

Lawsuit claims \$36,000 Italian Renaissance clock was a fake

By KELLY NIX

A CUSTOMER who purchased a \$36,000 clock he said was advertised as an antique from the Renaissance is suing the owner of a Pacific Grove store for fraud, alleging the timepiece is a fake.

Theodore Vinther filed a lawsuit Oct. 21 in Monterey

County Superior Court against P.G. developer and Holman Antique Plaza owner Nader Agha, contending the clock was misrepresented when he bought it in October 2007.

Vinther is suing for \$36,000, plus unspecified losses due to his expending "significant time and funds to determine the clock is a reproduction, not a genuine antique," according to the suit.

But Agha, who described the clock as a "very fine, heav-

ily carved, very fancy mahogany grandfather clock," said he never misrepresented it.

"I told him it's probably about 20 to 30 years old," he said.

According to Vinther's suit, the clock was advertised and sold to him as a "genuine Italian Renaissance clock," and that

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The Carmel Pine Cone

BULK RATE
U.S. POSTAGE
PAID
CARMEL, CA
Permit No. 149

Volume 94 No. 44

On the Internet: www.carmelpinecone.com

October 31-November 6, 2008

YOUR SOURCE FOR LOCAL NEWS, ARTS AND OPINION SINCE 1915

HOUSE FIRE BLAMED ON BAD WIRING

■ Burned for hours before being discovered

By MARY BROWNFIELD

ANTIQUATED WIRING in the kitchen is the suspected cause of a fire that gutted a vacant home on Rio



PHOTO/MARY BROWNFIELD

An early-morning fire Sunday destroyed pretty much everything except the adobe walls in this home above the mouth of the valley. Renters were due to move in the next day.

Vista Drive in Carmel Valley early Sunday morning, but the damage was so extensive no one will ever know for certain, a fire investigator said.

Fire engines from several departments rushed to the hillside neighborhood across from Carmel Middle School when neighbors dialed 911 around 4:15 a.m. Oct. 26 to report a vegetation fire, according to Cypress Fire Capt. Richard Lopez.

"The neighbor looked out, and it looked like the trees were on fire," he said.

But it was a 1,500-square-foot adobe house that was actually ablaze, and when the first engine arrived, firefighters saw "fire coming out darn near every window and door," Lopez said. "It took the crews a good hour to get it knocked down to where it was just smoking and smoldering."

In addition to Cypress Fire, engines came from the City of Carmel and Carmel Valley, and several more were en route due to the initial report of a wildfire.

"We had a whole parade coming," Lopez said. In total, 22 people helped put out the blaze.

"The house is a total loss,"

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Erosion control projects hampered by red tape

■ Rain on the way has Big Sur residents worried

By CHRIS COUNTS

DAVE BRUBAKER wants to install a 480-foot concrete barrier on his property to protect his outbuildings from the mud and debris that promise to rush down Anderson Creek in this winter's storms.

But according to his attorney, he has yet to get a permit for the work due to a bureaucratic slowdown, and he's worried rain will come before he can get any work done.

Recent wildfires, which scorched more than 250,000 acres along the Big Sur coast, stripped Anderson Canyon of much of its erosion-controlling vegetation.

To construct the barrier, Brubaker needs an OK from Monterey County and the California Department of Transportation. Unfortunately, both approvals are contingent on an uncompleted engineering report. Meanwhile, Brubaker

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Sculptor sued by DMC Construction

By KELLY NIX

A MONTEREY construction company is suing a local sculptor alleging the artist hasn't paid more than \$100,000 in labor and materials for his new gallery at Lincoln and Sixth in downtown Carmel.

DMC Construction filed a lawsuit Oct. 21 against sculptor Richard MacDonald, who the company says has not paid \$117,443.80 in construction costs for his showplace gallery.

In July, DMC Construction filed a lien on the property for the unpaid bills.

DMC and MacDonald entered into a contract in April 2007 to construct the building, a portion of which was to be used as an art gallery and a portion as a residential apartment.

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PHOTO/MARY BROWNFIELD

The new sculpture gallery on Sixth Avenue took two years to build, and the contractor claims it is owed lots of money.

Anchorwoman seeks damages for emotional trauma over dog's death

By KELLY NIX

IN A lawsuit that seeks to set a new precedent for damages, a local news anchorwoman is suing the owner of a Labrador for emotional distress after the dog mauled her Maltese last year in front of the Pacific Grove post office.

In her suit filed Oct. 20 in Monterey County Superior Court, Olga Ospina, of KCBA and KION TV, asks that the Lab's owners, Donna Bazan and Donald Armstrong, be required to pay her thousands of dollars for veterinary and personal medical bills.

But Ospina is also seeking something California courts haven't awarded before. She wants money for "severe emotional distress" she claims she suffered as a result of her dog being attacked.

Heretofore, "the law limits emotional distress damages to being in the presence of a close human relative who gets



Olga Ospina

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Neighbor complains, but hot tub shelter OK'd

By MARY BROWNFIELD

WHEN CASANOVA Street residents Mike and Nancy Proto-Robinson put a hot tub in their backyard, they decided they wanted more privacy from the two-story house next door, so they constructed an ornate shelter that stands 11 feet tall and covers 100 square feet.

Last week, they received approval for the shelter but were chastised for building it without a permit.

The structure came to the city's attention after neighbor Kurt von Emster complained. He said its roof blocks the view of a "nicely planted area" in the neighbor's yard that had been visible from his home.

"Our home has large view windows into the backyards of our neighbors, and we enjoy the view of ours and our neighbor's trees," he wrote in an Oct. 7 letter to the city.

But the Proto-Robinsons felt their privacy was more important than von Emster's view of their yard.

"The applicants expressed concern about the privacy of their backyard from the northern neighbor's windows," city planner Marc Wiener wrote in a report for the Oct. 22 design review board meeting.

He recommended approval but initially said the couple would have to pay double fees for building the structure without a permit.

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