to put on trousers," she noted.

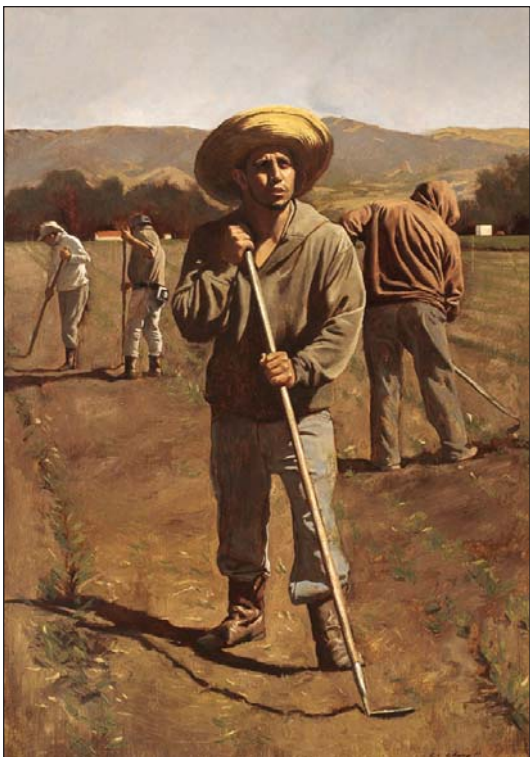
Buckley herself put on a pair of pants when she dressed as a young man for Rupert Holmes' stage version of "The Mystery of Edwin Drood" in 1985.

An actress and a singer with with an extensive stage, film and television resume, Buckley is perhaps best known for

See MUSIC page 19A



Betty Buckley



This evocative painting of a field worker (left) is by artist Warren Chang, who will sign copies of a new book of his paintings Feb. 4 at Winfield Gallery. Watercolors by the late Rollin Pickford (below) are on display — along-side works by his daughter — at the Unitarian Universalist Church.



Dining AROUND THE PENINSULA

BIG SUR
Big Sur River Inn23AT&T

CARMEL
Aubergine at L'Auberge Carmel .14A
Brophy's Tavern9AT&T
Katy's Place9AT&T
L' Escargot16A
La Dolce Vita16A
PortaBella23AT&T & 16A

CARMEL VALLEY
Edgar's at Quail Lodge14A

MONTEREY
PF Changs12AT&T

CARMEL-BY-THE-SEA

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presents
**TASTING ROOM
GRAND OPENING**
February 3-5
See page 6AT&T

MONTEREY PENINSULA

ENSEMBLE MONTEREY
presents
**The Art of
the Dance**
February 11 & 12
See page 13A

MONTEREY

Third Annual
**Clambake
for a Cure**
February 10
See page 11A

CARMEL & SALINAS

MONTEREY SYMPHONY
presents Concert 3:
*2002 Arabian
Nights*
February 18-20
See page 8A

CARMEL VALLEY

ALL SAINTS' DAY SCHOOL
presents
**TRANSATLANTIC
ENSEMBLE**
February 10
See page 12A

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Burger place takes shape, Scheid celebrates, and everyone gets romantic

By MARY SCHLEY

THE BONES of restaurateur David Fink's upscale burger bar are emerging as construction crews finish demolishing the interior of the former bank and architect's office at the southwest corner of Carmel Plaza.

"I never announce an opening day, but it will probably be mid-to-late spring — which gives us until June 21," he said this week. "But it will probably be before then."

Fink reported the construction at the restaurant, which will be called David's Gourmet Burgers & Fries, is on schedule, and discussions about the details of the menu are ongoing. A concept menu presented to the city last year as Fink worked to get his permits included several gourmet burgers and a few other sandwiches, sides, beer and wine, and milkshakes and desserts.

"We haven't started cooking the menu

and testing the items, so there's always the chance things will change," he said. "But our menus always change. It's going to be delicious."

Chef Jason Balestrieri, who runs the kitchen at Fink's Cantinetta Luca on Dolores Street, is a partner in David's, and he and pastry chef Ron Mendoza, who works at Fink's other downtown restaurant, Aubergine, have been collaborating.

"It's a simple menu at David's, so he'll be overseeing the cooks there, but he won't be turning burgers," Fink said of Balestrieri.

The beef will be freshly ground, and vendors from Monterey County and the San Francisco Bay Area will provide most of the ingredients.

"We have a pretty good network of suppliers and are going to make as much as we can in house," he said.

The restaurant will be "really light and airy," with a clean, colorful, modern design

created by Fink's ex-wife, Kathleen. "It certainly won't feel like a diner," he said.

And the kitchen will contain Hayward-based Montague's first-ever cast-iron griddle, which provides a better charred crust on burgers. The company, which started in 1857, has built all of Fink's restaurant kitchens.

"It will be the only one in America. It's a big deal for Montague and a really big deal for us," he said. "I'm just excited for all our friends and fans of our other places to check us out soon."

■ Celebrating Scheid

Scheid Vineyards is heralding the opening of its new tasting room at San Carlos Street and Seventh Avenue in downtown Carmel with special deals and a wine dinner at Casanova Restaurant a few blocks away.

For Grand Opening Weekend through Feb. 5, visitors will receive cheese pairings from The Cheese Shop when they stop in to sample wines, which cost \$10 to \$20 per

Continues next page

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Valentine's Day Aphrodisiac Dinner



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Available February 10, 11 & 14

Aphrodisiac Four-Course Menu

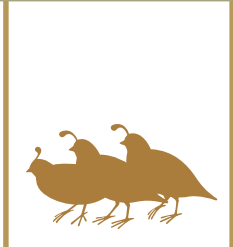
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From previous page

■ Highlands reception

Fort Mason Conference Center in San Francisco will host the Highlands’ New Release Reception Tuesday, Feb. 7, from 5 to 7 p.m., allowing Monterey County vintners to showcase their Santa Lucia Highlands Pinots Noir, Chardonnays and Syrahs to a crowd of discerning oenophiles.

Vintners scheduled to pour include August West, Belle Glos, Bernardus, Boekenooogen, Hahn, Kori, Kosta Browne, La Rochelle, Lucienne, Mansfield-Dunne, Manzoni, McIntyre, Mer Soleil, Miura, Mooney, Morgan, Novy, Paraiso, Pelerin, Pessagno, Pisoni, Puma Road, Roar, Scheid, Sequana, Siduri, Talbott, Testarossa, Tondre,

Tudor and Wrath.

Admission is \$50 and includes the wine tasting and a sampling of artisan charcuterie and cheeses. Visit www.santaluciahighlands.com.

■ Make a rosé-lution

“2012 is going to be an amazing year! Can you feel it?” ask the folks at Holman Ranch who recently opened a tasting room in Carmel Valley Village and have been working hard to get the word out about the wines showcased there — including a light and juicy rosé. Pink wines are often overlooked by consumers, but they easily pair with a wide range of foods, given their balanced acidity and characteristics of red and white wines. They also tend to be satisfying,



PHOTO/MARY SCHLEY

With most of the interior demolition completed, the high ceilings and airy feel of David Fink’s new burger restaurant in Carmel Plaza are making themselves evident.

refreshing and sufficiently interesting to drink practically any time of day. Many mistakenly believe all pink wines are cloyingly sweet, but more often than not, they are completely dry, lacking any residual sugar. This style of rosé has been made throughout Europe for generations but only recently began to find favor with wine drinkers in the United States.

To help grow rosé’s fan base, Holman Ranch is offering a free bottle of its estate-grown olive oil with the purchase of three bottles of 2010 Rosé.

“There is always a time to drink great wine!” the winery’s owners pronounce. “Let’s make a rosé-lution we can stick to.”

The tasting room is located at 19 East Carmel Valley Road, and the wine can also be found online at www.holmanranch.com.

■ More for your Valentine

Of course, there is no shortage of food-and-wine-related means of treating your sweetie in honor of Valentine’s Day, whether that entails eating in, going out or retreating down the coast.

Wild Thyme Deli in Marina has lined up a “menu of love” that can be picked up and enjoyed at home for \$58 for two, with hors d’oeuvres like dried apricots filled with Laura Chenel goat cheese and pistachios, grilled artichoke heart wrapped in balsamic-marinated flank steak. The three-course dinner starts with a green salad with roasted pears, bleu cheese and toasted pecans with balsamic vinaigrette, followed by main-

See **FOOD** next page

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FOOD

From previous page

course options of seared Arctic char or Bistro Steak Napoleon, both creatively prepared, accompanied by freshly baked rolls and dessert of almond cake with lemon curd.

Wild Thyme Deli and Café is located at 445 Reservation Road in Marina. Call (831) 884-2414 or check out www.wildthymedeli.com.

Aubergine restaurant on Monte Verde Street in Carmel, meanwhile, will host The Valentine's Day Aphrodisiac Dinner being billed as "a stimulating evening of sumptuous dishes, brilliant wines and decadent desserts all themed around history's most aphrodisiacal foods and ingredients."

What might those be? Oysters, foie gras with cocoa, dun-geness crab with avocado, confit of ocean trout with coriander and preserved lemon, roasted sunchoke with mustard and watercress, Maine diver scallop with white chocolate and caviar, roasted quail with endive and nutmeg, or even "The Heart Breaker" — Wagyu beef, lobster tail, carrot, star anise and black garlic.

Those are just some of chef de cuisine Justin Cogley's creative dishes, and Aubergine will offer the Aphrodisiac Tasting Menu for \$125 per person Feb. 10, 11 and 14, with the option of a \$110 wine pairing, as well as the Aphrodisiac Four-Course Menu for \$99 per person, plus \$85 for wine pairings, only on Feb. 14. (Prices don't include tip and tax.)

For more information or reservations, call (831) 624-8578 or email reservations@laubergecarmel.com.

Baum & Blume in Carmel Valley Village, meanwhile, will present a "Retro-Vegas Valentine Dinner" owner Deborah Wenzler has named, "Love is in the Cards."

"Think mid-century Vegas glam with continental-style dining, but with a 21st-century upgrade!" she said.

The four-course menu is set to feature oven-roasted Clams Casino; Hail Caesar's Grilled Hearts of Romaine salad with creamy avocado dressing, crouton hearts and shaved parmesan; and entrée choices of roasted lamb chops Aladdin with date purée, Moroccan spice-roasted vegetables; Martini Duck with Vermouth and green olives and Potatoes Parisienne; The Venetian's Seafood Cannelloni with sauté of escarole with caramelized garlic; or layered Vegetable Wellington a la Hugo's Cellar with creamed spinach. Dessert will be Frankie's Favorite New York Cheesecake with sweet cherry sauce.

The cost is \$98.50 for two and includes coffee and chocolate coins. Seatings in the carriage house at 4 El Caminito Road in Carmel Valley Village begin at 5:30 p.m. Call (831) 659-0400 to reserve.

TreeBones on Highway 1 near Gorda is hosting "Romance on the Coast" at 7 p.m. Valentine's Day, with dinner in the resort's Wild Coast Restaurant accompanied by Santa Cruz's Paul Robbins playing jazz on the baby grand.

Chef Tim Hrusa has planned a prix fixe with starters of roasted beet salad with warm herbed goat cheese, crostini and organic greens, or gingered kabocha pumpkin soup with spicy pecan cream, followed by entrées of bacon-wrapped petite filet, chanterelles, cipollini onions, fingerling potatoes and port reduction, or seared day-boat scallops, shaved fennel radish slaw, wasabi aioli and bell pepper mash. Dessert choices will be passion fruit meringue or Chocolate

Oblivion.

The price is \$59 per person, including tax and tip, and reservations are sold in "twosomes." Add a wine flight for \$15 per person. Call (805) 927-2390 from 9 a.m. to 5 p.m. weekdays to reserve.

Library chocolate and wine

The Friends of the Monterey Public Library will hold its annual Chocolate & Wine Tasting Benefit Friday, Feb. 17, from 7 to 9 p.m., at the library on Pacific Street. Guests will sample a wide range of local wines complemented by chocolate treats like cakes, brownies, cupcakes, ice cream, petits fours, fondue, candies, Mexican mole — and even chocolate beer. Live music and a silent auction will add to the festivities, with all the proceeds going for books and other resources.

Tickets are \$25 in advance or \$30 at the door, and attendees must be at least 21 years old. The library is located at 625 Pacific St. in Monterey. For more information, call (831) 646-3949 or visit www.monterey.org/library.

Retreat to Arroyo Seco

Ann Hougham, owner of Mesa del Sol Vineyards in Arroyo Seco, is offering a 20 percent discount on her wines, as well as on stays at her retreat, through the end of May. Her 10-room estate, which can accommodate up to 20 guests, is available for a weekly rental rate of \$5,000. During their stay, visitors can enjoy their time strolling through the gardens, swimming in the pool, playing volleyball and badminton, feeding the chickens and collecting eggs for breakfast, as well as picking fruits and vegetables from the organic garden, hiking the backcountry, swinging under the oak and relaxing beneath the arbor in a hammock while taking in the views.

Hougham can also help plan group activities, such as culinary excursions and cooking classes, fly-fishing, yoga and massage, guided hikes, classes on gardening and floral arranging, and team-building activities.

For more information, visit mesadelsolvineyards.com or call (831) 624-8527.

P.G. theater screens opera

OPERA COMES to Pacific Grove when Lighthouse Cinemas screens performances of "Mediterranea" Sunday, Feb. 5, and Tuesday, Feb. 7. Written by choreographer Mauro Bigonzetti in 1993 and staged by La Scala Ballet at Milan's Teatro degli Arcimboldi in 2008, "Mediterranea" features music by Mozart as well as songs and melodies from Turkey and Greece. Sunday's matinee starts at 1 p.m., while Tuesday's screening begins at 6:30 p.m. Tickets are \$20 for adults, \$18 for seniors and students, and \$16 for children under 12. Lighthouse Cinemas is located at 525 Lighthouse Ave. For more information, call (831) 643-1333.

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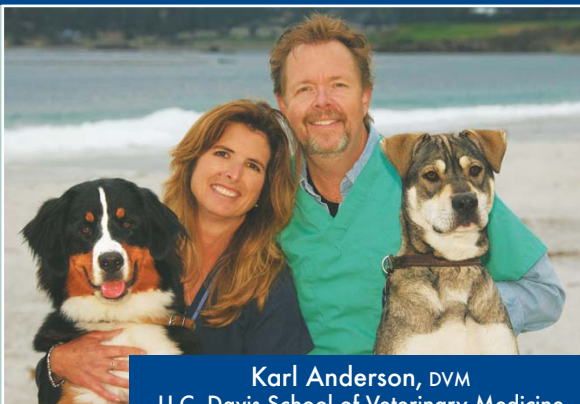
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APN: 243-194-014-000 TS No: CA08000910-11-1 TO No: 10207676-CA-LPI PROPERTY ADDRESS: 142 SAN REMO ROAD, CARMEL, CA 93923 **NOTICE OF TRUSTEE'S SALE** YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED December 14, 2005. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDINGS AGAINST YOU, YOU SHOULD CONTACT A LAWYER. On February 21, 2012 at 10:00 AM, at the main entrance to the County Administration Building, 168 W Alisal Street, Salinas, CA, MTC FINANCIAL INC. dba TRUSTEE CORPS, as the duly Appointed Trustee, under and pursuant to the power of sale contained in that certain Deed of Trust Recorded on January 3, 2006 as Instrument No. 2006000305 of official records in the Office of the Recorder of Monterey County, California, executed by FRED-ERIC T. MARCONI, AN UNMARRIED MAN, as Trustor(s), in favor of FINANCIAL FREEDOM SENIOR FUNDING CORPORATION, A SUBSIDIARY OF INDYMAC BANK, F.S.B. as Beneficiary, WILL SELL AT PUBLIC AUCTION TO THE HIGHEST BIDDER, in lawful money of the United States, all payable at the time of sale, that certain property situated in said County, California describing the land therein as: AS MORE FULLY DESCRIBED IN SAID DEED OF TRUST The property heretofore described is being sold "as is". The street address and other common designation, if any, of the real property described above is purported to be: 142 SAN REMO ROAD, CARMEL, CA 93923 The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown herein. Said sale will be made without covenant or warranty, express or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the Note(s) secured by said Deed of Trust, with interest thereon, as provided in said Note(s), advances if any, under the terms of the Deed of Trust, estimated fees, charges and expenses of the Trustee and of the trusts created by said Deed of Trust. The total amount of the unpaid balance of the obligations secured by the property to be sold and reasonable estimated costs, expenses and advances at the time of the initial publication of the Notice of Trustee's Sale is estimated to be \$1,414,000.91 (Estimated), provided, however, prepayment premiums, accrued interest and advances will increase this figure prior to sale. Beneficiary's bid at said sale may include all or part of said amount. In addition to cash, the Trustee will accept a cashier's check drawn on a state or national bank, a check drawn by a state or federal credit union or a check drawn by a state or federal savings and loan association, savings association or savings bank specified in Section 5102 of the California Financial Code and authorized to do business in California, or other such funds as may be acceptable to the trustee. In the event tender other than cash is accepted, the Trustee may withhold the issuance of the Trustee's Deed Upon Sale until funds become available to the payee or endorsee as a matter of right. The property offered for sale excludes all funds held on account by the property receiver, if applicable. If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee and the successful bidder shall have no further recourse. DATE: January 17, 2012 TRUSTEE CORPS TS No. CA08000910-11-1 17100 Gillette Ave Irvine, CA 92614 949-252-8300 Ernie Aguilar, Authorized Signatory SALE INFORMATION CAN BE OBTAINED ON LINE AT www.priorityposting.com AUTOMATED SALES INFORMATION PLEASE CALL 714-573-1965 TRUSTEE CORPS IS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. P916291 1/27, 2/3, 02/10/2012 Publication dates: Jan. 27, Feb. 3, 10, 2012. (PC127)

FC #: 10-105 **NOTICE OF TRUSTEE'S SALE** YOU ARE IN DEFAULT UNDER A DEED OF TRUST, SECURITY AGREEMENT, ASSIGNMENT OF LEASES, RENTS, AND PROFITS, AND FUTURE FILING DATED DECEMBER 2, 2007. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER. On February 17, 2012 at 10:00 a.m. of said day, at: the main entrance to the County Administration Building, 168 W. Alisal Street, Salinas, CA C.J. Investment Services, Inc., a California corporation the Trustee or Successor Trustee, or Substituted Trustee, will sell at a public auction to the highest bidder for cash (payable at the time of sale in lawful money of the United States) the following described property situated in the County of Monterey, State of California, and described more fully on said deed of trust. The street address and other common designation, if any, of the real property described above is purported to be: Torres Street 3 NW of 8th, Carmel, Ca APN: 010-084-010 The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown here. Said sale will be made AS IS, without covenant or warranty, expressed or implied, regarding title, possession or encumbrances, to satisfy the obligations secured by and pursuant to the Power of Sale conferred in a certain Deed of Trust, Security Agreement, Assignment of leases, Rents, and Profits, and Fixture Filing executed by TRUSTOR(S): Andrew H. Swartz, Trustee of The Sona Saroyan Irrevocable Children's Trust I dated December 29, 1993, Recorded December 14, 2007, as Inst. #2007092862, in the office of the County Recorder of Monterey County. At the time of the initial publication of this Notice, the total amount of the unpaid balance of the obligation secured by the above described Deed of Trust and estimated costs, expenses,

fees, and advances is \$3,335,877.92. To determine the opening bid, you may call: The day before the sale (831) 462-9385. Dated: January 17, 2012 C.J. Investment Services, Inc. 331 Capitola Avenue, Suite G Capitola, Ca 95010 By: Sue Jamieson, Foreclosure Officer P916692 1/27, 2/3, 02/10/2012 Publication dates: Jan. 27, Feb. 3, 10, 2012. (PC128)

FICTITIOUS BUSINESS NAME STATEMENT
File No. 20120050
The following person(s) is (are) doing business as:
Praxis Consulting Group, 1927 Arcadia Court, Salinas, CA 93906; County of Monterey
McCourt & Calvo Consulting LLC, 1927 Arcadia Court, Salinas, CA 93906
This business is conducted by a limited liability company
The registrant commenced to transact business under the fictitious business name or names listed above on N/A
I declare that all information in this statement is true and correct. (A registrant who declares as true information which he or she knows to be false is guilty of a crime.)
S/ Eileen McCourt, Managing Partner
This statement was filed with the County Clerk of Monterey on January 10, 2012
NOTICE-In accordance with Section 17920(a), a Fictitious Name Statement generally expires five years from the date it was filed with the County Clerk, except as provided in Section 17920(b), where it expires 40 days after any change in the facts set forth in the statement pursuant to section 17913 other than a change in the residence address of a registered owner. A New Fictitious Business Name Statement must be filed before the expiration.
The filing of this statement does not of itself authorize the use in this state of a Fictitious Business Name in violation of the rights of another under Federal, State, or common law (See Section 14411 et seq., Business and Professions Code).
Original Filing
1/27, 2/3, 2/10, 2/17/12
CNS-2245893#
CARMEL PINE CONE
Publication dates: Jan. 27, Feb. 3, 10, 17, 2012. (PC129)

T.S. No.: 2011-CA006146 Loan No.: 10001623 Order No.: 5816055 **NOTICE OF TRUSTEE'S SALE** YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED 5/9/2008. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER. A public auction sale to the highest bidder for cash, cashier's check drawn on a state or national bank, a check drawn by a state or federal credit union, or a check drawn by a state or federal savings and loan association, or savings association, or savings bank specified in Section 5102 of the Financial Code and authorized to do business in this state. Sale will be held by the duly appointed trustee as shown below, of all right, title, and interest conveyed to and now held by the trustee in the hereinafter described property under and pursuant to a Deed of Trust described below. The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale. Trustor: NILES S TANAKATSUBO AND MYRIAM S TANAKATSUBO, HUSBAND AND WIFE, AS JOINT TENANTS, and THORNBURH MORTGAGE HOME LOANS, INC., A DELAWARE CORPORATION, as Beneficiary Duly Appointed Trustee: R.E.F.S. INC., A California Corporation Recorded 5/16/2008 Instrument No. 2008031406 in book N/A, page N/A of Official Records in the office of the Recorder of Monterey County, California. Date of Sale: 2/17/2012 at 10:00 AM Place of Sale: At the main entrance to the County Administration Building, 168 W Alisal Street, Salinas, CA Amount of unpaid balance and other charges: \$1,942,755.35 Street Address or other common designation of the real property: 3820 VIA MAR MONTE CARMEL, CA 93923 A.P.N.: 103-131-007 Legal Description: AS MORE FULLY DESCRIBED IN SAID DEED OF TRUST The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown above. If no street address or other common designation is shown, directions to the location of the property may be obtained by sending a written request to the beneficiary within 10 days of the date of the first publication of this Notice of Sale. The property herein is being sold "AS IS". The beneficiary under said Deed of Trust heretofore executed and delivered to the undersigned a written Declaration of Default and Demand for Sale, and a Written Notice of Default and Election to Sell. The undersigned caused said Notice of Default and Election to Sell to be recorded in the County where the real property is located and more than three months have elapsed since such recordation. NOTICE TO POTENTIAL BIDDERS: If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the exist-

tence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on the property. NOTICE TO PROPERTY OWNER: The sale date shown on this notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call 714-573-1965 or visit the Internet Web site www.priorityposting.com, using the file number assigned to this case 2011-CA006146. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Web site. The best way to verify postponement information is to attend the scheduled sale. If the trustee is unable to convey title for any reason, the successful bidder(s) sole and exclusive remedy shall be the return of monies paid to the trustee and successful bidder(s) will have no further recourse. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's Attorney. Date: 1/23/2012 R.E.F.S. INC., A California Corporation Elizabeth Berber, Vice President R.E.F.S. Inc. 9070 Irvine Center Dr. #120 Irvine, California 92618 Phone: 949-474-7337 Fax: 949-752-7337 Sale Line: (714) 573-1965 or R.E.F.S. INC. A CALIFORNIA CORPORATION IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. P917857 1/27, 2/3, 02/10/2012 Publication dates: Jan. 27, Feb. 3, 10, 2012. (PC130)

FICTITIOUS BUSINESS NAME STATEMENT File No. 20120109. The following person(s) is(are) doing business as: **CENTRAL COAST VETERANS CEMETERY FOUNDATION**, 220 Twelfth Street, Marina, CA 93933. Monterey County. CENTRAL COAST STATE VETERANS CEMETERY NON PROFIT CORPORATION, 220 Twelfth Street, Marina, CA 93933. This business is conducted by a corporation. Registrant commenced to transact business under the fictitious business name listed above on: Jan. 1, 2006. (s) Janet Parks, President. This statement was filed with the County Clerk of Monterey County on Jan 19, 2012. Publication dates: Jan. 27, Feb. 3, 10, 17, 2012. (PC131)

SUPERIOR COURT OF CALIFORNIA COUNTY OF MONTEREY
ORDER TO SHOW CAUSE FOR CHANGE OF NAME
Case No. M115696.
TO ALL INTERESTED PERSONS: petitioner, LELE CHEN, filed a petition with this court for a decree changing names as follows:
A. Present name: ARIELEN CHEN MAGTIRA
Proposed name: ARIELEN CHEN
THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.
NOTICE OF HEARING:
DATE: Feb. 24, 2012
TIME: 9:00 a.m.
DEPT: 15
The address of the court is 1200 Aguajito Road, Monterey, CA 93940.
A copy of this *Order to Show Cause* shall be published at least once each week for four successive weeks prior to the date set for hearing on the petition in the following newspaper of general circulation, printed in this county: The Carmel Pine Cone, Carmel.
(s) Lydia M. Villarreal
Judge of the Superior Court
Date filed: Jan. 10, 2012
Clerk: Connie Mazzei
Deputy: M. Oliverrez
Publication dates: Jan. 27, Feb. 3, 10, 17, 2012. (PC132)

FICTITIOUS BUSINESS NAME STATEMENT
File No. 20120115
The following person(s) is (are) doing business as:
ACC Business, 53800 Oasis Rd., King City, CA 93930; County of Monterey
AT&T Corp., One AT&T Way, Bedminster, NJ 07921
This business is conducted by a corporation.
The registrant commenced to transact business under the fictitious business name or names listed above on 12/29/2006.
I declare that all information in this statement is true and correct. (A registrant who declares as true information which he or she knows to be false is guilty of a crime.)
S/ Jeffrey Tutnauer, Vice President - Property Tax
This statement was filed with the County Clerk of Monterey on January 20, 2012
NOTICE-In accordance with Section 17920(a), a Fictitious Name Statement generally expires five years from the date it was filed with the County Clerk, except as provided in Section 17920(b),

where it expires 40 days after any change in the facts set forth in the statement pursuant to section 17913 other than a change in the residence address of a registered owner. A New Fictitious Business Name Statement must be filed before the expiration.
The filing of this statement does not of itself authorize the use in this state of a Fictitious Business Name in violation of the rights of another under Federal, State, or common law (See Section 14411 et seq., Business and Professions Code).
New Filing
1/27, 2/3, 2/10, 2/17/12
CNS-2223194#
CARMEL PINE CONE
Publication dates: Jan. 27, Feb. 3, 10, 17, 2012. (PC133)

FICTITIOUS BUSINESS NAME STATEMENT File No. 20120120. The following person(s) is(are) doing business as:
1. LEE LEARNING CENTER
2. ISLAND PARK LABS
2600 Garden Road, Suite 226, Monterey, CA 93940. Monterey County. ISLAND PARK LABORATORIES, INCORPORATED, 2600 Garden Road, Suite 226, Monterey, CA 93940. This business is conducted by a corporation. Registrant commenced to transact business under the fictitious business name listed above on: June 25, 2004. (s) Linda M. Lee, President. This statement was filed with the County Clerk of Monterey County on Jan 20, 2012. Publication dates: Jan. 27, Feb. 3, 10, 17, 2012. (PC134)

FICTITIOUS BUSINESS NAME STATEMENT File No. 20120083. The following person(s) is(are) doing business as: **DeLuCA REAL ESTATE**, 1087 Mission Rd., Pebble Beach, CA 93953. Monterey County. LESLIE ANN DeLUCA, 1087 MISSION RD., PEBBLE BEACH, CA 93953. This business is conducted by an individual. Registrant commenced to transact business under the fictitious business name listed above on: N/A. (s) Leslie Ann DeLuca. This statement was filed with the County Clerk of Monterey County on Jan 13, 2012. Publication dates: Jan. 27, Feb. 3, 10, 17, 2012. (PC135)

NOTICE OF TRUSTEE'S SALE TSG No.: 5803485 TS No.: CA1100234296 FHA/VA/PMI No.: APN:009 281 009 000 Property Address: **3650 LAZARRO DRIVE CARMEL, CA 93923** YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED 05/27/04. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER. On February 16, 2012 at 10:00 AM, **First American Trustee Servicing Solutions, LLC**, as duly appointed Trustee under and pursuant to Deed of Trust recorded 06/10/04, as Instrument No. 2004060017, in book , page , of Official Records in the Office of the County Recorder of **MONTEREY** County, State of California. Executed by: **WILLIAM PROBASCO AND JOAN PROBASCO, HUSBAND AND WIFE**, WILL SELL AT PUBLIC AUCTION TO HIGHEST BIDDER FOR CASH, CASHIER'S CHECK/CASH EQUIVALENT or other form of payment authorized by 2924n(b), (Payable at time of sale in lawful money of the United States) **At the main entrance to the County Administration Building, 168 W. Alisal Street, Salinas, CA..** All right, title and interest conveyed to and now held by it under said Deed of Trust in the property situated in said County and State described as: AS MORE FULLY DESCRIBED IN THE ABOVE MENTIONED DEED OF TRUST APN# **009 281 009 000**. The street address and other common designation, if any, of the real property described above is purported to be: **3650 LAZARRO DRIVE, CARMEL, CA 93923**. The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown herein. Said sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by said Deed of Trust, with interest thereon, as provided in said note(s), advances, under the terms of said Deed of Trust, fees, charges and expenses of the Trustee and of the trusts created by said Deed of Trust. The total amount of the unpaid balance of the obligation secured by the property to be sold and reasonable estimated costs, expenses and advances at the time of the initial publication of the Notice of Sale is **\$823,796.64**. The beneficiary under said Deed of Trust heretofore executed and delivered to the undersigned a written Declaration of Default and Demand for Sale, and a written Notice of Default and Election to Sell. The undersigned caused said Notice of Default and Election to Sell to be recorded in the County where the real property is located. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's Trustee. The beneficiary or servicing agent declares that it has obtained from the Commissioner of Corporations a final or temporary order of exemption pursuant to California Civil Code Section 2923.53 that is current and valid on the date the Notice of Sale is filed and/or The time-frame for giving Notice of Sale specified in subdivision (s) of California Civil Code Section 2923.52 applies and has been provided or the loan is exempt from the requirements. Date: 01/20/12, **First American Title Insurance Company First American Trustee Servicing Solutions, LLC 3 First American Way, Santa Ana, CA 92707** Original document signed by **Authorized Agent, Chet Sconyers -- FOR TRUSTEE'S SALE INFORMATION PLEASE CALL (916) 939-0772.** First American Trustee Servicing Solutions, LLC May be Acting as a Debt Collector Attempting to Collect a Debt. Any Information obtained may be

used for that purpose. NPP0195701 01/27/12, 02/03/12, 02/10/12 Publication dates: Jan. 27, Feb. 3, 10, 2012. (PC136)

SUPERIOR COURT OF CALIFORNIA COUNTY OF MONTEREY
ORDER FOR PUBLICATION OF SUMMONS OR CITATION
CASE NUMBER: M 112712
Upon reading and filing evidence consisting of a declaration as provided in Section 415.50 CCP by **Penina Michlin Chiu** and it satisfactorily appearing therefrom that the defendant, respondent, or citee **Christopher J. Benak and Lori O. Benak** cannot be served with reasonable diligence in any other manner specified in article 3, Chapter 4, Title 5 of the Code of Civil Procedure, and it also appearing from the verified complaint or petition that a good cause of action exists in this action in favor of the plaintiff, petitioner, or citee therein and against the defendant, respondent, or citee and that the said defendant, respondent, or citee is a necessary and proper party to the action or that the party to be served has or claims an interest in, real or personal property in this state that is subject to the jurisdiction of the Court or the relief demanded in the action consists wholly or in part in excluding such party from any interest in such property;
NOW, on motion of **Penina Michlin Chiu of Frederic Dorwart, Lawyers**, Attorney(s) for the Plaintiff(s), or contestant(s), IT IS ORDERED that the service of said summons or citation in this action be made upon said defendant, respondent, or citee by publication thereof in **The Carmel Pine Cone** a newspaper of general circulation published at **734 Lighthouse Ave., Pacific Grove** California, hereby designated as the newspaper most likely to give notice to said defendant; that said publication be made at least once a week for four successive weeks.
IT IS FURTHER ORDERED that a copy of said **Notice of Judgment on Sister-State Judgment** in this action be forthwith deposited in the United States Post Office, post-paid, directed to said defendant, respondent, or citee if his address is ascertained before expiration of the time prescribed for the publication of this summons or citation and a declaration of this mailing or of the fact that the address was not ascertained be filed at the expiration of the time prescribed for the publication.

SUPERIOR COURT OF CALIFORNIA COUNTY OF MONTEREY
1200 Aguajito Road
Monterey, California 93940
The name, address and telephone number of the plaintiff's attorney, or plaintiff without an attorney, is:
Penina Michlin Chiu,
Cal Bar No. 239431
Frederic Dorwart, Lawyers
124 East Fourth Street,
Tulsa, OK 74103
918-583-9922 (Phone)
Attorney(s) for: BOKF, NA
(Dated: Nov. 21, 2011
(s) Thomas W. Willis,
Judge of the Superior Court
Publication Dates: Feb. 3, 10, 17, 24, 2012. (PC 138)

Trustee Sale No. 729327CA Loan No. 0683570543 Title Order No. 080168130-CA-MAI **NOTICE OF TRUSTEE'S SALE** YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED 09-23-2004. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDINGS AGAINST YOU, YOU SHOULD CONTACT A LAWYER. On 02-24-2012 at 10:00 AM, CALIFORNIA RECONVEYANCE COMPANY as the duly appointed Trustee under and pursuant to Deed of Trust Recorded 09-30-2004, Book , Page , Instrument 2004104951, of official records in the Office of the Recorder of MONTEREY County, California, executed by: MARK SMITH AND BERNADETTE SMITH, TRUSTEES OF THE SMITH FAMILY 1999 REVOCABLE TRUST U/D/ DATED SEPTEMBER 24, 1999, as Trustor, WASHINGTON MUTUAL BANK, FA, as Beneficiary, will sell at public auction sale to the highest bidder for cash, cashier's check drawn by a state or national bank, a cashier's check drawn by a state or federal credit union, or a cashier's check drawn by a state or federal savings and loan association, savings association, or savings bank specified in section 5102 of the Financial Code and authorized to do business in this state. Sale will be held by the duly appointed trustee as shown below, of all right, title, and interest conveyed to and now held by the trustee in the hereinafter described property under and pursuant to the Deed of Trust. The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, interest thereon, estimated fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale. Place of

Sale: AT THE MAIN ENTRANCE TO THE COUNTY ADMINISTRATION BUILDING, 168 W. ALISAL STREET, SALINAS, CA Legal Description: As more fully described in said Deed of Trust Amount of unpaid balance and other charges: \$1,643,082.16 (estimated) Street address and other common designation of the real property: 27299 PRADO DEL SOL CARMEL, CA 93923 APN Number: 169-211-033-000 The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown herein. The property heretofore described is being sold "as is". In compliance with California Civil Code 2923.5(c) the mortgagee, trustee, beneficiary, or authorized agent declares: that it has contacted the borrower(s) to assess their financial situation and to explore options to avoid foreclosure; or that it has made efforts to contact the borrower(s) to assess their financial situation and to explore options to avoid foreclosure by one of the following methods: by telephone; by United States mail; either 1st class or certified; by overnight delivery; by personal delivery; by e-mail; by face to face meeting. DATE: 02-02-2012 CALIFORNIA RECONVEYANCE COMPANY, as Trustee MARCO RIVERA, ASSISTANT SECRETARY CALIFORNIA RECONVEYANCE COMPANY IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. California Reconveyance Company 9200 Oakdale Avenue Mail Stop: CA2-4379 Chatsworth, CA 91311 800-892-6902 For Sales Information: (714) 730-2727 or www.lpsasap.com (714) 573-1965 or www.priorityposting.com P917432 2/3, 2/10, 02/17/2012 Publication dates: Feb. 3, 10, 17, 2012. (PC203)

FICTITIOUS BUSINESS NAME STATEMENT File No. 20120151. The following person(s) is(are) doing business as: **TRIO CARMEL**, E/S Dolores bet Ocean & 7th, Carmel, CA 93922. Monterey County. KARL EMPEY, 335 EL CAMINITO RD., CARMEL VALLEY, CA 93924. This business is conducted by an individual. Registrant commenced to transact business under the fictitious business name listed above on: N/A. (s) Karl Empey. This statement was filed with the County Clerk of Monterey County on Jan 25, 2012. Publication dates: Feb. 3, 10, 17, 24, 2012. (PC206)

SUPERIOR COURT OF CALIFORNIA COUNTY OF MONTEREY
ORDER TO SHOW CAUSE FOR CHANGE OF NAME
Case No. M115853.
TO ALL INTERESTED PERSONS: petitioner, ADELA MORA and JAIME SANTOS-GUIJOSA, filed a petition with this court for a decree changing names as follows:
A. Present name: JAIME MORA SANTOS JR.
Proposed name: JAIME SANTOS-MORA
THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.
NOTICE OF HEARING:
DATE: March 9, 2012
TIME: 9:00 a.m.
DEPT: 14
The address of the court is 1200 Aguajito Road, Monterey, CA 93940.
A copy of this *Order to Show Cause* shall be published at least once each week for four successive weeks prior to the date set for hearing on the petition in the following newspaper of general circulation, printed in this county: The Carmel Pine Cone, Carmel.
(s) Judge Kay Kingsley
Judge of the Superior Court
Date filed: Jan. 24, 2012
Clerk: Connie Mazzei
Deputy: J. Cedillo
Publication dates: Feb. 3, 10, 17, 24, 2012. (PC207)

FICTITIOUS BUSINESS NAME STATEMENT File No. 20120118. The following person(s) is(are) doing business as: **OCEAN PRODUCTION COMPANY**, S.W. Corner dolores and 5th, Carmel-by-the-Sea, CA 93921. Monterey County. LIVING THE DREAM LLC, NV, 6 VIA CONTENTA, CARMEL VALLEY, CA 93924. This business is conducted by a limited liability company. Registrant commenced to transact business under the fictitious business name listed above on: Jan. 20, 2012. (s) Judah White, Managing Member. This statement was filed with the County Clerk of Monterey County on Jan 20, 2012. Publication dates: Feb. 3, 10, 17, 24, 2012. (PC207)



The Carmel Pine Cone

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Tuesdays @ 4:30pm

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MUSIC

From page 13A

playing the stepmother, Abby, on the hit television show, “Eight is Enough,” from 1977 to 1981.

Buckley also won a Tony Award in 1982 for her role as Grizabella in the original Broadway production of “Cats.” She played the ill-fated Miss Collins in the 1976 horror film, “Carrie.” And she received Grammy award nominations for her recording, “Stars and the Moon: Betty Buckley live at the Donmar,” and her audio book reading of Mark Twain’s, “The Diaries of Adam and Eve.”

The show starts at 8 p.m. Tickets range from \$59 to \$79.

Coming up next at Sunset Center is a visit by comedian Joan Rivers Feb. 10. The show is sold out and there’s a lengthy wait list for cancellations.

Sunset Center is located at San Carlos and Ninth. For reservations or more information, call (831) 620-2048 or visit www.sunsetcenter.org.

■ Kiki and friends unplug their guitars

Local music promoter Kiki Wow has worked so hard booking live music in Carmel Valley Village that it’s easy to forget she’s a performer as well. Accompanied by singer Nancy Jones and backed by Victory Lane, she’ll take the stage Saturday, Feb. 4, at Plaza Linda restaurant.

“There’s so many good acts wanting to perform at Plaza Linda that I hardly put myself in anymore, but I want to change that,” said Wow, an accomplished singer-songwriter with a pair of CDs who moved to Carmel Valley five years ago. “I miss playing, too.”

Jones, meanwhile, comes from the mountains of western North Carolina, where she received an extensive musical education in blues, folk, front-porch traditionals, gospel and Southern rock. “Nancy is an amazing singer and multi-instrumentalist,” Wow suggested.

Accompanying Wow and Jones is Victory Lane, a Monterey-based classic rock band. They’ll need to leave their amplifiers at home — Wow is still working out the details of a music permit that will allow her to book electrified music

at Plaza Linda.

The music starts at 7 p.m., and there’s a \$10 cover. Plaza Linda is located at 9 Del Fino Place. For more information, call (831) 659-4229 or visit www.plazalinda.com.

■ Library hosts ukelele concert

The Monterey Ukelele Club meets Saturday, Feb. 4, at the Carmel Valley Library, where they will share their instruments — as well as their singing voices and few dance moves — with the audience.

“Our repertoire spans the 20th Century of popular music and will include some hula dancing,” club member and ukelele enthusiast Steve Brooks explained. “Get ready for some sing-a-longs.”

The ukelele originated in Hawaii in the 19th century, and its popularity spread through the United States during the Jazz Age in the 1920s. The small, guitar-like instrument experienced a resurgence of interest after a medley of “What a Wonderful World” and “Over the Rainbow” by the late Hawaiian singer Israel Kamakawiwo’ole became a pop hit in 2004.

The event starts at 10:15 a.m. The library is located at 65 W. Carmel Valley Road. For more information, call (831) 659-2377.

■ Play it again, Robert

The owner of The Works bookstore and coffeehouse in Pacific Grove, Robert Marcum offers an encore performance Saturday, Feb. 4, of his Gordon Lightfoot tribute concert.

Best known for hit singles like “Carefree Highway,” “Sundown” and “If You Could Read My Mind,” Lightfoot’s rich and distinctive voice was a familiar sound on the radio in the early 1970s.

This time around, Marcum will be joined by Jim Lewin, a talented guitarist, songwriter and music producer from Santa Cruz, and Bill Laymon, a bass player who has performed extensively with the New Riders of the Purple Sage and the David Nelson Band.

The music starts at 7:30 p.m., and there’s a \$15 cover. The Works is located at 667 Lighthouse Ave. For more information, call (831) 372-2242 or visit www.theworkspg.com.

Shy Cats Looking for Love



Miss Molly



Lily



Ma'am

Ma'am, Lily and Miss Molly have been waiting months for someone to quietly love, someone with the patience to allow them to blossom at their own pace. Miss Molly is a three-year-old with a short coat, Lily is a four-year-old with a long coat, and Ma'am is a six-year-old with a long coat. They do not need to be adopted together.



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2/24

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The Rev. Charles Anker

9:15 am Pre-service Concert

Arnold Buss, violin

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(Evensong - 1st Sun., 5:30 PM)

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LOFTUS

From page 1A

ing taking out big loans in his name. Loftus was left with virtually nothing.

“Because all the financial abuse, he died a pauper,” Hespe said.

On Aug. 12, 2011, Harper agreed to settle the lawsuit by paying Loftus \$1 million. Superior Court Judge Kay Kingsley approved the terms of the agreement, which required Harper to pay the money to Loftus within 60 days.

Less than a month later, though, Harper filed for bankruptcy in U.S. District Court claiming he was broke and unable to pay Loftus. But because the settlement was made when Loftus was alive, Hespe said the agreement is still binding and will transfer to his surviving heirs, which include two adult children.

The \$1 million “is an asset like any other asset, and it will go to his children,” Hespe said. “They have a right to collect on that against Charles Harper. We believe justice will continue to be done.”

After the suit was filed, professional caregivers took care of Loftus at his Carmel home. Months later, Loftus was at Carmel

Hills Care Center, the Monterey nursing where he lived until his death.

Before his retirement, Loftus, an internist, had a long and distinguished medical career, which included treating President Lyndon Johnson when he was a senator and being a personal physician for the head of NATO in the 1950s.

‘Someone to protect his rights’

A few months after Loftus hired Hespe to file suit against Harper in February 2010, Hespe said it was clear Loftus had no more cash to pay for legal representation. Hespe and his law partner, Albert Nicora, decided to work for Loftus for nothing. The attorneys and staff in their office staff spent hundreds of hours on the case.

“I did it on a pro bono basis because Dr. Loftus clearly needed someone to protect him and stand up for this rights, and he simply could not afford to pay an attorney,” Hespe said.

“What Harper did was such a horrible and sad injustice in my opinion, that I simply could not let him get away with it. I was afraid that Harper would continue to commit this type of elder abuse on future victims if someone did not stand up to him.”

When a Pine Cone reporter called Harper

late last year for comment, he said he no longer wanted to be contacted by the newspaper.

Meanwhile, Loftus made specific plans for his death, according to Hespe.

“The instructions were to cremate him and mix his ashes with his deceased wife’s — who was the love of his life — and scatter them in the ocean in front of his house on Scenic Road,” Hespe said.



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SERVICE DIRECTORY
continued on page 22 A

ART

From page 13A

The event starts at 1 p.m. The gallery is located on the east side of Dolores between Ocean and Seventh. For more information, call (831) 624-3369 or visit www.winfieldgallery.com.

■ CAA unveils new shows

Exhibits by sculptor Kathleen Crocetti and painter Heidi

MYSTERIOUS

From page 1A

“There was light smoke in the kitchen — you could tell that something had been burning, but that was it,” Pangburn said. A steel backsplash behind her electric stove was warm to the touch, firefighters discovered, and cabinets below the sink and close to where the woman had been lying showed scorch marks.

At a Santa Clara County trauma center, Wyatt later died, and the coroner there took over the case.

The circumstances under which she died remain a mystery. “There’s not a lot to go on,” Pangburn said. “The caregiver had been gone for about an hour, so it’s unknown what time this actually happened. We just know there was this one-hour window, and that’s it.”

Hybl go on display Saturday, Feb. 4, at the Carmel Art Association.

A middle school teacher who lives in Santa Cruz, Crocetti presents a display of glass mosaic panels. Hybl, a longtime Big Sur resident, offers an exhibit of abstract oil paintings inspired by the local coastline.

The CAA hosts a reception for Crocetti and Hybl from 6 to 8 p.m. The gallery is located on the west side of Dolores between Fifth and Sixth. For more information, call (831) 624-6176 or visit www.carmelart.org.

■ Art is good medicine

In an exhibit now on display at Sunset Center’s Marjorie Evans Gallery, Santa Cruz psychiatrist Nancy Leigh Hillis uses oils, watercolors, mixed media and collage to create stunning abstract images of horses.

“Her work is absolutely beautiful,” said Barbara Davison, the show’s curator. “She likes bright colors, particularly reds, yellows and blues. It’s really striking to see it up close.”

Trained to be a radiologist, Hillis switched to psychiatry because it stimulated her creativity and her intuition. Her artwork grew by leaps and bounds after she changed professions.

“I realized I was missing art and beauty,” Hillis explained. “I needed more than just medicine.”

“A Horse — A Guide to the Unknown” will be on display until the end of the month.

The gallery will host a reception for Hills Friday, Feb. 3, from 5 to 7 p.m.

Sunset Center is located at San Carlos and Ninth.

BRINTON’S

From page 1A

Brinton’s was a mainstay of the local retail scene for a half-century. But according to a former employee, the store was in trouble financially. The Prim Family Partnership sued Brinton’s in 2009 for unpaid rent. Meanwhile, Santa Barbara Bank & Trust filed a lawsuit Jan. 27, alleging Brinton’s owes \$479,305.68 from an unpaid 2009 loan. Lombardo, meanwhile, said the store was more than \$100,000 behind in its rent.

After employees were informed Jan. 22 of the store’s closure, eight filed claims for back wages and vacation pay with the state labor board.

As for the store’s inventory, Lombardo said it is gone. “The inventory was moved out in the dead of the night last weekend,” he explained. “I don’t know if [Brinton] is planning to open another store.”

Former customers, meanwhile, wonder if they’ll be able to redeem gift certificates issued by Brinton’s as recently as December.

Calls to the Brinton’s residence have gone unanswered, and a message was not returned.

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SERVICE DIRECTORY

continued from

page 21A

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JANUARY 2ND

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POLICE LOG


JANUARY 20TH

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NEIGHBORS

From page 1A

“Whereas the first truck arrived on the scene relatively quickly, when they attempted to hook up their lines to the hydrant, it only trickled water. Since there was no water, safety rules forbade Cal Fire from attacking the blaze with only the water contained on the engines, and the owners and neighbors were forced to watch the fire grow for a reported 10 to 15 minutes before being able to begin to quell the blaze,” reported property owner Peter Baird. “The neighbors are incensed this could happen, particularly given the assurances all Carmel residences expect in such an instance.”

Aysa Taff said, “The county water main(s) on our street had no water pressure during the fire. The firefighters were forced to wait for at least 15 minutes while a water truck from Pebble Beach was dispatched to come to their aid. Many of us witnessed the firefighters bracing for the water to come out of the hoses, and then a minuscule trickle (less than a garden hose) actually emerging.” She also said firefighters complained about water mains producing inadequate water pressure.

A man who did not want to be identified said he witnessed firefighters apparently scrambling for another hose after not getting water from one of the lines, and he believed the hydrant did not have enough flow. He said a sheriff’s deputy standing nearby also seemed concerned about the apparent lack of water.

Fire officials answer

Following the rush of questions and concerns from

Mission Fields residents, chief officials with Monterey Fire Department and Cal Fire — both of which responded to the blaze — sought to set the record straight.

“I have spoken with all Monterey Fire personnel that responded, and no one said anything about the hydrants not working or water mains having troubles,” said MFD Assistant Chief Stew Roth.

He further explained that onlookers probably misunderstood what was occurring. “While the garage was very involved with fire, the Cypress crew went inside to protect the unburned structure by spraying water on the fire from inside the house to protect the residence and reduce property damage,” he explained. “When those efforts take place, we do not spray water from the outside on the fire, as this could severely injure or kill firefighters by pushing fire on them or steaming them to injury or death.”

As a result, firefighters outside the home were waiting for their turn to attack.

“The neighbors’ concern are very common in these types of incidents, because they can’t see the fire attack from within and are watching crews outside not spraying water standing around,” he said. “What they really saw was a very well coordinated attack by two very well trained departments working together collectively for the best outcome of the resident.”

Roth, who oversees training for the department, added that operating guidelines “allow (and encourage) the captain of the first arriving engine company to go in and begin fire attack without a hydrant water supply.”

In fact, he said, tests conducted after the state imposed new firefighter safety rules indicated that going straight to the hydrant, rather than using water stored on the engine, “cost more time and allowed the fire to grow bigger.”

Consequently, MFD requires the first engine at the scene to “begin immedi-

ate and aggressive fire attack using the 500 gallons of water on [the] engine,” and the second arriving engine to assist the first crew, while the third will connect to the hydrant. A ladder truck enables firefighters to attack the blaze from above.

“We have had great success with this model,” Roth said. “Additionally, being the training guy that I am, we encourage what I like to call ‘catastrophic failure drills,’ which encourage and facilitate quick recognition of problems (such as a failing hydrant) and find a fast and effective solution without interrupting your operations.”

Cal Fire Assistant Chief Dennis Carreiro said his agency follows similar policies and procedures. He further reported there were no problems getting water from the hydrant during the Mission Fields fire, which started when sparks landed in sawdust accumulated below machinery in Travaille’s garage workshop, where kindling kept in containers also ignited. Cal Fire investigators concluded the sparks resulted from Travaille sharpening chisels the night before.

“Our fire captains are encouraged to attack the fire with tank water and have the next arriving engine provide for the continuous water supply from the closest hydrant,” Carreiro explained. “There were no issues with the hydrant.”

During the incident, which Travaille reported at 8:42 a.m., Monterey Fire’s engine from the City of Carmel was the first to arrive at 8:48 a.m., followed 10 seconds later by Cal Fire’s engine, and they both made initial attacks, while the third engine, also from Cal Fire, hooked up to the hydrant. A total of four engines with 21 firefighters worked to put out the fire, which was contained just after 9:15 a.m.


Cal Fire spokesman Jonathan Pangburn suggested any delays onlookers perceived had to do with getting the utilities to the house shut off after firefighters reported sparking wires. The home had no exterior circuit box for the electrical service, and the gas shutoff was in a cupboard in the garage that had sheets of plywood stacked in front of it.

“We had to wait for PG&E to come turn it off at the line,” he said. “That was a delay, but that’s a safety consideration:

You don’t want to get a bunch of people electrocuted, so you have to wait. Securing the utilities was definitely awkward in this case.”

Carreiro said the Cypress Fire Protection District, which is responsible for fighting fires in Mission Fields, and the nearby Carmel Highlands and Pebble Beach fire districts, “have an aggressive fire hydrant maintenance and testing program,” which calls for working with local water companies to test the flows from 20 percent of the districts’ hydrants every year. Pangburn said the hydrant crews used last week functioned flawlessly and was checked just last year.

The Monterey Fire Department, which recently acquired the Carmel Fire Department, has a similar program. While 29 of the 201 fire hydrants in Carmel-by-the-Sea were found to have insufficient flows in 2006, those have since been repaired or removed.



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Give your community a stimulus plan — shop locally!

Editorial

We have met the enemy

WHEN A beloved, longtime local retailer suddenly goes out of business, lots of people can be heard expressing dismay and even shock.

“How can Brinton’s close?” was one question being asked last week.

“I loved that place ... what went wrong?” was another.

And so was, “How much do you think the landlord tried to raise the rent?”

But the real question that should have been on everyone’s mind was: “When was the last time I shopped there?”

Because whatever other factors may have been involved in the store’s demise, the primary one must have been that it wasn’t making money. And if it wasn’t making money, the cause was a lack of customers. In other words: You.

So, while Brinton’s may be closed forever, its shutdown is another reminder that there are lots of other local businesses hanging on by a thread — but which will still make it with your help.

If your family is just scraping by, it’s understandable that you make all your personal shopping decisions based on price. But if your family has plenty of money to spend, you have no business setting foot in Costco ... ever. A dollar spent there is another blow to the local businesses we all cherish and directly leads to the retail homogenization everybody detests. And when one local business fails, the economic shockwaves affect everybody else.

If there’s a Costco card in your wallet, do your community a favor and burn it. And then go spend some money at the store around the corner.

Pat yourself on the back

IT HAS been such a relief to see the Pebble Beach Company’s latest (scaled back) development proposal sailing through the permit process. Not only has there been hardly any public opposition to the company’s plan for new hotel rooms, homes and assorted other development in Del Monte Forest, even the new executive director of the California Coastal Commission, Charles Lester, has been actively lending his support.

Instead of the usual nonsensical opposition from activists, public officials have been hearing praise from all quarters for the proposal’s balance of development and environmental protection. Which is how it should be.

The P.B. Co. brain trust deserves credit for a job well done. And so do all the people who have been supporting them.

BEST of BATES



“Just like St. Andrew’s. Don’t you love it?”

Letters to the Editor

Let them eat pencils

Dear Editor,

Loved your editorial homage to Milton Friedman’s story of how free market forces coalesce to produce the humble pencil. It was right on its well sharpened point. However, even the late Dr. Friedman would have to admit that today’s pencil market is much different than the simpler days of old. Today, given the global economy’s intertwined dependence on pencils, regular government intervention is necessary to control the pernicious nature of unfettered capitalism and protect the interests of writers everywhere.

For example, in recent years, No. 2 pencils have developed a virtual monopoly in this corner of the writing instrument market. Therefore, unless regulators provide protection to No. 3 pencils going forward, they face a clear and present danger of becoming extinct, much like what happened to No. 1 pencils in years past. Also, it is obvious to anyone who has ever filled in the “bubbles” on a standardized test that proper pencil safety is not being taught in many homes these days. If parents aren’t going to do their job in this area, it is incumbent upon our public education system to intervene, lest someone’s eye gets poked out.

Further, as we’ve come to understand, mechanical pencils are much better for the environment than traditional wood pencils. However, unless government incentives are

provided to spur the research and innovation in new mechanical pencil technology, no meaningful market impact will ever occur. Lastly, certainly a Noble Prize-winning economist, such as Friedman, would understand that severe inequities in pencil wealth is not healthy for any civil society. We need government to make sure that the 99% get their fair share of pencils both now and for generations to come. Only the strong hand of government can ensure that the 1% don’t end up keeping all the pencils to themselves, as they have already done with the Mont Blanc fountain pen market.

Erik Davidson, Carmel

‘Respect,’ not ‘tolerance’

Dear Editor,

In reference to your recent article on the Carmel School district’s implementation of SB48 (the FAIR Education Act), I would like to suggest to all concerned, starting with the administrators and teachers, that the word “respect” be utilized rather than “tolerance.” As a human being, regardless of which minority or disenfranchised group one may belong to, I think all of us would much rather be respected than just tolerated.

Christine Williams, Carmel Valley

In defense of hunter-gatherers

Dear Editor,

In regard to your editorial of Jan. 27, I think you present a somewhat limited view of hunter-gatherer societies. Some of the worlds great art, such as the cave paintings at Lascaux, Altamira and Chauvet, were made and remade long before anyone grew grain. I believe that there are cave paintings in India,

Continues next page

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■ **Advertising Design** Sharron Smith (274-2767)
..... Scott MacDonald (274-8654)
■ **Office Assistant** Hannah Miller (274-8593)
■ **Legal Notices** Irma Garcia (274-8645)
■ **Distribution** Central Coast Delivery
■ Employees can also be **emailed** at firstname@carmelpinecone.com

The Carmel Pine Cone

www.carmelpinecone.com

PUBLISHED EVERY FRIDAY

Vol. 98 No. 5 • February 3, 2012

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A California Corporation

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The Carmel Pine Cone

was established in 1915 and is a legal newspaper for Carmel-by-the-Sea, Monterey County and the State of California, established by Superior Court Decree No. 35759, July 3, 1952

From previous page

South America and Australia too. We have strong evidence for communal celebrations and religious rites in prehistoric times. Presumably there was a little more to such lives than violence and making babies.

Alison Schwyzer, Carmel

Flanders Mansion

Dear Editor,

I am bothered by the controversy over the Flanders vote. “There is a there, there.” Unfortunately the vast majority of these people who voted against Flanders have never been “there.” It’s a shame ... if they ever visited, the vote would be different.

Ellen Marie Thomas, Carmel

Farr’s misplaced priorities

Dear Editor,

I fail to see a reason for Representative Farr to be so brash regarding the light poles at NOAA (front page of January 27 issue). I’m not writing to support or critique the light poles. My concern is that Mr. Farr is using his position to influence something outside the scope of his responsibilities. As

far as I know, individual congressmen don’t have authority over NOAA...and they don’t have authority to ask or tell any federal agency “to do away with lights.” Maybe congress would be more productive if representatives worried less about trivial matters and more about pressing ones — such as the economy, unemployment and foreign policy.

Dan Lacaria, Seaside



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FEE

From page 1A

fish rescues, aquifer storage and recovery and other mitigation work to reduce adverse impacts to the Carmel River — the Peninsula's primary water source.

But in July 2009, the 8.325 percent charge that had been tacked onto Peninsula customers' California American Water bills was removed after Public Utilities Commission administrative law judge Maribeth Bushey ordered Cal Am to find another way to fund the Carmel River mitigation measures.

At a hearing in San Francisco Feb. 8, water district general manager Dave Stoldt and attorneys for the district will appeal to Bushey to reinstate the fee. If Bushey rejects the request, it could be crippling to the district and the work it does on the river, Stoldt said.

"It's hurting the water district quite a bit," according to Stoldt, who said the agency has a legal right to collect the fee.

Since 2009, however, the CPUC has issued several decisions against the water district, which, along with Cal Am and the Department of Ratepayer Advocates, have made failed attempts to get the fee reinstated. The CPUC most recently denied the request in March 2011.

To make up for the lost revenue, Cal Am had been reimbursing the water district for the river mitigation work until May 2011, when the CPUC said Cal Am could no longer reimburse the district.

"We are now paying them for the mitigation work [in a contract agreement], but it's much less than they were paid under the reimbursements," Cal Am spokeswoman Catherine Bowie told The Pine Cone.

The roughly \$1.5 million Cal Am will pay the district for the Carmel River work this year isn't enough to cover the district's expenses, according to Stoldt. In 2011, the amount the water district budgeted for the work was \$3.7 million and 16 workers.

"If [the fee] is not reinstated, some of the

things that would be at risk are fish rescues — and it looks like we may be headed into a drier year" when fish rescues in the Carmel River are most needed, Stoldt said.

Other conservation projects for the river that could be reduced or cut if the fee isn't reinstated include erosion control work, hydrology and plant life studies and habitat restoration in the Carmel lagoon.

It could also mean "a real threat" to the jobs of the district's 28 employees, who could face work furloughs or worse, Stoldt said.

"We would first look to things like furloughs," he explained. "But we have done the math and furloughs don't solve the problem. [Layoffs] would be on the order of five to eight positions."

The user fee has generated support by some, including the Carmel Valley Association, which contends the work is necessary for the health and vitality of the river. But the CPUC in a 2010 analysis expressed concern that "Cal Am's customers may be paying user fees to the management district for projects that may not be necessary or cost-effectively performed" by the district.

Stoldt said the user fee is more essential than ever because of the district's plans to fund future water supply projects, which could include expanded aquifer storage and recovery and groundwater replenishment projects.

"We are heading in the mode where there are a lot of potential capital expenditures," he said.

If Bushey rejects the water district's fee request, Stoldt said it will explore alternatives including a plan where the Monterey County Assessor could collect the fee on tax rolls, which Stoldt said is the "most secure" method of obtaining the money from Cal Am's customers. Dozens of wastewater agencies in the state, including the Carmel Area Wastewater District, use the mechanism to bill and collect their revenues, he said.

It's also possible, though unlikely, the water district could square off in court against the CPUC.

"I don't think any of us is thinking that is

an appropriate way to go," Stoldt said. "If we are successful in coming up with an alternative funding mechanism, that is probably in everybody's best interest."

Apart from the user fee, the water district generates revenue from property tax allocations, connection charges, permit fees and state grants.

In early 2011, the water district launched a public relations effort that included a \$1,500 advertisement in the Monterey County Herald urging Cal Am's customers to support the user fee, which they would pay every month. The ad asked ratepayers to sign an attached "support letter" and send it to CPUC President Michael Peevey.

But Peninsula residents have expressed dissatisfaction with the water district in recent years, going so far as to approve by a

two-thirds margin a 2002 ballot measure calling for the district to be disbanded because of its reputation for curtailing water instead of supplying it.

Stoldt said the water district wants customers to understand that the user fee is necessary to protect the Carmel River and to come up with alternative water supply projects.

"The ratepayers of the Peninsula have said, 'We want a water supply,'" he said. "You can't have the resources without the cost."

Bowie said Cal Am believes the water district has "expertise and experience to continue the work" on the Carmel River.

The CPUC is expected to consider the water district's request at the Feb. 8 meeting and issue a decision sometime after that.

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PUBLIC NOTICES

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There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

Tiene 30 DIAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefonica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y mas informacion en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede mas cerca. Si no puede pagar la cuota de presentacion, pida al secretario de la corte que le de un formulario de exencion de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podra quitar su sueldo, dinero y bienes sin mas advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, pueda llamar a un servicio de remision a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperacion de \$10,000 o mas de valor recibida mediante un acuerdo o una concesion de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is (El nombre y direccion de la corte es):
**MONTEREY COUNTY
SUPERIOR COURT
1200 AGUAJITO ROAD
MONTEREY, CA 93940**

The name, address and telephone number of the plaintiff's attorney, or plaintiff without an attorney, is (El nombre, la direccion y el numero de telefono del abogado del demandante, o del demandante que no tiene abogado, es):
**Andrew H. Swartz,
State Bar No. 58429
SPIERING, SWARTZ & KENNEDY
550 Hartnell Street, Suite A1
Monterey, California 93940
Tel: (831) 373-3235
Fax: (831) 373-8211**

Date: Sept. 28, 2011
(s) Connie Mazzei, Clerk
by S. Kelly, Deputy
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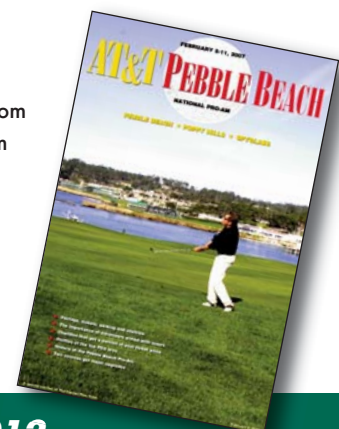
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