

# THE DAILY CALIFORNIAN

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## HARDBOILED DISMISSES WRITER FOR PLAGIARISM

### STAFF HALTS DISTRIBUTION

#### Story Lifted Portions From Prominent Fashion Magazine

by R. TYLER HILLMAN  
DAILY CAL STAFF WRITER

The prominent campus publication *hardboiled* may be in some hot water.

The Asian American-themed magazine is facing allegations of plagiarism stemming from its November issue, prompting the monthly magazine to terminate a member of its writing staff Tuesday night.

Editors met yesterday to discuss policy changes designed to pre-empt future incidents of copyright infringement.

*Hardboiled*'s staff decided at this meeting to cease distribution of the November issue and remove it from the publication's Web site, according to an official statement issued by the magazine last night.

The article in question, titled "Japanese Hilton Sisters," described the enigmatic exploits of Kyoko and Mika Kano, two wealthy Japanese socialites.

The manner in which the piece was written suggested original reporting.

However, *hardboiled*'s article liberally borrowed both phrases and anecdotes from a piece published in the October issue of the magazine *W*, a fashion monthly.

Extensive evidence of plagiarism appeared throughout *hardboiled* contributing staff member Connie Chung's article.

The original *W* article, entitled "Made in Japan," at one point stated that "Kyoko is said to have owned a shipping business, the sale of which made her independently wealthy—but she has refused to disclose what she shipped or who bought her company."

The *hardboiled* article stated in an



PHOTO/ANNA BROWNE

## A BIT OF BULGARIA IN BERKELEY

LAUREN GARD (LEFT) and Jacob Adelman wonder in amazement at Jacko Vassilev's photo exhibit. "The People and Culture of Bulgaria," on display in North Gate Hall.

unattributed assertion that "at one point Kyoko is said to have owned a shipping business which she then sold to earn her wealth. But she never revealed what she shipped, or who bought the company."

*W*'s article also described Kyoko's "24-carat D-flawless white diamond solitaire," while *hardboiled* referred to the sisters' jewels as "24-carat D-flawless white diamond rings."

*W* magazine is looking into the plagiarism allegations, said Jerry Birenz, an attorney for Conde Nast Publications Inc., which along with *W* also owns *Vanity Fair*, *WIRED* Magazine and *The New Yorker*.

"As a student magazine we have a limited staff, and we try our best to make sure that everything coming

from writers is original," said *hardboiled* tech editor Roger Wong. "After this incident we have re-evaluated how we accept and evaluate stories."

*Hardboiled* took the issue seriously and is pursuing appropriate steps to redress the issue, Wong added.

Conde Nast may pursue several avenues if it chooses to seek a legal solution to the situation.

"Conde Nast will probably look into it and contact (*hardboiled*), tell them there is a problem and work toward a settlement," said San Francisco attorney Nate Garhart, who specializes in trademark and copyright law.

"It's not in their interest to spend too much time on this," Garhart said. "But on the other hand they want to make sure (*hardboiled*) understands the

problem to a degree that they're not going to do it again."

The *hardboiled* case probably falls outside the concept of "fair use," a legal provision allowing small portions of copyrighted works to be reprinted under certain circumstances, Garhart added.

This would mean Conde Nast would be within its rights to pursue legal measures designed to recover financial losses, he said.

*Hardboiled* will make a formal statement of apology for the plagiarism in its next issue, according to an official statement issued last night.

"We don't have access to the same story checking capacity as major newspapers, but we do take this issue seriously and are taking appropriate disciplinary action," Wong said.

## UC Berkeley Quickly Approaches Its Enrollment Cap

### University Looks to Amend Its Enrollment Limitation Agreement With City to Accommodate Tidal Wave II Increase

by TAMI ABDOLLAH  
CONTRIBUTING WRITER

UC Berkeley is dangerously close to exceeding a limit on its enrollment that it agreed to with the city of Berkeley, according to figures released yesterday.

Enrollment was capped at 31,200 students by a plan negotiated between the university and the city in 1990. The plan is called the Long Range Development Plan and is accompanied by the Mitigation Implementation Agreement, a university official said.

But the new figures showed that 33,145 students were enrolled at the university for fall 2002, and only a significant drop next semester will keep the yearly average below the agreed limit.

"The city is concerned with the overall impact of the campus population," said Irene Hegarty, director of Community Relations for UC Berkeley. "They feel it creates a demand for city services."

The university submits its enrollment figures to the city every May. The terms of the agreement had called for

reducing enrollment to 29,450 by the academic year 2005-2006.

But the number of students enrolled for fall 2002 is already higher than last year's, Hegarty said.

ASUC Academic Affairs Vice President Tony Falcone said the newly released numbers greatly concerned him.

"The housing and academic facilities are not here yet, the faculty hasn't been hired for classes, yet we have students here, and that's a tremendous challenge," Falcone said.

Enrollment increased in part because the number of continuing seniors on campus jumped from 7,606 last year to 8,413 this year, according to the university press release.

"One reason seniors are not graduating is because of the job market," Falcone said. "Another issue might be the data, which includes seniors with (advanced placement) credit."

Falcone also said students' inability to get basic needs such as housing and

financial aid were obstacles to graduating on time.

"Additional impediments are classes where unit workload does not reflect the actual workload that needs to be done," he said. "My favorite example is walking into Soda (Hall) at 3 a.m. and seeing students still working away. So, students take the minimum load."

If UC Berkeley goes over the enrollment cap, it may face legal consequences. In recent years, the city has considered filing lawsuits to block university expansion.

"On one hand we want to be good neighbors with the university and cooperate and be helpful," said Mayor-elect Tom Bates. "But we want to keep our understandings and live by our understandings. We want to operate on good faith."

The statewide increase in college-aged students known as Tidal Wave II should allow the university to deviate from the original agreement, Hegarty said.

"The increase of students began around 1998 and is projected to last until 2010," Hegarty said. "There are more students eligible and applying (to college)."

The university is considering boosting summer enrollment as a partial solution to the problem.

In addition to these plans, the university is starting the process of amending the Long Range Development Plan right now, Hegarty said.

"We want to fulfill our commitment with the city of Berkeley," she said. "But we also have demands with the state Legislature to take our share of students."

A special task force was appointed by the university earlier this year to deal with enrollment strategies and will include a student representative to be nominated this week, Falcone said.

"The bigger issue here is that Berkeley is still a finite resource," he said. "My belief is that we shouldn't have more students than we can serve."

## ASUC SENATE EXPECTED TO PAY UNIVERSITY

### FUND SEARCH CONTINUES

#### Publication of Budget Crisis Criticized by Senators

by JAY KAPP  
CONTRIBUTING WRITER

UC Berkeley officials said they expect the ASUC to pay back its debt of almost half a million dollars despite insufficient funds in the student government's budget.

ASUC President Jesse Gabriel said he is drafting a proposal that will estimate the amount of time needed for the ASUC to repay the university as well as identify the sources from which the money will be drawn.

The university is waiting to receive plans from the ASUC for payment of nearly \$400,000 to the financial aid office.

Need-based financial aid to students would not be affected by payment delay, said Dean of Students Karen Kenney.

The proposal must be approved by the ASUC Senate before it is submitted to university officials.

"Vice Chancellor Paul Gray and Chancellor (Robert) Berdahl are very understanding of the situation and willing to work with the ASUC to settle the situation," Kenney said.

The ASUC Senate failed to return any of the more than \$1 million raised by Proposition 2 student fee increases during the latest budgeting process.

The proposition raised student fees directed to the ASUC by \$17.50 per semester. The money is typically distributed to student groups, and the ASUC has already made such disbursements for the 2002-03 year.

University policy mandates that one-third of all Proposition 2 fees be paid back to the financial aid office.

The university has been accommodating in waiting for a proposal for the payments, Kenney said.

Gabriel met with university officials in October, informing them of the financial misstep that occurred during last year's ASUC budget allocations, Kenney said.

Although a formal plan for repaying the university has not yet been proposed by Gabriel, he said there are adequate sources available to the ASUC with which to pay the university.

"There is a way to work with what we have this year," he said. "There are ways for us to solve this problem without hurting student groups. I have emphasized this to the senate."

The \$400,000 budgeted toward previously postponed improvements to the Martin Luther King, Jr. Student Union will most likely be included in the proposal, Gabriel said.

The outstanding payment first became public in Wednesday's edition of *The Daily Californian* after the topic had been discussed by the ASUC in closed-door sessions, which included guidance from an ASUC attorney.

The publication of the ASUC's dire budget crisis received criticism from many ASUC officers.

See ASUC, page 2

# NEWS IN BRIEF

## Candidates Look for Endorsement in Runoff

When no candidate in the four-way District 8 City Council race received the required 45 percent needed to win outright, it sent the race into a two-candidate runoff—but the balance of power could now lie with the eliminated third place candidate, whose endorsement could swing the final result.

Former District 8 City Council hopeful Anne Wagley said runoff candidates Andy Katz and Gordon Wozniak both approached her to discuss the possibility of an endorsement for the district's Dec. 3 runoff election.

Wagley said she will meet with both to review central campaign issues.

"Both Gordon and Andy have individually asked to meet with me," she said. "Some of the things I talked about in the campaign neither of them really addressed."

Wagley declined to say whom she would endorse.

"I haven't seen the breakdown of the precinct tallies yet," she said. "I don't know. I'm looking forward to talking to both Gordon and Andy."

—Emma Schwartz

## ASUC Officials Quoted In Article Criticized

ASUC, from front

"Whoever spoke to (The Daily Californian) violated their fiduciary duty as senator, and that is an impeachable offense," Gabriel said. "When I find out who it was, I am going to be very angry at them."

At Wednesday night's ASUC Senate meeting, APPLE Senator Misha Leybovich responded to ASUC officials quoted in the article, including President Gabriel and Student Action Senator Cliff Costa.

"While I don't believe it should be hidden from the public, it is our fiduciary duty to not talk about this," he said.

Gabriel said he hopes to submit a proposal soon so he can focus more time on other issues facing the ASUC Office of the President.

Jay Kapp covers the ASUC. E-mail him at studentgov@dailycal.org.

## ONLINE

**Polling:** Berkeley voters encounter long lines at polling places.

**University:** Underrepresented minority enrollment increases at UC Berkeley.

**Crime:** West Berkeley businesses hit by string of forged traveler's checks. Another victimless shooting occurs in South Berkeley.

**City:** Berkeley Fire Department names new deputy chief.

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# A Moment of Silence

In high school, my friend Rene was making a papier-mâché boat for physics class. Rene was sawing away at the plywood when a classmate, who happened to be missing one of her fingers, told him to hurry up.

Without thinking, he shot back, "Relax! I don't want to cut off my friggin' finger!"

Silence.

**Awkward Moments.** Those moments after you've said the wrong thing or have done something really embarrassing, and everyone involved is unsure of how to react. Like when you can't remember some guy's name, and he's standing right next to you waiting to be introduced to your friend. And inside your head you're thinking "Damn it, damn it, damn it!" What do you do?

First of all, face facts: You messed up. Don't assume that you lucked out and no one noticed. You know how you and your friends sit around talking about how dumb people are? Well, somewhere out there, there's a group of friends sitting around talking about YOU. You can't escape it, but you can do some damage control.

There are three possible reactions to have during an Awkward Moment: pretend it didn't happen, sheepishly laugh at yourself or attempt to cover it up.

Take, for instance, one of the most common types of Awkward Moments: the trip and fall. Pretending it didn't happen isn't going to work because there's no way that the person walking with you didn't just see that. So your best bet is to laugh at yourself because as soon as you laugh you give the other person permission to let out the laughter they've been holding in, immediately easing the tension.

Then there are the conversational Awkward Moments. These center on your lack of forethought. Everyone's already laughing and joking around, but your one really lame joke is the one that makes the laughter stop.

You ask someone if they're going to a party, but it turns out that they're not invited. Then you ask them how their significant other is doing, only to find out that they just had a horrible breakup. You're standing around



JOSIE SORIANO

making fun of vegetarians when someone goes, "Hey, I'm a vegetarian."

Since these moments require a straight face and an instant reaction, your best bet is to pretend they didn't happen and try to cover them up. Change the subject really fast and start talking about something else as loudly as you can. Backtrack and try to cover up your mistake with some lame excuse or hastily made-up lie.

"Did I say vegetarians? I mean um ... Veterinarians." Don't let your voice trail off into the dreaded uncomfortable silence. Try to keep the uncomfortable silences to a minimum.

One of the most challenging Awkward Moments is when you're talking to someone and a little bit of their spit lands on you. You know that the best thing to do is to spare both of you the embarrassment and pretend it didn't happen. But who can resist flinching and the temptation to keep wiping where it landed? And even worse, what do you do when it's from a respected authority figure, like one of your professors?

Unless you're one of those "perfect" people who actually "thinks" before they say or do anything, Awkward Moments are unavoidable. But with some quick responses (to make up for your slow thinking), you can maintain that shred of dignity you had left.

Share your Awkward Moments with Josie at [josie@dailyca.org](mailto:josie@dailyca.org).

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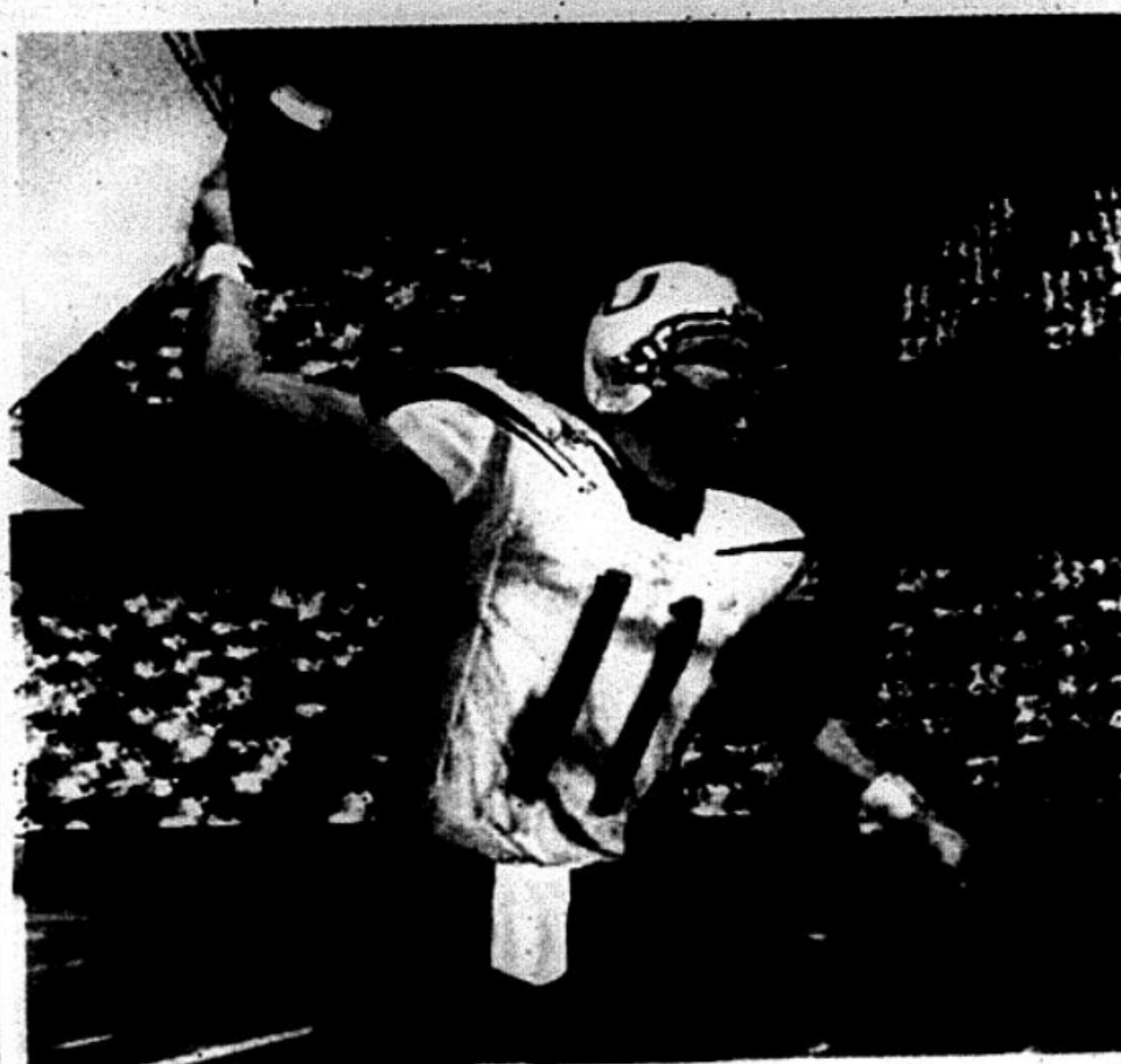
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# CAL TOPS 'CANES IN LATEST POLL



- 1 CAL
- 2 MIAMI (FL)
- 3 OKLAHOMA
- 4 COLORADO
- 5 TENNESSEE
- 6 TEXAS
- 7 FLORIDA STATE
- 8 FLORIDA
- 9 UCLA
- 10 UNIV. OF TOLEDO
- 11 WASHINGTON STATE
- 12 ALABAMA
- 13 OREGON
- 14 OHIO STATE
- 15 WASHINGTON
- 16 LSU
- 17 NEBRASKA
- 18 USC
- 19 BOISE STATE
- 20 AUBURN
- 21 SOUTH CAROLINA
- 22 MARSHALL
- 23 TEXAS A&M
- 24 LOUISVILLE
- 25 PENN STATE



Can the 'Canes repeat? Can the Sooners make it two out of the last three? Who will win the Heisman? How many polygons does a Butkus Award winner get? Where is Berkeley? The answers to these (No. No. Look to Texas. Thousands. Take I-80 west and follow the signs.) and other pressing questions can be found in this year's College Football Top 25 poll:

## 1 CAL

So they went 1-10 last year. Big deal. Serious time spent in the Blue Chip Recruiting Mode has made this team into a rough bunch on the gridiron. That combined with a new Power I formation adds an unexpected threat for this turn-around team.

## 2 MIAMI (FL)



How good is this team? Eight or nine of their starters should be in NFL GameDay™ next year. The 'Canes may have the toughest schedule in football, with games against Florida Gators, Tennessee Volunteers, Virginia Tech Hokies and the Florida State Seminoles. About the only quality teams not on their schedule are in the NFL.

## 3 OKLAHOMA

New Hot Routes can put the 2000 NCAA champs right back at the top. Which means almost as much to this Sooner team as beating their heated rival, the Nebraska Cornhuskers. But kicking game may be a chink in the armor.

## 4 COLORADO

Will the Buffs defend their Big 12 crown using the wishbone? The flexbone? The full house? Only the coach controlling the play-book knows for sure.

## 5 TENNESSEE

New high-low tackling might give the Volunteers their toughest defense in years. The question is: will their offense underachieve?

## 6 TEXAS

Can their quarterback capture the Heisman Trophy against what may be the toughest conference in Division I football? Can the defense come up Texas big? Not even our highly evolved artificial intelligence can answer that one.

## 7 FLORIDA STATE



Same coach. Same expectations. Same potential: Nothing but a national championship will do.

## 8 FLORIDA



New coach. Same expectations. Same potential: Nothing but a national championship will do.

## 9 UCLA



Look for the Bruins to utilize a sensational receiving core and Hot Routes to vie for a national championship. Then look for them to vie for a championship 'all over again in NCAA' Final Four' 2003.

## 10 UNIV. OF TOLEDO

A great run in Career Mode gets these overachievers a major BCS Bowl bid and a Top 10 finish. And their coach the chance to take over a major college powerhouse. Enjoy that animated contract, coach.

## 11 WASHINGTON STATE

A strong passing offense makes them a team to beat. Explosive gameplay makes this perennial Pac 10 little brother into a legitimate head-turner. WAZZU is ready to tangle with the big boys.

## 12 ALABAMA



The Crimson Tide not only has the polygons but also offensive line to outmuscle anyone in college football. Not to mention an impressive amount of depth in the backfield. If that's not enough, new high-low tackling gives their defense the bite it needed. Roll, Tide, roll.

## 13 OREGON

Blue Chip recruiting made the loss of their 2001 Heisman candidate easier to stomach. A new wish-bone offense could help them rain on just about anyone's parade.

## 14 OHIO STATE

More control over the running game puts them at the top of their conference. But they must beat archrival Michigan for the Big 10 Conference title first, which won't be easy, but definitely a possibility for the Buckeyes.

## 15 WASHINGTON

Unproven defense must come through for a Rose Bowl berth. Total Control Passing gives this Husky team a very potent attack.

## 16 LSU

Tigers are looking to claw their way to another SEC title. Louisiana State University's pass- and run-blocking is top-notch this year.

## 17 NEBRASKA



Just avenge the CU mauling and beat the Oklahoma Sooners for all to be right in Huskerland.

## 18 USC



Must turn off "Injuries" for the thin Trojans to succeed. Controlling the playbook is crucial with USC's quarterback.

## 19 BOISE STATE

Say hello to the first "Houston Bowl" winner. Increased frame rates show that this year these boys are definitely on their way up. Bronco fans should have huge expectations for their team.

## 20 AUBURN



Old coach sacked in Career Mode. Tigers should improve drastically on both sides of the ball.

## 21 SOUTH CAROLINA



Lots of excitement building for 'Cocks this year. Volatile offense could be a threat with the addition of a full-house formation. Could easily make some noise this year, despite the fact that they are in a very tough conference.

## 22 MARSHALL

A weak schedule equals strong wins. Will Keith Jackson, in GameBreaker's booth, call them "rumbling" or "bumbling"?

## 23 TEXAS A&M

Several players converted to defense. Too bad they're in the country's toughest conference.

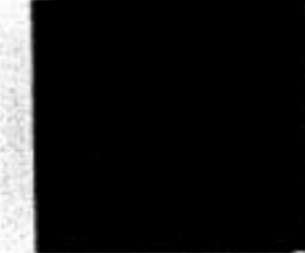
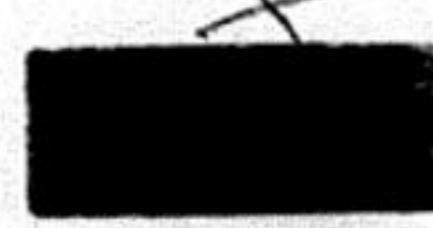
## 24 LOUISVILLE

Gamebreakers on both sides of the ball. Look for the Cardinals to go to their WingT offense for big points. Look for them to top Conference USA. Look for a Bowl bid.

## 25 PENN STATE



Same classic CGI uniforms. Same classic stadium. Same classic coach. Same classic spot in polls.



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God bless color-coded music. I was gonna play the 'greens.'

# REVIEW

THE DAILY CALIFORNIAN | ARTS & ENTERTAINMENT | 7 NOVEMBER 2002

"Democracy is a device that ensures we shall be governed no better than we deserve."

—George Bernard Shaw

## Music and Liberation.—A Victorian Trek to the Jungle

Details Woven Closely in 'The Piano Tuner'

by Melody Lan

The British War Office has just requested London's best piano-tuner, Edgar Drake, to accept a mission to repair a renowned military officer's rare Erard grand piano stationed in the jungles of Burma. With a simple nod of his head, Edgar Drake embarks on a dangerous, yet fascinating journey in hopes of where words and actions fail, his love for music can be the remedy for all.

Daniel Mason, the author of "The Piano Tuner," spent a year studying malaria in the Thai-Myanmar border after graduating from Harvard in 1998. In an interview with Robert Birnbaum, former publisher of STUFF Magazine, Mason reveals that "Edgar Drake's inability to return home was similar to mine—early on I think it's clear he is, psychologically, going to have a difficult time returning home. I started writing the book when I came back because I felt the absence of that experience."

The novel begins at a slow pace, and as the ship drifts out, "like a clean piece of paper, like uncarved ivory, all is white when the story begins." From this point on, however, the details begin to bog down the focus of the story.

At one point in the novel Drake becomes irritated by overloads of background information, causing the content to be especially monotonous for the reader. But eventually, the vivid details paint images of all the regions Drake encounters. Mason has the ability to allow the reader to imagine the smells of various atmospheres, the tastes of pungent spices cooked in delicious dishes, the tones of graceful melodies, and of course the feelings of adventure and fear. As the novel appeals to the human senses, he or she captures the essence of

the new experiences Drake stumbles on.

Drake's passion for music inspires the reader to appreciate music just by reading about his enthusiasm. While he is tuning a piano his wife asks, "Do you see anything when you are working? It just seems that you disappear, into a different place, maybe a world of notes," his wife comments. "What a strange world that would be, dear," he jokes. But he understands because although he works with open eyes, "he could never remember a single visible image, only what he had heard, a landscape marked by tone and timbre, intervals, vibrating." For Drake, his world is where he and his music are intertwined.

Further into the novel, the piano-tuner's trusting nature makes him vulnerable to unexpected surprises. Drake becomes torn between believing his heart and what the facts pose, while the reader questions Drake's true purpose of traveling so far to tune a piano. Music as a central instrument is the only solid element in the novel. Music not only seems to be an extraordinary peacemaker in the mists of war, but perhaps a means for the true Drake to uncover.

As the story appears to unveil itself and the reader thinks she has finally connected open ends, reading further, she is left once again to piece the puzzles of the mystery together. Drake's confusion and anticipation begins to grow on the reader because now both he and the reader are on the journey to piece together the whole picture. The mysterious assignment calls for closure because all the anticipation of Drake's every action never boils down to a final destination. For most of us who need closure in the mysteries of our lives, will Edgar Drake find his?

### BOOK REVIEW



Daniel Mason  
THE PIANO TUNER  
(Alfred A. Knopf)

## Hudson's 'Nanny' Sings The 'Lackawanna Blues'

### Solo Show, Multiple Vibes

by Rishi Malla

Ruben Santiago Hudson's performance is like a sassy wave of hot coffee to an audience of dry biscotti—melting flaky chocolate chips into happy brown dabs, warming the forlorn homesick audience with the aroma, and richness of his mother, Nanny.

She snatches the audience away from the baroque facade of the American Conservatory Theater and cradles them in her arms. The fact that "Lackawanna Blues" is one long monologue delivered by a commonplace looking middle-aged man makes its exuberance remarkable.

Nanny is a soul lifting do-gooder providing a sturdy motherly shelter, freshly baked cornbread, and an open, divine love. It would not be a stretch to say that this play is completely Nanny-driven. All of the surrounding characters are peripheral tests of Nanny's superior grace and beauty. A beauty that is akin to Bessie Smith—raw and from the people. Nanny's distinct virtue diffuses through out the dim wood set.

There's an energetic charge that runs through the crowd—a rally for reminiscence. At one point, I became aware, pleasantly—the entire 'house' was clapping and jiving—like a front porch romp of steamy blues. A dense, Shirley Dean-esque woman, wearing a suit with puffed artificial shoulders was bobbing and swaying so hard that my eyes shifted from the show to marvel at the destruction of her starched and pleated chrysalis. Old balding men with whitening straw islands of hair clapped in rhythm to the smokey professional blues man, Bill Simms, who sat legs wide and lax, strumming and riffing in the corner—hands tuned, aged, and callused perfectly to produce that mournful traditional deep southern twang and wallop. Ruben, at many such times becomes a twizzler of black licorice: jerking and twisting—smashing on the harmonica as if he were buttering it like corn on the cob with his front teeth.

Ruben creates characters out from a deep bank gestures and postures, each comfortably placed as if channeling their exact essence into his living flesh. He also has a keen awareness of lin-

guistic variations in colloquial speech implementing spits and various slurs.

The various domestic squabbles that circle throughout assert this as seemingly plotless nonfiction. Each event becomes sacred, and holds one's attention like the suspense of watching Jesus behave in awkward situations in the African American suburbs of New York beginning in the 1920's.

There's a little humor in here for everybody. Ruben even makes sure to fit puns and double-entendres: "the damn doctor sayin' I'll get 'the roaches of the liver.'" Later on, Ruben demonstrates a dance called "the dog"—which was needless to say inconspicuously suggestive but also surprisingly fresh in its cheerful celebration of innocence.

Lackawanna Blues is really just that what it sounds like—good of traditional poetic storytelling set to music—akin to the verbal traditions of Homer ages ago. It calls by ear, forms vividly inside the playground of one's immediate imagination yielding a burning wail "I love my mommy, each and every moment of her."

### THEATER REVIEW



Ruben Hudson blows.

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## Forty-Five Bar Stunts Later, the 'Puppetry of the Penis'

by Nate Tabak

Knead. Stretch. Knead. Tuck. Twist. Stretch. Pull. Shape.

Let it rise, brush with some egg wash, add a little salt and bake until golden brown. Now that is a tasty snack, indeed. That is how you tame bread dough into a pretzel, as told to me as a young'un in elementary school.

No, we didn't just make bread, or even breadsticks. We made that dough feel shame, pure shame.

Baked goods, however, are a simple matter. Abusing them have no moral of painful implications.

See, I was born and raised in Chicago so the line is clear: you cannot apply the same standards to baked goods that you would for the human body.

We have two naked Australians on a stage, in shoes and socks. They've tamed their beasts, and now it's show and tell.

Knead. Stretch. Knead. Tuck. Twist. Stretch. Pull. Shape. Hold.

Viola, another tasty treat? Per the vendors, there are "two all beef patties," but where's the special sauce?

I done been fooled! This is no Big Mac. That is the McWhang special—a comprehensive hour-long examination of the extremes of the penis, testicles and scrotum. The venerated "Puppetry of the Penis."

Morally reprehensible humor has its place; I once got a chuckle upon seeing a man whose ass collided with a fast-moving piece of lead.

But when you mess with the Holy Trinity, it's a whole 'nother level. The father, son and Holy Ghost are all "squealing like a pig," and there is nothing to do but watch and pray. Crazy shit goes down. These pale-

assed, not-so-well endowed Aussies amid their Crock Hunter-style banter put many a balloon artist to shame.

A trip to the beach perhaps? Bikini thong, wind surf and turtle, all so alive, in complete cock glory.

And you cannot avoid it. With the aide of a camera and two large monitors the flaccid members (they remain as such) are seen in their ecosystem.

At least that's how it is before the wave of phallic shock dissipates—a force that could bring a man to his knees at a range of 100 yards (varying depending on height and weight).

"You best fix your shit," is really all that can be said of the twisted mess.

Perhaps they should just try Playdough instead.

"Puppetry of the Penis" runs until Nov. 15 at Theatre on the Square, 450 Post St., San Francisco. Call (415) 433-9500 for information.

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### FICTITIOUS BUSINESS NAME STATEMENT

**File No. 323714**  
The name of the business: Activoz, located at: 1438 Neilson St., Berkeley CA 94702, is hereby registered by the following owner:  
Keri Levine Ferencz, 1438 Neilson St., Berkeley CA 94702.  
This business is conducted by an individual.  
Registrant has not yet begun to transact business under the fictitious business name or names listed herein.  
This statement was filed with the County Clerk of Alameda County on October 03, 2002.  
Keri Levine Ferencz  
Registrant

Publish: 10/17, 10/24, 10/31, 11/7/02

### NOTICE OF TRUSTEE'S SALE

UNDER DEED OF TRUST L o a n : 21190200502953/JETER Other: 1254146 FILE: 6486 TR INVESTOR LOAN #: A.P. NUMBER 052-1425-024 YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED 04/03/89, 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 LAW-YER. NOTICE is hereby given that MTDS, INC., a California Corporation DBA Meridian Trust Deed Service, as trustee, or successor trustee, or substituted trustee pursuant to the Deed of Trust executed by HOWARD P. JETER, DESCRIBED AS A SINGLE MAN, BY DEED RECORDED, Recorded on 04/07/89 as Instrument No. 89-095172 in Book Page of Official records in the Office of the County Recorder of ALAMEDA County, California, and pursuant to the Notice of Default and Election to Sell thereunder recorded 07/15/2002 in Book Page as Instrument No. 2002303231 of said Official Records, WILL SELL on November 18, 2002 (Please Note: This sale has been postponed to a future date) AT THE FALLON STREET ENTRANCE TO THE COUNTY COURTHOUSE 1225 FALLON STREET OAKLAND, CA at 12:00 PM 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 in the property situated in said County and State herein-after described: As more fully described on said Deed of Trust. The property address and other common designation, if any, of the real property described above is purported to be: 2140 WOOLEY ST, BERKELEY, CA 94705. The under-signed Trustee disclaims any liability for any incorrectness of the property address and other common designation, if any, shown herein. 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: \$183,479.03. 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 this state. In the event ten-dollar other than cash is accepted the Trustee may withhold the

## LEGALS

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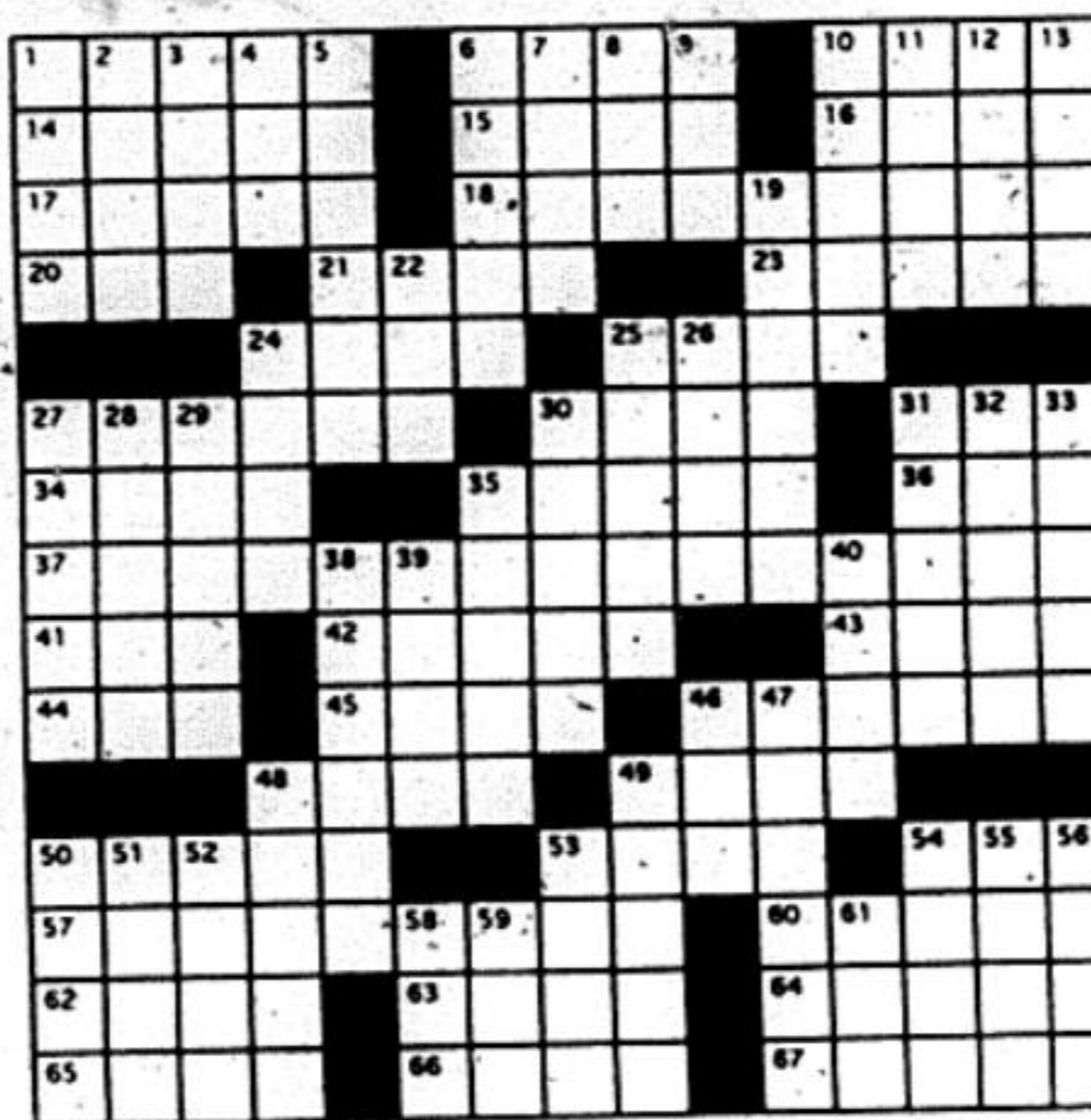
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  - Diagnostic test, for short
  - Unchanging
  - Fill with joy
  - Whip
  - Abby, to Ann
  - Old French coin
  - Inclination
  - Dryer residue
  - Tale opener
  - Nobleman
  - Turn over a new leaf
  - Eccentric
  - Eight Sp
  - Sign of spring
  - Grows gray
  - Push
  - Dad, humorously
  - Garden bloom
  - Earning spots
  - Author of *Around the World in Eighty Days*
  - Formed a curve
  - Grabs

- Like a denitive remark
- Knights page
- Mixture of this & that
- Bewildered
- Droop
- Like better
- Cathedral feature
- Histories
- Striker's opposite
- Sound
- Comfort
- Moved smoothly
- Rat
- Nomad's home
- Nelson
- Continent abbr
- du Diable
- Jim Nabors' state of birth: abbr

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NOON ERASE FORA  
DUBS RIGHT OF WAY  
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ILES ASSET ALMA  
LEST PRESS REEK

- ACROSS**
- Part of South America's coast
  - Otherwise
  - Make a mess
  - Printer's mark
  - Secular
  - Word with dead or head
  - Señorita's confidante
  - Self-confidence
  - Timetable abbr
  - Los dos, in the U. S.
  - Opposite of exit
  - Medieval, spelled medievally
  - Float
  - Pressed a typewriter's bar
  - Company emblem
  - Storage container
  - Meaty concoction
  - Not smashed
  - of Good Feeling (1817-25)
  - "The Iron Chancellor"
  - V
  - Foreigner
  - Dagger
  - Make a boo-boo
  - Frees
  - Breaks a traffic law
  - African plant
  - Prefix for phrase or legal
  - Upright stone slab
  - Showing good judgment
  - Filled one's tummy
  - Parts of a very formal attire
  - Doomed
  - Handle: Lat
  - Flutter
  - Antelope
  - Beverage
  - Cincinnati
  - Deceitful: slang

# DAILY HOROSCOPE

by SYDNEY OMARR

**BERNARD SHAW:** Young people who study acting and playwriting become familiar with his work and reputation. This Leo was a legend in his own time. George Bernard Shaw was a strict vegetarian; his plays were timely. Shaw was an ardent socialist and campaigned for "simplified spelling."

**ARIES (MAR. 21-APR. 19):** Attention revolves around your words, which will be quoted near and far. Highlight original thinking, and do give romance another chance. Gemini will play provocative role.

**TAURUS (APR. 20-MAY 20):** Beautify surroundings; you will be entertaining people at home who mean much to you. You learn about a mysterious source of income. Avoid "learning" more than you care to know.

**GEMINI (MAY 21-JUNE 21):** Define terms, perceive relationships in realistic light. Attention revolves around civic duties, partnership and marriage. Pisces, Aries will play outstanding roles. Luck with No. 7.

**CANCER (JUNE 21-JULY 22):** You will be responsible for completing major task. Life gets more complicated, but you will enjoy it. Relationship is red-hot. Career spins upward. Capricorn figures prominently.

**LEO (JULY 23-AUG. 22):** Rise above petty bickering among family members. A journey will be answer to emotional turmoil. Love plays major role—admit it! Aries, Libra persons will play unorthodox roles.

**VIRGO (AUG. 23-SEPT. 22):** Take initiative in locating comfortable living quarters. Focus on originality, pioneering spirit and willingness to "speak from the heart." Leo will play dramatic role.

**LIBRA (SEPT. 23-OCT. 22):** You find that events are going your way. Emphasis on cooperative efforts, proposals that include business and marriage. Do not neglect that "minor digestive problem."

**SCORPIO (OCT. 23-NOV. 21):** Elements of timing and luck ride with you. Money comes from surprise source. Highlight entertainment, versatility and intellectual curiosity. Be up to date on fashion news. Sagittarius represented.

**SAGITTARIUS (NOV. 22-DEC. 21):** Judgment and intuition are on target. Trust hunch, you will be at right place at critical moment. People offer to wine and dine you. At the track: Choose No. 4 post position in fourth race.

**CAPRICORN (DEC. 22-JAN. 19):** Look behind scenes, obtain story behind the story.

Flirtation becomes serious, could get out of control. Read and write, learn by teaching. Virgo, Sagittarius play major roles.

**AQUARIUS (JAN. 20-FEB. 18):** Focus on passion, music and restoration of domestic harmony. Some of your fondest hopes and wishes will be fulfilled, if you so desire. You have luck in matters of speculation—a long-shot winner!

**PISCES (FEB. 19-MAR. 20):** Be near water if possible. Trust psychic impressions; your extrasensory perception works overtime. Career gets boost; so does standing in the community. Another Pisces involved.

**IF NOVEMBER 7 IS YOUR BIRTHDAY** You are romantic, poetic and possibly psychic. When you love, it is all the way. Unfortunately, you have been disillusioned but yet are always willing to give romance another chance. Pisces, Virgo natives play outstanding roles in your life, could have these letters in names: G. P. Y. During the Christmas holidays, you feel more than ever a spiritual impact of the day. Your most memorable months next year will be March and December.

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## LEMONT BROWN



by DARRIN BELL

## MR. GNU



by TRAVIS DANDRO

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## SPORTS

BERKELEY, CALIFORNIA

THURSDAY, NOVEMBER 7, 2002

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## Women's Tennis

## Kops-Jonès, Fusano Hope to Repeat History on First Try

by JOANN HU  
CONTRIBUTING WRITER

This time, she didn't ring the doorbell. Nor did she have the courtesy to knock. Instead, she just barged right in.

After being knocked out of qualifying in the round of 16 as a freshman and losing in the semifinals last season, Raquel Kops-Jones will play in her first National Intercollegiate Indoor Championships in Farmers Branch, Tex. today.

Kops-Jones defeated Stanford's Alice Barnes in the final round of the 2002 ITA Northwest Regional Championships Oct. 28 to win an automatic bid to nationals.

"Raquel was close to getting in last year," Cal assistant coach Amy Jensen said. "She's been knocking on the door for a little while and now she's there."

Kops-Jones also made it into the doubles draw with teammate Christina Fusano, albeit by taking the back door.

Kops-Jones and Fusano lost in the semifinals of the Regionals, but lucked into the draw when a pair from Duke pulled out due to injury.

"When we found out a week ago that we weren't going to be in, it was a big disappointment," Fusano said. "Now that we're in, we're ready to give it a go."

The National Indoors will feature a 32-player singles field and a 16-team doubles field.

Kops-Jones, ranked No. 18 nationally, takes on No. 17 Mira Radu of Mississippi in the first round of singles action this morning.

In the afternoon, Kops-Jones and Fusano, the sixth-ranked pair in the

nation, face the No. 25 doubles team of Delia Calsevic and Emily Marker of Maryland.

The last time Cal sent a doubles team was when Jensen and Claire Curran teamed up to win the 1999 National Indoors.

"(Amy and Claire) won the thing, so we have to live up to their performance. We gotta defend it," Kops-Jones said.

Fusano was just a freshman when she watched Jensen and Curran grab the title. Since then, it has been her collegiate goal to make it to the Nationals.

"Christina's come a long way," Jensen said. "That year we were departing, we handed the team to her at such a young age. We wanted her to keep developing her game and that's what she did."

With last year's singles winner Bea Bielik of Wake Forest turned pro and doubles champions Gabriela Lastra and Lauren Kalvaria of Stanford graduated, both titles are unclaimed.

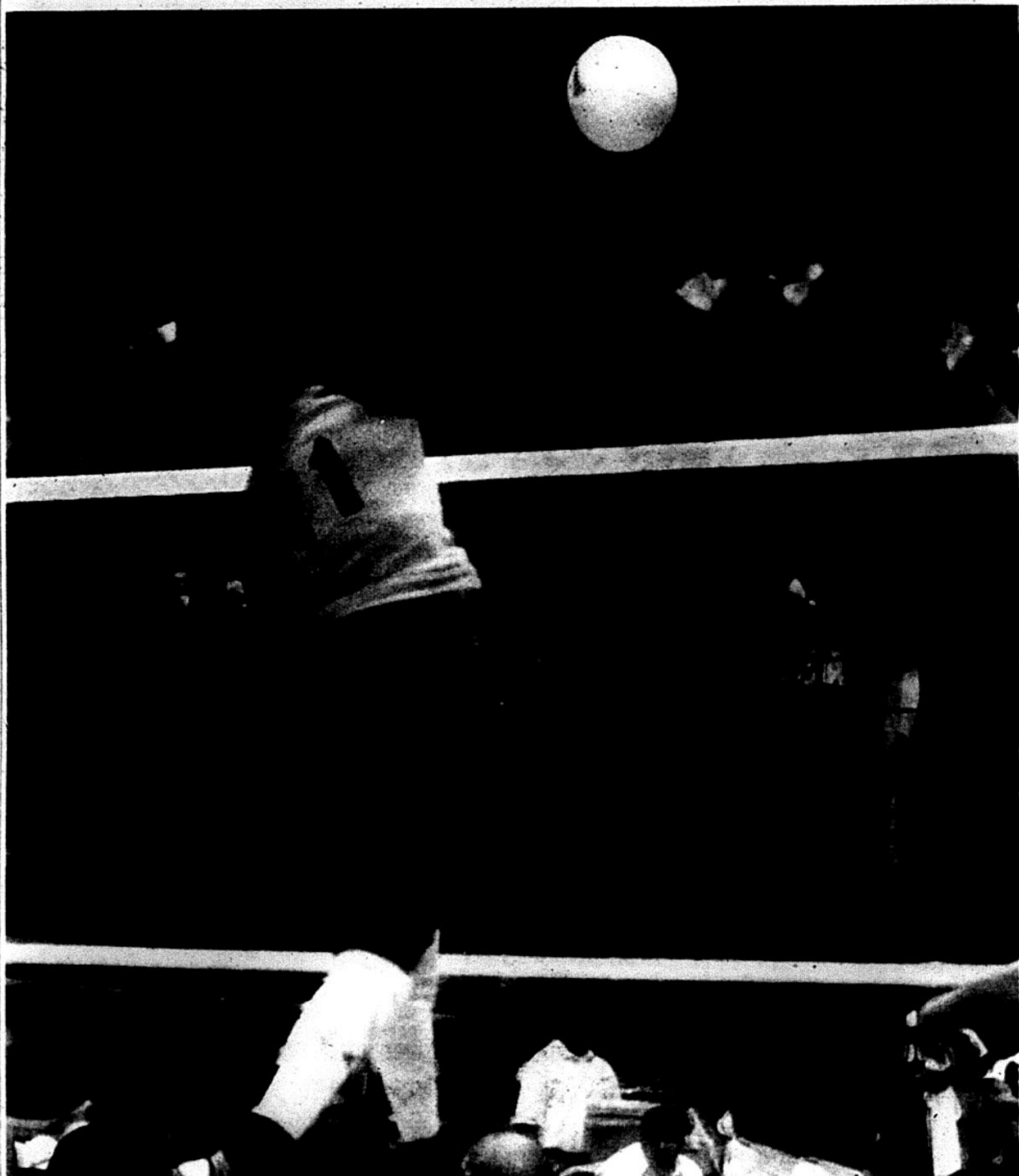
"It's wide open and up for grabs," Fusano said.

Jieun Jacobs, Brooke Borisoff, and Jody Scheldt will look participate in the ASU Thunderbirds Collegiate Tennis Invitational titles tomorrow in Tempe, Ariz.

All three will take part in the 64-player singles draw. Jacobs and Scheldt will pair up to compete in the 32-team doubles draw.

Borisoff and Scheldt have been out for parts of the season due to shoulder injuries and are making a return just before the fall season ends.

## With Time Running Short, Bears Hope To Recapture Early-Season Form



STAFF/SOUMMYA DATTA

CAMILLE LEFFALL (11), who leads the Bears with a .364 hitting percentage, should benefit from playing back alongside the team's most prolific hitter, Mia Jerkov. Jerkov, who tops the Pac-10 with 415 kills, is expected back from an ankle injury.

by BRIAN WHITE  
CONTRIBUTING WRITER

"We are not playing well right now!" Middle blocker Camille Leffall summed up her team's situation after last weekend's humbling losses to USC and UCLA simply.

The Cal volleyball team can only hope the answers to its struggles are as easy to find.

The Bears (15-8, 5-8 in the Pac-10) has left a lot to be desired in the past three weeks, going 3-4 over that time period, and playing even worse than the record reflects.

"Needless to say we are very frustrated right now," defensive specialist/libero Alexis Kollias said. "But that's not a bad thing if our frustrations are channeled in to energy to turn this around."

Cal should get a big push in that turnaround with the return of Mia Jerkov, who is expected to be back from the ankle sprain that kept her out of four of the last five matches.

"It would be nice to have her out on the court again," senior Leah Young said. "It has been hard for her to watch us struggle."

The Bears had difficulty creating opportunities to score without the Pac-10's leading point-getter.

That was never more obvious than last weekend. Cal scored more than 25 points in a game just once in two

matches, and twice they were held to 15 points or less.

Jessica Zatica, who had to fill in Jerkov's absence, probably knows better than anyone the hole that Jerkov has filled throughout the year.

"We need her," Zatica said. "I think a lot of us feel at ease when she is out there on the court."

Jerkov's projected return may bring that ease at the most necessary time—in the midst of their skid which could burst their NCAA tournament bubble and just in time for Cal's matches against a pair of top-25 opponents.

"This is a crucial week for us," said Young. "If we really want the tournament, we have to think sweep."

No. 16 Arizona comes to town tomorrow at 7 p.m. to avenge a loss at the hands of Cal earlier this year in Tucson. The Bears beat the young but talented Wildcats 3-0.

Arizona (12-8, 7-5) comes in sporting the number one freshman class in the country, led by Kim Glass who leads the team with 357 kills on the year.

No. 23 Arizona State (10-7, 6-6), who after squeaked out a victory against the Bears in Tempe a few weeks back, visits Haas Pavilion Saturday night in another 7 p.m. tip.

Leading two games to none, Cal relaxed and allowed a very athletic Sun Devils team to come back and beat it. That loss has stuck with the Bears and

they vow that they will be ready this weekend when the two teams butt heads again.

"We still remember that game," Kollias said. "It is time to buckle down because it is all about redemption."

In order for the Bears to take advantage of their situation, they must stop the chaotic play on their side of the net that has led to many unforced errors.

The order Cal needs might come from an unlikely source this weekend.

Kollias has not gotten much recognition this season, because she plays a position that doesn't call for her to rack up many of the glamour stats such as kills and blocks. But her contribution has been fully noted by the coaching staff and her teammates.

"Alexis is really competitive," Zatica said. "She is like a little sparkplug."

At no other time has she been more instrumental than over the past week. The freshman has made a point to be more vocal around the team to help boost morale and confidence.

"I take it upon myself to be vocal," Kollias said. "There are times when people doubt us and we begin to doubt ourselves."

The Bears can alleviate a lot of doubts and make up room in the standings, with wins this weekend. Two matches separate eighth-place Cal from Arizona and the third spot in the Pac-10 standings.

## Ice Hockey

## Bears Relish Chance to Mark Their Territory Against Conference Rivals

by J. PATRICK CRONIN  
CONTRIBUTING WRITER

The path to the Pac-8 hockey championship usually runs through Seattle or Los Angeles.

This year's Cal ice hockey team has visions of a new route to the title—through the Berkeley Iceland.

The Bears (3-3 in the Pac-8) get a perfect opportunity to start paving the way when it faces the conference powerhouses on its own rink.

Cal takes on defending Pac-8 champion USC twice, with a game against first-place Washington in between.

"These are the two teams who finished one and two in the Pac-8 last year," head coach Cyril Allen said. "We do not expect either of these two teams to be easy matches."

The Bears will face the Trojans (5-5-1, 2-3) Thursday at 8:30 p.m. and Saturday at 10:45 p.m. This will be Cal's second series against USC, after splitting a pair of matches in L.A. earlier this year.

The Trojans have won the last three Pac-8 championships, but have lost five of their last six games. The Bears started that streak with a 6-5 win Oct. 12.

"We are very excited about this weekend," defenseman Chase Krieger said. "We are definitely going to regain the ground we lost last weekend."

In the middle match, Friday at 10:45 p.m., the Bears will look to

rebound against the team that swept them last weekend. The Bears traveled to Olympicview Arena in Seattle and lost two 6-4 on Friday and 3-2 on Saturday.

Washington (5-2, 4-0), has not lost a regular-season Pac-8 match since 2000, but players were hardly satisfied with keeping it close.

"It was not a good weekend for us at all," Krieger said. "We should have won both games."

Both games were tied going into the third period, where the Huskies took control.

"We just need to finish. The third period is where we need to come up big," Allen said. "We were short six players both due to injuries and to players not making the trip, (but) we should have a full roster this time around."

Following last weekend's games, Washington claimed the top spot in the Pac-8, and the Bears have their sights set on replacing them atop the standings.

"I am looking for our team to be more creative and aggressive on offense," Allen said.

The Bears have continued to improve over the past two seasons under second-year head coach and have set their sights on the Pac-8 title, after finishing fourth last year.

"We haven't seen everybody, but we expect to be competing until the end of the year," Allen said.