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Kernan addresses conflicts on death penalty

Former Indiana governor explains personal issues, policies at NDASK's third lecture

By KATIE KOHLER
News Writer

Joe Kernan made history by granting two death row inmates clemency during his term as Indiana governor — decisions that generated discussion during Notre Dame Against State Killing's (NDASK) third guest lecture Wednesday night in the Hammes Student Lounge of the Coleman-Morse Center.

"The death penalty is a very serious issue," said Kernan, an adjunct professor of political science and 1968 Notre Dame

graduate. "It was life-altering for me."

During a lecture entitled "The Reality of the Death Penalty's Application," Kernan spoke about the decisions he made regarding the death penalty in office.

Kernan, who said he supports the death penalty in principle, opposed employing it twice while governor. He



Kernan

has said the death penalty should only be used in the most serious cases. When he granted clemency in 2004, it marked the first time in 48 years that a death sentence was repealed in the state of Indiana.

Kernan's first death penalty clemency case involved a robbery and murder by Darnell Williams in 1986. According to Indiana statute, Williams was eligible for the death penalty after jurors found him guilty beyond a reasonable doubt of committing two statutory aggravating factors — a crime involving multiple victims and murder in the course of a robbery.

"When it came apparent to me that we were going to see this case, I called my staff together to see how to approach it and give it the scrutiny it deserves," Kernan said.

Having never dealt with such a decision before, Kernan and his staff were faced with new obstacles.

"It became as sobering as it gets. It was something completely new to us," he said.

Once the process began, Kernan sought counsel from University President Emeritus

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Students discuss legalities

Undergrads receive off-campus advice

By EILEEN DUFFY
Assistant News Editor

At the request of the Student Senate, Notre Dame Law School students gathered in a DeBartolo classroom Monday night to offer some legal expertise to would-be off-campus undergraduates.

The six law students, who are all members of the Notre Dame Legal Aid Clinic, provided information on landlords, leases and the city's controversial recently amended disorderly house ordinance in what Clinic director Bob Jones called "preventative lawyering."

"We're happy to do this because we typically see people after they get in trouble, and we're trying to untangle them," Jones said. "We're trying to make you educated consumers."

The law students first covered the basic rights and responsibilities of landlords and renters, then outlined the steps of moving in and moving out.

Law student Mary Komperda suggested involving the landlord in all steps of the process, from reading the original lease to walking around the empty apartment or house together.

Law student Matt Lilly then offered advice for "when things go wrong," urging students to keep written records in all interactions with the landlord, should a case end up in court.

"And if, God forbid, you end up

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Panel examines University culture



DUSTIN MENNELLA/The Observer

"Loyal Daughters" actress Natalie Poullard rehearses a skit about self-defense mechanisms Saturday.

By SONIA RAO
News Writer

The relationship between the culture of the "Notre Dame bubble" and sexual violence on campus was central to the third and final post-performance panel discussion of "Loyal Daughters" Wednesday night.

History professor Gail Bederman moderated dialogue between theology professor Maura Ryan, Lynn Bradford of the St. Joseph County SOS Rape Crisis Center, anthropology professor Cynthia Mahmood and "Loyal Daughters" author Emily Weisbecker.

Mahmood said colleges have high rates of sexual assault and "Notre Dame's campus is not exceptional [to this trend]."

Her comment referred to a scene in the play that addresses certain aspects of Notre Dame culture such as male bonding, celebrations of tradition and

rituals and lack of self-esteem — characteristics, the skit argues, that make Notre Dame prone to this violence.

While audience members suggested the creation of co-ed dorms and more resources for women who have children on campus, more broadly, they noted the need for a changed attitude toward sex and gender relations. That idea of a bigger cultural adjustment was the emphasis throughout the discussion.

Mahmood said Notre Dame needs a "deeper cultural change" to combat sexual violence on campus, including redefining femininity and masculinity as well as how men and women relate to one another.

Another problematic aspect of Notre Dame culture, panelists said, is the issue of silence in response to sexual violence.

"The culture of silencing is

see LOYAL/page 3

STUDENT SENATE

Committee heads detail projects

By KAITLYNN RIELY
News Writer

Officers and committee chairs reported on their ongoing projects at a brief meeting of the Student Senate Wednesday.

Student body vice president Bill Andrichik informed members that the Campus Life Council (CLC) delayed voting on a Senate resolution passed unanimously Nov. 1. The CLC voted to send that resolution — which would provide resources to the Native American student population — to a newly created ad hoc committee to rework it so it falls under the purview

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LAURIE HUNT/The Observer

Student body president Lizzi Shappell and vice president Bill Andrichik hear reports at the Senate meeting Wednesday.

Fair Trade handicrafts sold on ND campus

Profits benefit artisans of developing nations

By JENNIFER METZ
News Writer

The colorful beads, pots and other handicrafts for sale this week in LaFortune and the Mendoza College of Business will leave some students thinking they stumbled upon an international open-air market — and, in a sense, they have.

The handcrafted goods are from developing countries and are being sold on campus this week as an opportunity for students to learn about Fair Trade and the artisans behind the

crafts.

The shops, open today in the Dooley Room of LaFortune and tomorrow in the Mendoza Atrium from 10 a.m. to 4 p.m., are co-sponsored by the Office of International Studies, International Student Services and Activities and the Gigot Center for Entrepreneurial Studies in collaboration with Ten Thousand Villages — an organization that provides income for artisans by telling their stories and selling their goods in North America.

Assistant Director of International Student Services and Activities Connie Peterson-Miller said she hopes the shops

see GOODS/page 4

INSIDE COLUMN

Phoxy and phabulous

When it comes to dorm life at Notre Dame, many prominent figures stand out.

There's the picturesque arch in Lyons, the gargoyles on Alumni, the towering presence of the Manors, the "Go Irish" sign in that far away land we all know as Carroll Hall.

Katie McDonnell

News Writer

But not all of us reside in buildings with such memorable exteriors.

Some of us reside in dorms, that when we must go around the seminar room and list our name, dorm and major, we endure blank stares.

Pangborn? That's a dorm?

Yes, that awkwardly named building does in fact exist in what many students presume to be a void between Fisher's green "F" and the Rock.

While fall foliage may contribute to a blending in with the landscape, Pangborn's short stature and boxy, prison-like appearance may also play a part to the myth of its non-existence.

Presumably to make up for the lack of aesthetic beauty, however, twin lions grace the entryway to this fine piece of architecture — lions which, I must admit, have proved quite amusing upon returning many a weekend night when friends test them out for a ride.

I also think we may be the only dorm to have metallic crucifixes nailed into every one of our closets — quite a unique and special feature to treasure.

Add to this the thrashing force of the South Quad wind tunnel each winter and the 15-minute walk to the library, and the merits of this fine place seem unlimited.

If the physical description wasn't enough to convince you of Pangborn's grace, the hall's prestigious history certainly will. Built in 1955 and dedicated to the generous Pangborn brothers — who inspired the names of my roommate's fish, John and Tom (although John has sadly passed) — Pangborn Hall became a women's dorm in the early 1990s.

The Violence of Pangborn were constantly at war with the Fishermen, we're told, and used to conveniently roll kegs across the putting green into the basement windows.

Norm from Cheers is often hailed as our greatest alum — even though Wikipedia tells me he was kicked out of the University for earning a 0.0 G.P.A.

Not every dorm has an issue with misspelling every word that begins with an "F", or can refer to itself with as endearing of a name as "The Pang."

If you still remain unimpressed, all dormers must listen to the irrefutable Father Hesburgh.

"I know I speak for generations of Notre Dame students in expressing the University's gratitude to Thomas Pangborn and John Pangborn for their magnificent gift," he said at the dorm's dedication.

You certainly speak for me, Father Ted. The gift was phabulous.

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The views expressed in the Inside Column are those of the author and not necessarily those of The Observer.

CORRECTIONS

The Observer regards itself as a professional publication and strives for the highest standards of journalism at all times. We do, however, recognize that we will make mistakes. If we have made a mistake, please contact us at 631-4541 so we can correct our error.

QUESTION OF THE DAY: WHO IS MORE INTIMIDATING, NDSP OR SBPD?



Angie Maxey
junior
Welsh Family

"SBPD because I don't find Segways intimidating."



Blair Santaspirt
freshman
Lewis

"I'm not scared of anyone."



Christian Galvan
sophomore
Keenan

"NDSP — I can't outrun those Segways."



Megan Bowers
junior
Breen Philips

"NDSP because they have Segways."



Jennifer Tran
sophomore
Walsh

"I don't know because I've never been in trouble."



Tim Falvey
senior
Dillon

"NDSP because that Segway they drive is freaking scary."



LAURIE HUNT/The Observer

Members of the Notre Dame community donated blood at the ROTC Blood Tri-Military Command Blood Drive Wednesday in the Pasquerilla Center. The blood drive will continue today from 8 a.m. to 1 p.m.

IN BRIEF

The four Saint Mary's faculty/student projects awarded Sistar grants in the summer of 2006 will give a recap of their scholarly work tonight at 7 in Vander Venet Theatre.

As part of the University's celebration of International Education Week, a Fairly-Traded Gifts Event will run today from 10 a.m. to 4 p.m. in LaFortune Student Center's Dooley Room. It features hand-crafts, available for purchase, from developing countries and offers an opportunity to learn more about Fair Trade practices and the artisans who produce these goods.

Diego Abente Brun, former senator of Paraguay and Kellogg Institute Visiting Fellow, will give the lecture "Between a Rock and a Hard Place: Dilemmas of Democracy in a Small South American Country" today at 4:15 p.m. in C-103 Hesburgh Center.

Saint Mary's alumna Kathryn Steinlage will be in the Student Center Atrium today from 5 p.m. to 7 to inform students about Alliance for Catholic Education Program.

The Saint Cecilia Sing will take place Sunday from 2 p.m. to 3 in the Church of Our Lady of Loretto. A gathering celebrating the music of the Church's Liturgical Year will be led by the Saint Mary's College Liturgical Choir, Hand Bell Choir and Movement Ministers.

To submit information to be included in this section of The Observer, e-mail detailed information about an event to obsnews@nd.edu

OFFBEAT

Thai zoo hopes panda porn inspires mating

BANGKOK — A Thai zoo will show its star residents, a pair of young giant pandas, the equivalent of animal porn videos to teach the famously sexually-inactive animals how to mate, an official said Tuesday.

"We have to encourage them to mate, and the videos will show mating positions of male pandas and female pandas," said Kannika Nimtragol, a veterinarian at the Chiang Mai zoo in northern Thailand.

Six-year-old Chuang

and his five-year-old partner Lin Hui, who arrived at the zoo in 2003 on a 10-year loan from China, were becoming "like a brother and a sister" as they lived together, Kannika said.

Town turns 'finders keepers' on its head

NEENAH, Wis. — A sanitation worker who found \$1,900 attached to a discarded desk at a city scrap heap says he deserves the money — but the city won't give it up.

"It's been very hard on me for being honest and then being told that

because you're honest we're going to pat you on the back and take your money," David Voight said.

Voight, 52, found the cash in July, in envelopes attached by magnets to the underside of the metal desk at a junk drop-off site. Voight turned the money over to police and waited for someone to claim it within 90 days.

Now that the 90 days are up and no one claimed the money, city officials have been wrangling over what to do with it.

Information compiled from the Associated Press.

	TODAY	TONIGHT	FRIDAY	SATURDAY	SUNDAY	MONDAY
LOCAL WEATHER						
	HIGH 42 LOW 32	HIGH 36 LOW 32	HIGH 42 LOW 30	HIGH 45 LOW 32	HIGH 42 LOW 28	HIGH 45 LOW 25

Laws

continued from page 1

in court, don't blow it off," he said. "That would be the single worst thing you could do. Stand before the judge and present your case."

The next part of the presentation centered on South Bend's disorderly housing ordinance — a law that has been around since the early 1990s, said law student Chris Pearsall, but was amended in the summer of 2005 to include activities that "are directed more toward students than the general public."

Conducts prohibited by the ordinance include well-known drinking violations, but Pearsall also identified lesser-known activities like gambling, disorderly conduct and criminal recklessness — which, Pearsall said, refers primarily to hazing activities.

"I know there's been some pressure in the dorms to crack down in disorientation events,

and they're moving off-campus," he said. "You'd not only face very serious repercussions at Notre Dame, but you could be cited by the city."

The ordinance also includes a rule about the sale of alcohol without a license — meaning, Pearsall said, keg parties charging guests \$1 per cup.

Should students violate the ordinance, the city sends a notice to abate to both the landlord and the residents, which includes a fine that can range from \$250 to \$2,500.

The fine stands, Pearsall said, unless the landlord begins eviction proceedings within 30 days and "diligently pursues eviction proceedings to completion."

While students would still have the opportunity to defend themselves in court at that point, Pearsall said, he reminded students that just one violation could merit that notice to abate — which could result in eviction.

"It's a heavy hammer that has to be appointed judiciously," he said. "Don't engage in prohibited activity."

Law student Toni Mardirossian

discussed the general principles for dealing with law enforcement, should officials arrive at an off-campus residence.

"The police have a tremendous amount of discretion," she said. "They have the option to give you a warning and ask you to shut the party down. They could also issue you a ticket. Or they could slap handcuffs on you and arrest you."

Mardirossian emphasized courteousness, suggesting students ask police to "come back in 30 minutes" to prove they will put an end to a gathering.

A policeman can enter if he sees a crime being committed, Mardirossian said, and once inside, he has the right to cite a resident for anything in plain view.

"He can't search your underwear drawer for marijuana," she said. "But if you have an underage person drinking or a bong sitting in the corner, you're in trouble."

If arrested, Mardirossian said, a student also has the right to remain silent — even if a policeman hasn't yet read aloud the Miranda rights.

"But the best way to avoid criminal penalty," she said, "is to avoid them coming to your door in the first place."

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Loyal

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the single most important factor that continues sexual assault," Mahmood said. "We don't know what to say, we don't have the words, and we don't know what's appropriate."

Ryan echoed Mahmood's statement and said a poor definition of sexual violence has hindered conversation.

"As long as we continue to confuse sexual activity with sexual violence we will continue to ask the wrong questions on how to stop it," she said.

To change that, Bradford said, more awareness is necessary.

"Education is a huge part of changing the culture we live in," she said.

Ryan agreed, and said "there is a need to make basic information available to our students."

For Weisbecker, the answer to reducing sexual violence could lie in students "find[ing] some valuable social activities besides drinking," since alcohol is associated with an overwhelming majority of sexual violence cases.

Weisbecker also addressed

opposition voiced for "Loyal Daughters," including the criticism that her play dealt with issues of sex and sexuality in a "morally neutral" manner.

She said the goal of the play was not to explain Catholic teaching to audiences or preach right from wrong but rather to give "a glimpse of what's really going on [so they can] make [their] own decisions."

And in the field of sexual violence, Bradford said, debates on "neutral" morals are irrelevant.

"[Morals] don't exist because they have been taken away," she said. "[Sexual violence] is not a moral issue at all."

Through "Loyal Daughters," Weisbecker gave "a portrait of the reality of campus life," Mahmood said.

"She was giving voices to other people," she said.

Weisbecker encouraged audience members to attend a student-hosted fundraiser that follows tonight's final performance at 9:30 p.m. at the Beiger Mansion. Proceeds from the fundraiser will go to S-O-S and the YWCA of St. Joseph County.

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"I know there's been some pressure in the dorms to crack down in disorientation events, and they're moving off-campus."

Chris Pearsall
law student

The OFFICE OF STUDENT AFFAIRS and the GRADUATE SCHOOL wish to say THANK YOU to the over 1,600 law, MBA, and graduate students who completed the post-baccalaureate survey.

Sixty lottery winners were chosen from all participants, including:

Laptop Computers

Vaibhav Khanna
Rosa Jimenez,
Rebecca Schwantes
Huong Nguyen
Angel Cortes
Alexa Puscas
Nicholas Lynchard
Kelli Lanski
Stephen Scannell
Brian J. Miller

\$100 gift cards to the DPAC

Yvonne Mikuljan
Ashley Frankart
Luke Kuipers
Anna Rafalski
Gerard Olinger
Erin Hurley
Becky Miller
Naomi Ekas
Scott Moringiello
Gerald Linn

\$50 ND Bookstore gift cards

Brandon Rich
Francisco Bosch
Zhi Xu
Stephen D'elia
Thomas Bushlack
Joseph Pangrac
Nicole Lunn
Sheryn Alexander
LaReine-Marie Mosely
Patricia Mitchell

IPODs

Sarah Spengeman
Ji Park
Joshua Bandoch
Eric Covey
Kevin Granger
Chad Proski
Zhiqing Zhu
Thomas Klepach
Shannon Pelini
Ryan Kreager

\$50 gift cards to Papa Vino's

Anthony Bellino
Emily Gustafson
Jude Siegfried
Yang Zhao
Hsiao-Shih Lee
Brigid Brown
Logan Axon
Yumiko Watanabe
Craig Powers
Justin Bowes

Meal passes for a week to either dining hall

Kenneth Garcia
David Moore
Charles Strauss
David Cieslak
Bradley Gregory
Jonathan Rager
Stacey Scott
Emeka Ngwoke
David Costello
Ritesh Sharma

All winners were notified directly by e-mail.

Please recycle The Observer.

Senate

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of the CLC.

The issue of whether students should be required to take a test checking their knowledge of the University Academic Honor Code was one of the topics discussed at last week's Faculty Senate meeting, said representative Philippe Collon. The reason for a yearly test stems from new honor code situations that can arise — ones students should be aware of, he said.

Faculty representatives also discussed classroom safety in light of recent violent attacks in schools around the country.

"What are the responses faculty should take if situations arise in classrooms?" Collon asked.

Pasquerilla East senator Emily Cooperstein spoke on behalf of the Community Relations committee about the Northeast Neighborhood Council meeting she attended Monday night. At the meeting, one South Bend resident said

she has seen "vast improvements" in students' behavior and noise levels on football weekends in the past few weeks, especially in the Washington Street area, Cooperstein said.

"There are some who have really expressed thanks and congratulations for helping improve community relations already," she said.

Another woman said South Bend residents are open to enter into a relationship with students, but said students have to take the first step, Cooperstein said.

A resolution regarding clocks in classrooms should be presented to the Senate soon, Academic Affairs chair Jim Grace said. He also informed the group that if students picked classes on the first day of registration this year, they would have a registration time on the second day next semester, and vice versa.

Social Concerns chair Sheena Plamoottil said representatives from Amnesty International will be coming to speak to students at their hall councils in the coming weeks. Alliance for Catholic Education representa-

tives will also be coming around to hall councils with a new outreach program for undergraduates, Residence Life chair Pat Knapp said.

The Multicultural Affairs committee has developed a group that will look at minority faculty retention and recruitment, said chair Destinee DeLemos. University Affairs chair Aly Baumgartner asked senators to e-mail her suggestions for topics for the Catholic Think Tank lecture series, a set of discussions that bring prominent Catholics to Notre Dame.

In other Senate news:

◆ Student body president Lizzi Shappell asked senators to volunteer to attend a focus group about changes to Stepan Center.

◆ Shappell announced a University-wide Mass will be held in the Sacred Heart Basilica for Caitlin Brann Dec. 4 at 5:15 p.m. Brann, a senior at Notre Dame, died in a car crash Friday morning.

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Goods

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will "educate people about the mission of Ten Thousand Villages and the overarching concept of fair trade."

The organization, which began in 1946, now operates at about 100 retail outlets throughout the U.S., including six stores in Indiana. One of the world's largest fair trade organizations, it has built relationships with more than 100 artisan groups and more than 30 countries in Africa, the Middle East, Asia and Central and South America.

"[We hope that students] will understand a little better the cultural and economic contexts under which the artisans produce these handcrafts," Peterson-Miller said.

Often artisans from these developing countries are not paid enough to plan for their future. Fair Trade, according to the Ten Thousand Villages' Web site, can help artisans "see hope for the future, earn dignity and respect in their community and experience joy in being

able to provide for their families."

Money from the campus markets' sales goes to Ten Thousand Villages, which returns as much of the income as possible to the artisans.

Ten Thousand Villages is part of a worldwide organization called the International Fair Trade Association, which supports fair trade as "an alternate approach to conventional international trade," reads the Ten Thousand Villages Web site.

The organization aims to help excluded and disadvantaged producers through "providing better trading conditions, by raising awareness and by campaigning," Peterson-Miller said.

"Of course it's wonderful to [just] look around, see what these handcrafts look like, maybe purchase something for a Christmas gift," Peterson-Miller said. "[But] as part of International Education Week [we hope the shops] introduce these concepts [of Fair Trade], goods, artisans and cultures to the University campus."

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Kernan

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Father Edward Malloy, as well as other respected advisors.

"I needed to talk to people I had the utmost respect for to get their take on the issue," he said.

Exactly one week before Williams' execution was scheduled, Kernan granted him clemency in exchange for a life sentence without parole.

His reasons included proportionality of the crime, doubt about Williams' role and personal competence.

With an IQ of 78, Williams tested just three points above the mentally ill IQ level of 75. The execution of the mentally ill is illegal.

Kernan said he was taught to recognize the death penalty as appropriate in certain circumstances.

"Through the process, I personally went through an analysis of my views on the death penalty," he said. "I never gave it much thought before because it didn't affect me."

As Kernan reevaluated his views on the death penalty, he said one of his greatest advantages in the process was his "non-lawyer" status.

"My views were less rigid," he said. "The issue had more latitude because we were all able to form our own opinions."

The experience, he said, influenced the rest of his time as governor.

"It is a sobering experience to make a decision on another person's life. Sometimes, it is just more difficult to be on the field than in the stands."

Kernan granted the second case of clemency for Michael Daniels, who — with an IQ of 77 — lacked competency and reasonable doubt of his participation in the crime. In Daniels' case, however, inadequate counsel was the biggest factor in his prior death sentence.

"There are always two sides to every story," Kernan said. "Daniels' difficult childhood made a difference in what he perceived as right and wrong. Childhood does matter and it was a great concern."

Kernan also addressed the

political perspective behind the death penalty.

"There is less fervor for the death penalty that there was five or 10 years ago," Kernan said. "Now people have focused their attention on it."

Kernan's clemency decisions came at a critical point in his term as governor. With less than four months prior to the election, Kernan commuted Daniels' sentence.

"Make no mistake," he said, "there was election pressure from the political side about granting clemency that people said was suicidal. The decision was crucial because the odds of it not being well received were so high."

"I made the decision for me, not the election."

Kernan praised Indiana for some of the recent reforms to make trials more fair and to avoid the death penalty. Rule 24, for example, created standards for competency of counsel and experience in capital cases.

"Indiana is blessed with great jurists," he said. "I think it is because jurors are appointed, not elected."

Kernan's view on the death penalty hasn't changed completely, he said, even after his direct experiences. He recalled a personal experience that affirmed his partial support of the death penalty.

Kernan's "worst day as mayor" of South Bend occurred on Aug. 25, 1990, when a triple homicide in a local drugstore led him to believe those guilty of the crime "deserved to die."

"I still find myself supporting the death penalty under extreme circumstances," he said.

"I am more lukewarm, however, that I was before I went through this process. I am grateful to have gone through it."

After Kernan spoke, his general counsel and close friend Dick Nussbaum gave input on his experiences.

"Graduating from Notre Dame helped me form my opinions on the death penalty," he said. "We were the first people to grant clemency in years. Others will now follow our example."

Nussbaum praised Kernan's entire team in the success of their decisions.

"What makes me most proud

is that we were ahead of the curve," he said. "We started the process before normal, which gave us time to deliberate."

The only way to change the law, Nussbaum said, is through the legislative process.

"Electing representatives that will change the laws is the best way to make a difference," he said.

Kernan is a member of the Indiana Assessment Team of the American Bar Association's Death Penalty Moratorium Implementation Project. This group is currently evaluating the need for a moratorium on the death penalty in Indiana.

The lecture concluded with a question and answer session, during which Kernan addressed how the Catholic faith affected his decisions.

"It is part of who we are. It is impossible not to impact us," he said. "Each man had to look at his own soul."

But, Catholicism wasn't the only factor in his decision-making, Kernan said.

"It is not enough just to say your Catholic faith makes the death penalty wrong," he said. "You need to find a way to come together with a good sense and a good will."

Kernan encouraged students to continue their activism if they want to make a difference.

"Things like this can make the views of America known," he said. "Just be thoughtful in all you do."

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INTERNATIONAL NEWS

Bush: U.S. still trustworthy ally

SINGAPORE — President Bush is seeking to reassure nervous Asian allies that the United States will remain a reliable partner in liberalizing trade, confronting North Korea's nuclear threat and fighting terrorism after an election upheaval back home.

In Bush's first overseas trip since Republicans lost the House and Senate, world leaders are looking for any sign of change since the election repudiation of his Iraq policy.

In an early embarrassment for Bush, the House failed to approve normalized trade relations with Vietnam — a move Bush wanted completed this week. Instead, Congress probably will consider it in December.

Bush's eight-day journey takes him to Singapore, Vietnam and Indonesia. A week later, he will be in Europe for a summit of NATO leaders. The two trips will take him away from Washington at a crucial time when the postelection, lame-duck Congress is dealing with issues the White House has deemed vital.

Earthquake prompts tsunami warning

TOKYO — Thousands of people living along northern Japan's Pacific coast fled to higher ground Wednesday after a powerful undersea earthquake prompted tsunami warnings as far away as Alaska.

The 8.1-magnitude quake struck an area claimed by both Russia and Japan, but the waves did not swell higher than 23 inches. There were no immediate reports of casualties or damage.

Japan's meteorological agency withdrew its tsunami warning after about three hours. Tsunami warnings posted for Russia and coastal areas of Alaska also were canceled.

NATIONAL NEWS

White House resubmits nominees

WASHINGTON — The Bush administration, trying to push through judicial nominations before Republicans lose control of the Senate, on Wednesday resubmitted the names of six nominees who Democrats say are too conservative for the federal bench.

Five of the nominees in question were the subject of an angry exchange in August when Democrats charged that their selection was a sop to the president's conservative base.

The White House submitted six names Wednesday: Terrence Boyle of North Carolina and William James Haynes II of Virginia to the 4th U.S. Circuit Court of Appeals in Richmond, Va.; Michael Brunson Wallace of Mississippi to the 5th Circuit in New Orleans; Peter Keisler to the D.C. Circuit; and William Gerry Myers III and Norman Randy Smith, both of Idaho, for the 9th Circuit in San Francisco.

Pelosi announces support for Murtha

WASHINGTON — House Speaker-to-be Nancy Pelosi faces a major leadership test Thursday, barely a week into her new role, as Democrats vote on her choice for majority leader. She's supporting a lawmaker once caught up in a bribery scandal and known more recently for trading votes for pork projects.

Pelosi's prestige is on the line after endorsing longtime ally John Murtha of Pennsylvania to be the No. 2 Democrat in place of her longtime rival Steny Hoyer of Maryland.

LOCAL NEWS

Homicide suspected in death of four

ELKHART — Investigators had few answers Wednesday into how or why four young children were killed in the basement of their home a night earlier, but said there was no reason for others in the community to be concerned for their safety.

"There's no one out and about we think the community should be concerned about," police Capt. Steven Mock said.

No arrests were immediately made, but the deaths of the two girls and two boys were ruled homicides. Autopsies on Wednesday determined the children died of asphyxia, but police said they did not know exactly how they were killed.

Withdrawal timetable criticized

U.S. commander rejects Democrats' argument, predicts surge in violence

Associated Press

WASHINGTON — The top U.S. commander in the Middle East warned Congress Wednesday against setting a timetable for withdrawing U.S. troops from Iraq, rejecting the arguments of resurgent Democrats who are pressing President Bush to start pulling out.

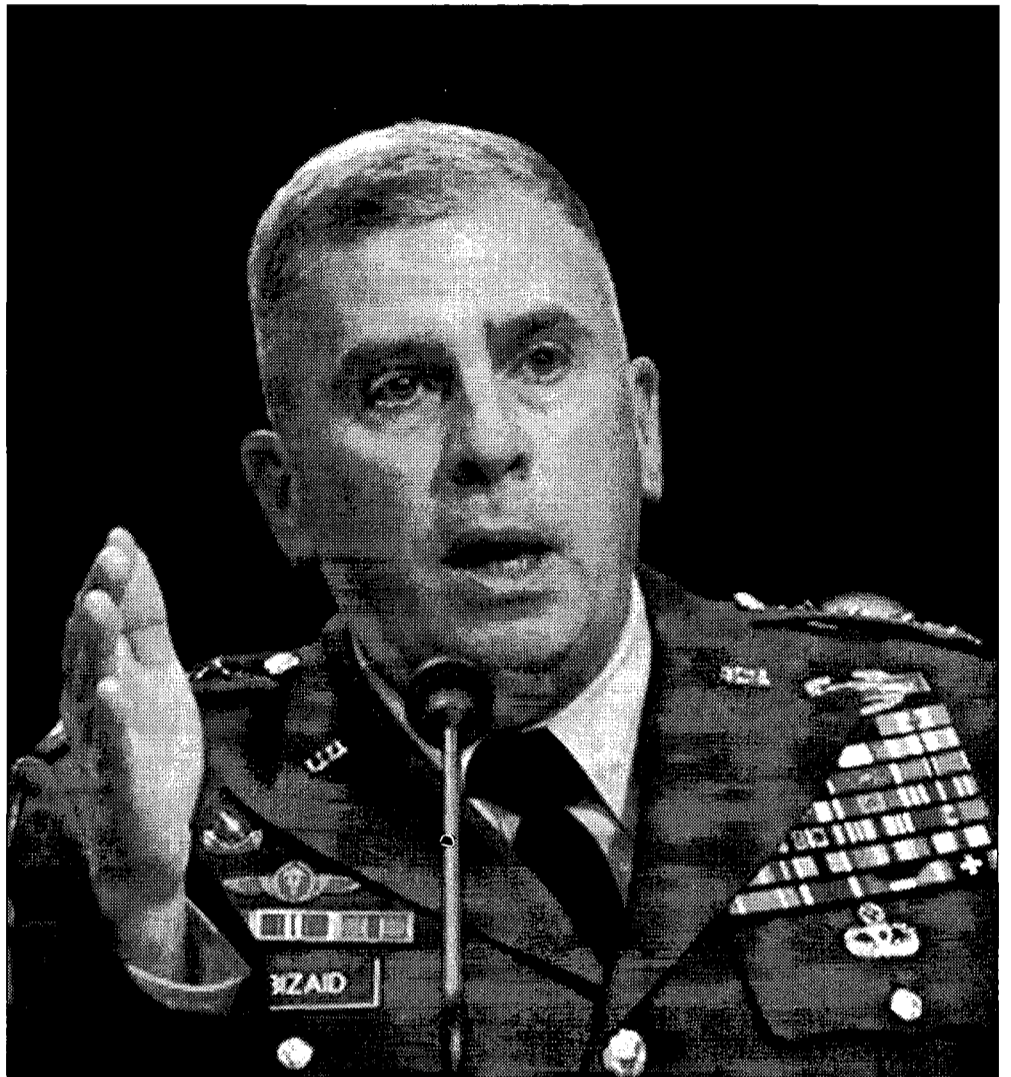
Gen. John Abizaid instead urged quick action to strengthen Iraq's government, predicting that the vicious sectarian violence in Baghdad would surge out of control within four to six months unless immediate steps were taken.

"Our troop posture needs to stay where it is," and the use of military adviser teams embedded with Iraqi army and police forces needs to be expanded, Abizaid told the Senate Armed Services Committee. It was the first hearing on Iraq policy since last week's elections gave Democrats control of both houses of Congress starting in January.

The voting last week has been widely interpreted as a public repudiation of Bush's policies on the war, which has left more than 2,850 U.S. troops dead and more than 20,000 others wounded.

Democrats have coalesced around the idea of starting to remove American troops in the next few months, and increasing numbers of Republicans have been openly critical of the war. The day after the election, Bush expressed an openness to considering fresh ideas on Iraq and announced the departure of Defense Secretary Donald H. Rumsfeld.

"Hope is not a strategy," Sen. Hillary Clinton, D-N.Y., a prospective 2008 presidential candidate, said at Wednesday's hearing. Citing the Bush administration's repeated claims of progress, Clinton



General John Abizaid, the top U.S. commander in the Middle East, advises Congress Wednesday to reject the timeline to withdraw troops.

said she saw no evidence that the Iraqi government was ready to make hard decisions, including taking firm action to disarm or neutralize sectarian militias.

"The brutal fact is, it is not happening," she said.

Even so, Abizaid said it was too soon to give up on the Iraqis or to announce a timetable for starting a U.S. troop withdrawal.

Sen. John Warner, R-Va., chairman of the panel, said after the hearing that he planned to work with Democrats to produce by January a bipartisan recommendation to the president on a way ahead in Iraq.

Asked what the effect

would be on sectarian violence if the U.S. began a troop withdrawal in four to six months, as proposed by some Democrats, Abizaid replied, "I believe it would increase." It also would undermine U.S. efforts to increase Iraqis' confidence that their own government is capable of assuring their security, he suggested.

Pressed by Sen. Jack Reed, D-R.I., on how much time the U.S. and Iraqi governments have to reduce the violence in Baghdad before it spirals beyond control, Abizaid said, "Four to six months."

At the same time, Carl Levin, the Democratic

next chairman of the committee, said the administration must tell Iraq that U.S. troops will begin leaving in the next half year.

"We cannot save the Iraqis from themselves. The only way for Iraqi leaders to squarely face that reality is for President Bush to tell them that the United States will begin a phased redeployment of our forces within four to six months," said Levin, of Michigan.

While the hearing put a spotlight on Democrats' view that the administration's Iraq policy is broken, it produced no new proposals for fixing it.

IRAQ

Kidnappers release 70 captives

Associated Press

BAGHDAD, Iraq — Kidnappers released about 70 people snatched in a mass abduction by suspected Shiite militiamen who answer to a key backer of the prime minister — a sign the militants went too far and Iraq's leader may be yielding to intense U.S. pressure to crack down on sectarian violence.

But Prime Minister Nouri al-Maliki clearly has more work to do. Iraqi police, hospital and morgue officials reported 105 new violent deaths Wednesday; 54 of the victims were tortured and shot, their bodies dumped in Baghdad.

The quick release of many of the captives — less than 24 hours after the

abductions — was surprising in a country where hundreds of Iraqis have been kidnapped, murdered and dumped in streets or rivers each month. In two recent mass kidnappings, both of about 50 people, the victims were never heard of again.

It was unclear how many Iraqis remained captive from Tuesday's assault. Government ministries have given wildly varying figures on the number of people seized, with reports ranging from a high of about 150 to a low of 40 to 50.

"We have information about the kidnappers and where the rest of the hostages are being held. Work is going well to release them," Higher Education Minister Abed Theyab told Al-Arabiya television.

The mass abduction took place in broad daylight when gunmen disguised in the blue camouflage uniforms of police commandos raided the Higher Education Ministry in Karradah, a primarily Shiite area of downtown Baghdad, handcuffed their victims and took them away in about 20 pickup trucks.

The assault was widely believed to have been the work of the Mahdi Army, the heavily armed militia of anti-American Shiite cleric Muqtada al-Sadr, and it raised questions about al-Maliki's commitment to wipe out the Shiite militias of his prime political backers: the Supreme Council for the Islamic Revolution in Iraq and al-Sadr's Sadrist Movement.

Democrats evaluate environment

Associated Press

WASHINGTON — The Democrats who will steer environment issues in the new Congress are polar opposites of their Republican predecessors, but changing environmental policy is like turning around an aircraft carrier — it's very slow.

Sen. Barbara Boxer, a liberal California Democrat and one of the biggest environmental advocates on Capitol Hill, was named Tuesday to chair the Senate Environment and Public Works Committee. She replaces Oklahoma Republican James Inhofe, who says global warming is a hoax and wanted to abolish the Environmental Protection Agency established by President Richard Nixon.

On the House side, the approach to endangered species and opening public lands to private development will do an about-face with Rep. Nick Rahall, D-W.Va., expected to take over the House Resources Committee. He would replace GOP Rep. Richard Pombo, a California rancher, defeated for re-election last week after environmentalists spent nearly \$2 million against him.

"Our long national nightmare is close to being over," said Philip Clapp, president of the National Environmental Trust, paraphrasing Gerald Ford on assuming the presidency after Nixon's resignation over Watergate.

Democrats will focus on cutting pollution blamed for global warming, accelerating toxic waste cleanups, reversing Bush administration tax and regulatory breaks for energy producers and switching the government's course back to strict protections for endangered species.

Their environmental allies are back on offense. "We've been



U.S. women senators gather for a bipartisan workshop hosted by Sen. Barbara Mikulski on Capitol Hill in Washington Tuesday.

forced to play defense most of the past six years," said Gene Karpinski, president of the League of Conservation Voters.

Energy companies will likely be put on the defensive. Rep. Nancy Pelosi, D-Calif., the presumed next speaker of the House, has already promised to repeal oil industry subsidies.

Rep. John Dingell, D-Mich., the likely next chairman of the House Energy and Commerce Committee, plans to investigate Republicans' oil subsidies included in the energy bill Bush signed into law last year. Dingell said he also was interested in revisiting Vice President Dick Cheney's secretive energy task force.

Environmentalists say any global warming policy must be accompanied by higher fuel economy standards for cars and light trucks. On that issue, they worry that Dingell, who represents thousands of auto workers and is a strong ally of the auto industry, could stand in the way.

Dingell has opposed raising those standards because of concerns that jobs could be lost and automakers might suffer even more than they are now economically.

Among Boxer's first moves will be a bill to curb greenhouse gases, modeled after her home state's approach which seeks to lower emissions to 1990 levels by 2020.

"Some of the practical solutions are in the California approach" of Republican Gov. Arnold Schwarzenegger, she said.

Already, John McCain of Arizona and other Republican senators have proposed bills or expressed support for mandatory caps on the U.S. fossil fuel-burning emissions of carbon dioxide.

Even some Republicans say that President Bush might eventually agree to address global warming by imposing a nationwide cap on greenhouse gases. A system for companies to swap the rights to pollute would be established under the cap.

That would require a second 180-degree reversal of his stance on global warming. He entered office in 2001 pledging to regulate industrial carbon dioxide emissions but came out against regulation shortly afterward. To date, Bush has favored voluntary strategies and more research and development.

Simpson book causes anger, guilt, suspicion

Publisher advertises release as confession

Associated Press

NEW YORK — O.J. Simpson created an uproar Wednesday with plans for a TV interview and book titled "If I Did It" — an account the publisher pronounced "his confession" and media executives condemned as revolting and exploitive.

Fox, which plans to air an interview with Simpson Nov. 27 and 29, said Simpson describes how he would have committed the 1994 slayings of his ex-wife, Nicole Brown Simpson, and her friend Ronald Goldman, "if he were the one responsible."

Denise Brown, sister of Simpson's slain ex-wife, Nicole Brown Simpson, lashed out at publisher Judith Regan of ReganBooks for "promoting the wrongdoing of criminals" and commercializing abuse. The book goes on sale Nov. 30.

She added: "It's unfortunate that Simpson has decided to awaken a nightmare that we have painfully endured and worked so hard to move beyond."

Regan refused to say what Simpson is being paid for the book but said he came to her with the idea.

"This is an historic case, and I consider this his confession," Regan told The Associated Press.

Simpson was acquitted in 1995 of murder after a trial that became an instant cultural flashpoint and a source of racial tension. The former football star was later found liable for the deaths in a wrongful-death suit filed by the Goldman family. In the years since, he has been mocked relentlessly by late-night comedians, particularly for his vow to hunt down the

real killers.

Simpson has failed to pay the \$33.5 million judgment against him in the civil case. His NFL pension and his Florida home cannot legally be seized. He and the families of the victims have wrangled over the money in court for years.

The victim's families could go after the proceeds from the book's sales to pay off the judgment. But one legal analyst said there are ways to get around that requirement — like having proceeds not go directly to Simpson.

"Clever lawyering can get you a long way," said Laurie Levenson, a Loyola University law school professor and former federal prosecutor who has followed the case closely.

Levenson noted that the criminal justice system's protection against double jeopardy means Simpson's book, explosive as it may be, should not expose him to any new legal danger. She added that Simpson could create an extra layer of insulation from any legal worries by presenting the story hypothetically.

"He can write pretty much whatever he wants," Levenson said. "Unless he's confessing to killing somebody else, he can probably do this with impunity."

Simpson did not return numerous calls for comment. Simpson's own attorney Yale Galanter said he did not know about the book or the interview until this week.

"The book was not done through our office," Galanter said. "I did not have anything to do with the negotiations of the book. This was strictly done between O.J. and others."

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NASDAQ	2,442.75	+12.09
NYSE	8,901.55	+21.08
S&P 500	1,396.57	+3.35
NIKKEI(Tokyo)	16,243.47	0.00
FTSE 100(London)	6,229.80	+43.20

COMPANY	%CHANGE	\$GAIN	PRICE
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INTEL CP (INTC)	+2.02	+0.44	22.32
SUN MICROSYS (SUNW)	+0.37	+0.02	5.41
MICROSOFT CP (MSFT)	-0.37	-0.11	29.12

Treasuries			
10-YEAR NOTE	+1.03	+0.047	4.615
13-WEEK BILL	-0.10	-0.005	4.950
30-YEAR BOND	+0.75	+0.035	4.695
5-YEAR NOTE	+1.45	+0.066	4.625

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GOLD (\$/Troy oz.)	-1.50		623.80
PORK BELLIES (cents/lb.)	+0.88		88.65

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EURO			0.7795
POUND			0.5293
CANADIAN \$			1.1390

IN BRIEF

Last Enron Corp. executive sentenced

HOUSTON — Richard Causey, the last of the top Enron Corp. executives to learn his punishment, was sentenced Wednesday to five and a half years in prison for his role in one of the biggest corporate scandals in U.S. history.

Causey, the energy trading company's former chief accounting officer, pleaded guilty in December to securities fraud two weeks before he was to be tried along with Enron founder Kenneth Lay and former chief executive Jeffrey Skilling on conspiracy, fraud and other charges.

"There were improper things done at Enron. Some of those things were done by me. For that, I'm sorry," Causey said before U.S. District Judge Sim Lake sentenced him. "As God is my witness, I never did anything intentionally to enrich myself or hurt the company or its employees."

After Causey, 46, serves his five years, six months in prison, he will have to serve two years' probation and pay a \$25,000 fine that will be distributed to Enron's victims. Causey had already agreed to pay \$1.25 million to the victims' funds and forfeited a claim to about \$250,000 in deferred compensation.

Toyota Corp. opens new plant in Texas

SAN ANTONIO — It's a sound that Detroit's "Big Three" automakers probably don't want to hear — a new Toyota pickup truck rolling off the assembly line about every minute in Texas.

Toyota Motor Corp. unveiled its sprawling new manufacturing plant Wednesday, two days before it was to assemble its first Tundra. The highly automated facility will produce up to 200,000 pickups a year, as General Motors Corp., DaimlerChrysler AG and, especially Ford Motor Co., are trying to maintain their dominance in the segment.

If consumer demand pushes the plant south of San Antonio to operate at full capacity, which could happen by next spring, a truck will roll off the line an average of every 73 seconds, Toyota spokesman Mike Goss said. From beginning to end a truck will take 20 to 24 hours to complete, he added.

US Airways bids on Delta Air

Merger could initiate chain reaction, potentially industry consolidation

Associated Press

ATLANTA — US Airways made a hostile \$8 billion bid for Delta Air Lines on Wednesday, ignoring Delta's repeated statements that it isn't interested in a merger. The move could start a stampede of competing bids in a long-predicted industry consolidation.

Analysts said United Airlines' parent company may make its own move to acquire Delta, and takeover bids for Northwest Airlines, which like Delta is being reorganized in bankruptcy court, can't be ruled out.

They also questioned whether US Airways could complete its plan to create the nation's largest carrier, even after a planned 10 percent cut in capacity, on the compacted timeline it is seeking.

"My main question mark is if the politicians and regulators would allow it to happen, because if it did it would probably set off a trend for industry consolidation," Ray Neidl, an airline analyst with Calyon Securities in New York, said of a Delta-US Airways combination.

It also could lead to higher ticket prices for passengers, industry experts said. "With a capacity reduction of 10 percent, fares are going nowhere but up," said Robert W. Mann, a Port Washington, N.Y.-based airline consultant.

Delta said its goal remains to be a stand-alone company when it emerges from bankruptcy and that it had the backing of its creditors committee when it declined earlier discussions with US Airways. It has yet to file its own plan of reorganization, but has the exclusive right to do so until Feb. 15.

If the deal is completed, the combined airline would operate under the Delta name and serve more than 350 destinations across five continents. The combined company would divest certain assets, including one of the two hourly shuttle services that Delta and US



A US Airways plane shuttles past several Delta airplanes at Logan International Airport in Boston on Wednesday. US Airways bid on Delta for \$8 million.

Airways operate between Boston, New York and Washington. US Airways has not decided where the combined company would be based.

The US Airways offer comes as it and America West are still integrating their operations after their combination last year. To date, only 57 percent of America West planes have been painted over with US Airways' logos, a spokesman said.

The deal also comes with a host of labor-related complications, according to aviation consultant Robert W. Mann. "There will be a huge seniority integration problem that will result. It's already problematic after the US Airways-America

West merger. This will only increase it fourfold," he said.

As it stands now, Delta's existing common shares are likely to end up worthless when it exits bankruptcy. In most bankruptcy cases, debtholders end up with new shares of the company. That's where the US Airways offer comes in: It is proposing to pay Delta's unsecured creditors \$4 billion in cash and 78.5 million shares of US Airways stock after Delta emerges from bankruptcy.

Shares of US Airways Group Inc. rose \$8.57, or 16.83 percent, to \$59.50 Wednesday on the New York Stock Exchange. Delta Air Lines Inc. shares are traded over the counter.

Doug Parker, chief executive of Tempe, Ariz.-based US Airways, said in an interview he believes Delta's creditors ultimately will see that his offer is fair. "The [bankruptcy] process is designed so that the creditors get the highest possible value for their clients," he said.

Parker said he would anticipate flying with 10 percent fewer planes, but "the plan is not predicated on any job cuts" for the 85,000 employees at the two companies.

The combination would create a company with about \$28 billion in annual revenue, leapfrogging it past the current No. 1 U.S. carrier, AMR Corp.'s American Airlines.

English Al-Jazeera channel launches

Associated Press

NEW YORK — Al-Jazeera's English-language channel began operation on Wednesday, promising a fresh perspective on international news, but virtually no American television viewers could see it.

Broadcasting from the station's headquarters in Doha, Qatar, Al-Jazeera English led its 3 p.m. EST newscast with a report from Kinshasa on the Congo elections, saying it was the only television network to land an interview with incumbent President Joseph Kabila.

The network is an offshoot of the 10-year-old Arabic-language Al-Jazeera, which has angered leaders

in the Middle East and in Washington. It wore that reputation as a badge of honor Wednesday, showing a film clip of outgoing U.S. Defense Secretary Donald Rumsfeld referring to an Al-Jazeera report as "vicious, inaccurate and inexcusable."

Despite extra months for negotiating because a planned spring launch was scrapped, the network had only one small satellite system and two online services in the U.S. offering it Wednesday. The network was streamed for free on its Web site, but it could sometimes be difficult to reach and offered blurry pictures.

"Eighty million people around the world want to see Al-Jazeera, but

no one in America is capable of seeing it," said Will Stebbins, the network's Washington bureau chief. "If I were an American, I would be frustrated having cable systems decide for me."

Unlike other news networks, Al-Jazeera English is striving to offer international news from multiple perspectives, free of any geographic or cultural reference points, he said.

Al-Jazeera English hired more than 500 staffers, luring journalists from American and British networks, including former CNN anchor Riz Khan and reporter Lucia Newman, the BBC's David Frost and former ABC News correspondent Dave Marsh.

Heart valves offer hope to repair future defects

Associated Press

CHICAGO — Scientists for the first time have grown human heart valves using stem cells from the fluid that cushions babies in the womb — offering a revolutionary approach that may be used to repair defective hearts in the future.

The idea is to create these new valves in the lab while the pregnancy progresses and have them ready to implant in a baby with heart defects after it is born.

The Swiss experiment follows recent successes at growing bladders and blood vessels and suggests that people may one day be able to grow their own replacement heart parts — in some cases, even before they're even born.

It's one of several sci-fi tissue engineering advances that could lead to homegrown heart valves for infants and adults that are more durable and effective than artificial or cadaver valves.

"This may open a whole new therapy concept to the treatment of congenital heart defects," said Dr. Simon Hoerstrup, a University of Zurich scientist who led the work, which was presented Wednesday at an American Heart Association conference.

Also at the meeting, Japanese researchers said they had grown new heart valves in rabbits using cells from the animals' own tissue. It's the first time replacement heart valves have been created in this manner, said lead author Dr. Kyoko Hayashida.

"It's very promising," University of Chicago cardiologist Dr. Ziyad Hijazi said of the two studies. "I don't doubt

that it will be applied one day in humans, he said.

One percent of all newborns, or more than 1 million babies born worldwide each year, have heart problems. These kill more babies in the United States in the first year of life than any other birth defects, according to the National Institutes of Health.

Heart valve defects can be detected during pregnancy with ultrasound tests at about 20 weeks of pregnancy. At least one-third of afflicted infants have problems that could be treated with replacement valves, Hoerstrup said.

"It could be quite important if it turns out to work," said Dr. Robert Bonow, a Northwestern University heart valve specialist.

Conventional procedures to fix faulty heart valves all have drawbacks. Artificial valves are prone to blood clots and patients must take anti-clotting drugs for life. Valves from human cadavers or animals can deteriorate, requiring repeated open-heart surgeries to replace them, Hijazi said. That's especially true in children, because these valves don't grow along with the body.

Valves made from the patient's own cells are living tissue and might be able to grow with the patient, said Hayashida, a scientist at the National Cardiovascular Center Research Institute in Osaka.

The Swiss procedure has another advantage: using cells the fetus sheds in amniotic fluid avoids controversy because it doesn't involve destroying embryos to get stem cells.

"This is an ethical advantage," Hoerstrup said at the meeting.

Stem cells fight dogs' dystrophy

Associated Press

NEW YORK — Stem cell injections worked remarkably well at easing symptoms of muscular dystrophy in a group of golden retrievers, a result that experts call a significant step toward treating people.

"It's a great breakthrough for all of us working on stem cells for muscular dystrophy," said researcher Johnny Huard of the University of Pittsburgh, who wasn't involved in the work.

Sharon Hesterlee, vice president of translational research at the Muscular Dystrophy Association, called the result one of the most exciting she's seen in her eight years with the organization. Her organization helped pay for the work.

She stressed that it's not yet clear whether such a treatment would work in people, but said she had "cautious optimism" about it.

Two dogs that were severely disabled by the disease were able to walk faster and even jump after the treatments.

The study was published online Wednesday by the journal *Nature*. It used stem cells taken from the affected dogs or other dogs, rather than from embryos. For human use, the idea of using such "adult" stem cells from humans would avoid the controversial method of destroying human embryos to obtain stem cells.

The *Nature* paper focuses on Duchenne muscular dystrophy, a muscle-wasting genetic disorder that affects only boys and occurs in about 1 in every 3,500 male births. It's the most severe and most common childhood form of muscular dystrophy and the best-known. In theory, the stem cell treatment might also help other muscle dystrophies or even age-related muscle wasting, Hesterlee said.

Boys with Duchenne dystrophy have trouble walking as early as preschool, and nearly all of them lose their ability to walk between ages 7 and 12. Typically, they die in their 20s because of weakness in their heart and lung muscles. There is no known cure.

The dog study was done by Giulio Cossu, director of the Stem Cell Research Institute at the San Raffaele Scientific Institute of Milan in Italy, with colleagues there and elsewhere.

"We do not know whether this will work in patients," Cossu said in a telephone interview. He said he hopes to start a small experiment in children in the next year or two.

The scientists worked with golden retrievers that suffer a crippling form of dystrophy very much like the human one. Researchers studied the effect of repeated injections into the bloodstream of a kind of stem cell extracted from blood vessel walls.

The best results appeared when the cells were taken from healthy dogs. But Cossu said scientists should pursue the possibility of genetically manipulating a patient's own cells and using them instead. That way, patients wouldn't have to undergo lifelong treatment to avoid rejection of donated cells.

In one of several experiments, three dogs that had not yet shown impairment in walking were injected five times, a month apart, with cells taken from other dogs.

One dog completely avoided symptoms and continued to walk well even five months after both the injections and the anti-rejection therapy were stopped.

A second dog also did well initially but died suddenly of a heart problem after just two months on the treatment. It's not clear whether the problem had anything to do with the treatment, or whether the initial good result would have continued, Cossu said.

The third dog showed partial protection, being able to walk and even run with a limp, but then progressively lost walking ability within a few days after the anti-rejection treatment was stopped.

The researchers also treated two dogs that were severely impaired by the disease. Both gained the ability to move much faster and to jump, and one was even able to run, although neither could use the hind legs normally.

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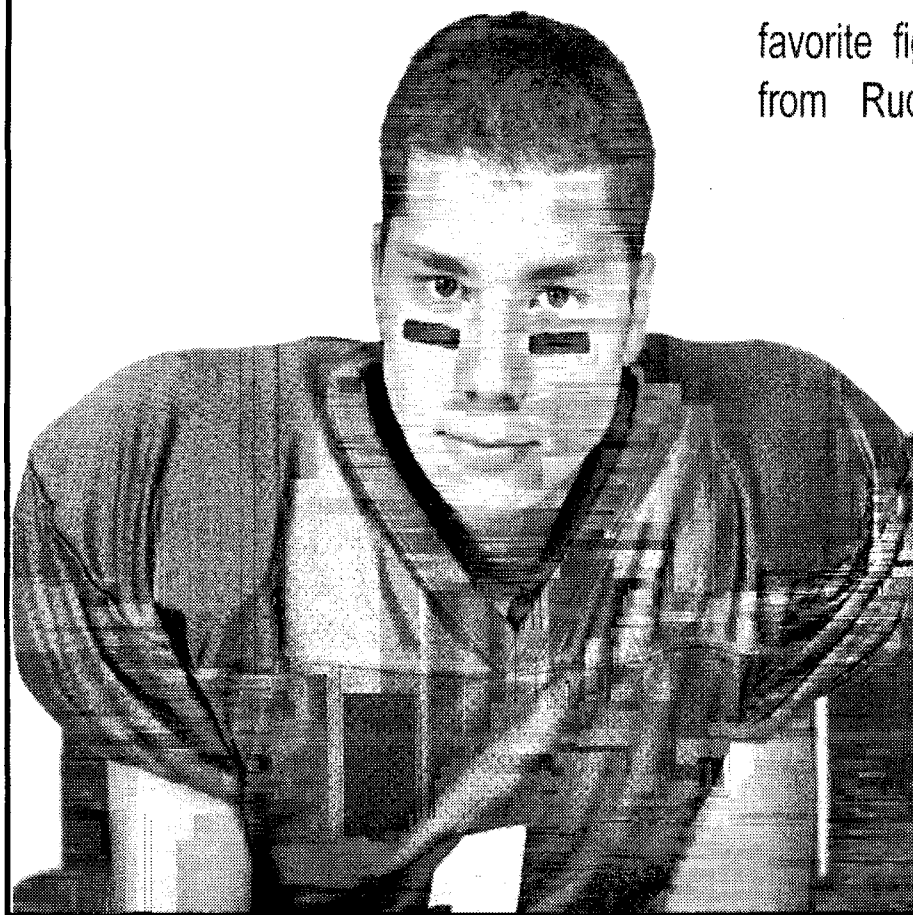
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CHINA Laws ban large dogs, force scared owners underground

Associated Press

BEIJING — Elaine Loke is shutting down her golden retriever and will spinn her dog boutiques Hippy and Bally out of Beijing to escape the city's sweeping anti-rabies campaign.

Dog owners like Loke have been scrambling to hide their pets in the face of a new crackdown which allows only one dog per household and bans breeds taller than 14 inches. Fears have been fueled by graphic Internet pictures and witnesses who say

police are beating to death strays and dogs that run afoul of regulations.

"I can't believe this is happening," said Loke, 33, who keeps the curtains in her first-floor apartment drawn to ward off prying neighbors and walks her

dogs in an underground parking lot. "It's so stressful. In the morning, I hear dogs barking and people talking outside my home and I think the police are coming."

The pressure is so bad that Loke is returning to her native

Hong Kong and closing a business she has had for two years.

In China, dogs have long been seen as a source of meat as much as companionship. But the current crackdown has touched a nerve in the rapidly modernizing capital, especially among its burgeoning middle class.

"What kind of rules are these? I don't expect everybody to love animals. But I do want to have my rights to keep pets," said Clare Xiao, an account manager at an advertising company. She sent her larger Brittany to a kennel run by a friend and kept her Pekinese, a stray she found on the street.

"What the government is doing is just disappointing, cold and emotionless," said Xiao.

Many of the prohibitions have been on the books since 2003, but only sporadically enforced. The city of 13 million people has 1 million dogs, half of them unregistered, according to state media.

A sharp increase in rabies cases nationwide has prompted the renewed vigilance. Only 3 percent of China's dogs are vaccinated against rabies and the disease is nearly always fatal in humans once symptoms develop, though it can be warded off by a series of expensive and painful injections.

Officials have extended the 2003 rules to cover not only Beijing's center but some outlying areas. The clampdown, announced Nov. 6, gave owners until Thursday to comply or the dogs would be seized and the owners fined.

One owner Zhu Qiao has moved three times since 2001 to find areas where her black-and-white dog, Gou Gou, could be raised safely and within the law.

"He's part of my life, he's my friend and family," said Zhu, 30, a television producer. "If you want to impose a law, you have to get the opinion of dog owners and experts. You can't just take them away."

"I can't move again. There's no option but to hide him and if he gets taken, I'll go with him."

Another owner had his Labrador retriever taken away Wednesday because she was too big.

"She is a very amicable dog. She never barked," said the owner, a businessman who would give only his surname Yang. "If they don't allow me to raise her here, I will find another place. I will get her back."

Witness accounts and photos on the Internet have shown dogs being captured in nets and pummeled with wooden and metal sticks. But authorities have vowed to carry out a "strict but civilized" campaign that police hoped would not anger dog owners, according to the official Xinhua News Agency.

"I have never heard of dogs being culled after they were caught by police. Dogs are a man's best friend and we treat them as friends, even when we have to lock them up for the sake of public security," Xinhua quoted a Ministry of Public Security official, Bao Suixian, as saying.

Many owners have sent their dogs to kennels outside the city. Some are handing them over to friends and family.

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THE OBSERVER VIEWPOINT

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Of Pilgrims and prostitutes

Back in the days when I was young and naive, I asked my mom what a prostitute was. She said that it was someone who sold her body for money.

Thus, I grew up believing that a prostitute was one who earned a living by sawing off her own body parts — an arm, a leg or perhaps even an ear.

And in my pre-adolescent mind, that wasn't an absurd concept. After all, as illustrated in the most indispensable book of the fourth grade, "How to Eat Fried Worms" by Thomas Rockwell, people will do ridiculous things for want of money. In the book, Billy attempts to eat 15 worms in 15 days for a 50 dollar reward. And if this kid would eat worms for money, it'd only be feasible for older folks to do more drastic things — like chop off body parts.

And that wasn't the only false pretense that I grew up under. For years, I also believed that the Pilgrims and Indians ate turkey at their Thanksgiving feast. It wasn't until high school that I learned that turkeys aren't native to the northeast.

So what did these bonnet-wearing and feathered headdress-donning (or so the myth goes) individuals eat? No, they didn't eat worms like young Billy did. Instead, duck, deer and oysters likely placated their 17th-century palates.

Further contrary to my childhood beliefs, the first official Thanksgiving

didn't actually take place until the Civil War, long after the bonnet-wearers nearly exterminated the feathered headdress-donners. In October of 1863, President Abraham Lincoln declared "the last Thursday of November next" a national holiday. He instituted the holiday as a means of brightening the lives of the American people, whose spirits had been shadowed by years of ferocious warfare.

So there you have it — the first two American Thanksgiving tales are stories of people who were gracious in the midst of severe misfortune. They didn't have all that they wanted, but nonetheless wanted to give thanks for what they did have.

And that's the great thing about this holiday — your life doesn't have to be perfect in order for you to be thankful. Neither the newly-implemented-as-American Pilgrims, nor the soon-to-be-nearly-extinguished Indians led perfect lives. Heck, they couldn't even eat turkey. And despite the romanticized version of the Civil War that's told today, it was a bleak time in American history. "During-bellum" Americans led lives that were far from ideal. Yet they were thankful anyway.

But as 21st-century Americans, do we give thanks for what we have? Or are we just hungry for more?

On Thanksgiving, we want the turkey that the Pilgrims and Indians never had. In fact, we want lots of it, so that we can load up on tryptophan and pass out early without the aid of sleeping pills. After all, we don't really want Thanksgiving; we want the day after it. We want the commencement of the Christmas season so we

can capitalize on holiday sales, all the while listening to our favorite ballad of wanting, Mariah Carey's "All I Want for Christmas Is You" on repeat. And our Christmas wish lists — filled with things both tangible and intangible — could probably span the length of the Mason-Dixon line.

I won't lie. I myself breathe a sigh of relief on the day after Thanksgiving when the Christmas season officially begins and it's finally "legal" to enjoy Christmas music. After all, I no longer have to feel guilty about listening to "All I Want for Christmas Is You" when it "accidentally" plays on my iPod. This is not to say, however, that Thanksgiving is a holiday that should be overlooked; it's more than merely a bridge to Christmas.

As the Civil War taught us, bridges can be burned. But even amidst the ashes, one can find things to be grateful for.

You might want things — so much so that at times, you'd consider slicing off a body part or two, if only it'd get you what you fancy. But I'm fairly certain that you already have much to be thankful for — like a mom who euphemized the definition of a prostitute; she only wanted to protect your innocence.

Thanksgiving — it's a holiday about appreciating. So let's appreciate it.

Liz Coffey is a senior American Studies major and Journalism, Ethics and Democracy minor. Her column appears every other Thursday. She can be reached at ecoffey@nd.edu

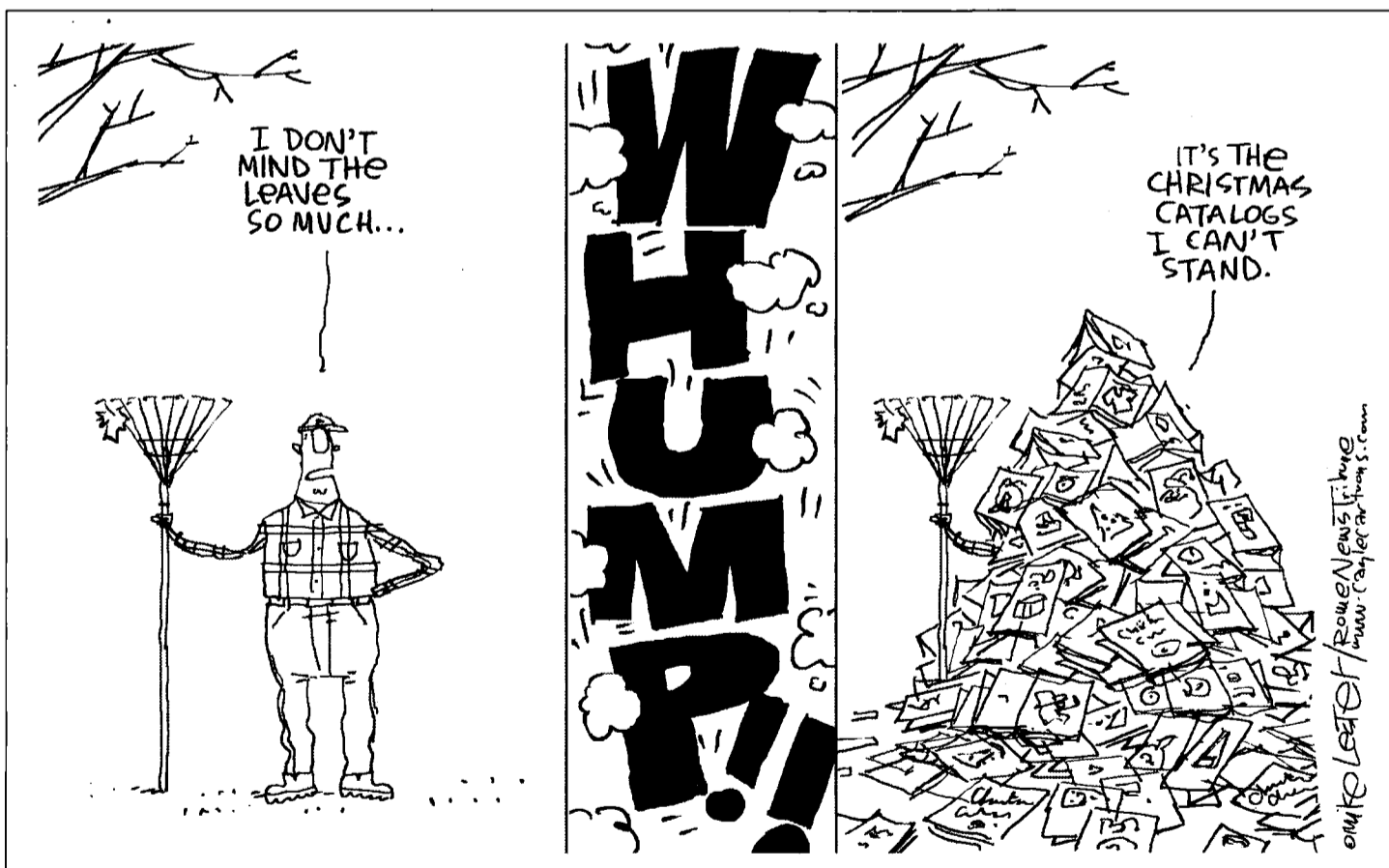
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Liz Coffey

The Coffey Grind

EDITORIAL CARTOON



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QUOTE OF THE DAY

"Nobody in football should be called a genius. A genius is a guy like Norman Einstein."

Joe Theismann
football player, amateur physicist

Mass from Notre Dame means a lot

For the past three years, Mass from the Basilica of the Sacred Heart has been nationally televised each Sunday on the Hallmark Channel. Nielsen ratings, adjusted for a Catholic viewing audience, count up to 1.5 million people joining by television our regular worshippers at the Basilica.

The many people who write to Father Peter Rocca, C.S.C., rector of the Basilica, or to one of the two directors of the Notre Dame Liturgical Choir and the Notre Dame Women's Liturgical Choir, Dr. Gail Walton and Dr. Andrew McShane, respectively, refer to many things they enjoy each Sunday morning when they tune in to "Sunday Mass from Notre Dame."

They love the astounding beauty of the Basilica. They enjoy the music and the homilies, which they can access each week on the Campus Ministry website. They write to tell us how impressed they are by the large number of young men and women who are present for Mass, and how this gives them joy and hope for the future of the Catholic Church in our country.

They like the wide age spread of the Holy Cross priests who preside at the Masses. And they let us in on especially touching moments in their lives.

Richard V. Warner

FaithPoint

One man wrote to tell us that for six months before his wife died of cancer, the two of them "attended" Mass together every Sunday while holding hands and watching the Mass from Notre Dame. At the end of the Mass, their daughter, who serves as a Eucharistic minister in their parish, brought them the Eucharist.

A woman from California told us that, while she was channel-surfing one Sunday morning while taking a break from gardening, she happened upon the Mass. After more than twenty years as a lapsed Catholic, she started watching the Mass each week. A love for the Church and the Eucharist was reawakened in her heart, and she wrote about the joy she now experiences after returning to the Church last Easter.

The director of an RCIA program in her parish in Colorado told us of a young man who dropped out of the program last year. He rejoined it as a result of a homily in which the priest asked the question, "Where would we be without the presence of Jesus in the Eucharist?" He realized that was why he wanted to become a Catholic, and did so in April.

The Hallmark Channel, through Faith & Values Media, continues to televise the Vigil Mass from the Basilica on a tape delay (except for home football

weekends, when it is live) at 8:00 a.m.

In addition to this, DirecTV will begin to broadcast the 10:00 a.m. Mass live every Sunday in all time zones, starting Dec. 3, on channel 103. They will also televise Midnight Mass from the Basilica this Christmas. And, at the request of men and women serving in the military in Afghanistan and Iraq, "Sunday Mass from Notre Dame" is archived each week and available for them through the Notre Dame website.

But there's more.

The Notre Dame Folk Choir and six Holy Cross priests from Notre Dame will soon be offering 15 minutes of song, scripture and reflections every week as a podcast. It will be available starting in the second semester at www.ndprayercast.org. Steve Warner, director of the Notre Dame Folk Choir, is the idea man and organizing skill behind this new Campus Ministry effort. Join us!

Father Richard V. Warner, CSC, is the director of Campus Ministry. He can be reached at rwarner@nd.edu

The views expressed in this column are those of the author and not necessarily those of The Observer.

U-WIRE

Tell me no lies

There's been a lot of fuss recently about sexual assault. Many college men, obviously sympathetic to the issue, argue that although women are not to blame for rape, there are precautions that can be taken to make these "unwanted situations" less likely. Don't wear those scandalous mini-skirts. Don't walk home at 4 a.m. Alas, if it were only so easy.

Marta Cook
*University of Virginia
 Cavalier Daily*

All these well-meaning words of advice are based on assumptions and biases that obfuscate the reality of sexual assault. When the rapist is statistically more likely to be the nice young man walking the woman home than a stranger from the shadows of an alley, the unfortunate futility of "prevention" is manifested. Thus, instead of pontificating about what a woman can do to prevent the unpreventable, it is more productive to promote an environment of believing the survivor rather than at all implying she had a say in whether or not she was sexually assaulted.

Women are told by society not to put themselves in dangerous situations; the problem is, any situation can be dangerous. First of all, disabuse yourself of the creepy-stranger image of a rapist. Seventy-five percent of rapists have known their victims for more than a year. The very word "rapist" has such a pejorative connotation that most people construct an image completely inconsistent with reality. Rapists aren't always those guys you see on America's Most Wanted. It's more likely your best friend's boyfriend's friend you had a great time talking to at the bar. In order to wrap our minds around difficult truths, we tend to categorize and simplify people into Disney-esque good guys and bad guys. Yes, there are quite a few categorically bad people who sexually assault women and men. At the same time, otherwise good people make some very sordid decisions. These men may have believed the woman wanted it — she was just playing hard to get. But there is pretty clear difference between a woman being playful and a woman who physically and verbally says "no." For such an intimate act, both people should at the very least clearly consent.

If any life scenario can become dangerous, what is a woman supposed to do? Should she stay in her room all day and night, doors locked, under the cov-

ers, armed with a can of mace? What so many people don't understand is that there is no real precaution that can be taken to prevent a rapist from following through on his intentions.

The most offensive, vile comment made to a sexual assault survivor is that she was too confused to know if she was raped or not. Let's reconstruct the scene: A woman was drinking a little too much jungle juice at her favorite fraternity, she meets a handsome man wearing a polo of a very flattering shade of pink, one thing leads to another, and she wakes up the next morning next to someone whose name she cannot remember. Ah, pity the feeble woman whose mind cannot distinguish between regret and rape! What a deeply sadistic and vindictive woman to go through the pains of a rape kit (25 pubic hairs are individually plucked in order to file a police report) in order to ... punish the man? This is simply not what occurs. According to the FBI Uniform Crime Reports, less than five percent of rape reports are false. This is a very small number. The bigger issue, however, is the fact that more than half of sexual assaults go unreported, according to RAINN. Most women who are raped never file a police report out of shame and not wanting to endure accusations like those levied against them in today's culture of "what they should have done."

Instead of questioning a woman who has the courage to report rape, it is much more rational and humane to believe her. The line of questioning used in sexual assault cases versus other types of violent crime puts in relief the prejudice against women. When someone is robbed, people don't ask, "Well, how late were you out?" "Did you fight back?" No, of course not. Why then, is sexual assault so different? As long as victim-blaming continues to drown out the cries of sexually assaulted women, this culture of silence will persist and envelope our mothers, our daughters and our sisters in a wrought-iron cage of paranoia and self-blame.

This column originally appeared in the Nov. 15 issue of the Cavalier Daily, the daily publication at the University of Virginia.

The views expressed in this column are those of the author and not necessarily those of The Observer.

LETTERS TO THE EDITOR

Remember how lucky we are

There will be an empty chair in May. One of our family will not be present on graduation day. Caitlin Brann, a senior at Notre Dame, was killed in a car accident Friday. She was 22. I did not know Caitlin. I cannot imagine what the people who loved her are going through and my deepest condolences are with them, but I feel the loss of a member of our community. Her death is a heartbreaking reminder of how fragile and precious life is. After I learned the news I asked family and friends how to honor someone that has died. Celebrate the good choices she made, learn from her mistakes and don't

waste a single day of our own lives. Mourn Caitlin's death and then celebrate her life. We are all very lucky to be here on earth, to be a part of the Notre Dame family, to be able to wake up every morning. Caitlin does not get another chance to live, but we do. We must live every day to the fullest. It can be gone in an instant. Let Caitlin's death not be in vain. At the very least, let it remind us to live.

Jennifer Sayers
 senior
 Farley Hall
 Nov. 14

The graduate community — a different perspective

A number of recent Letters to the Editor in The Observer have centered around the issue of whether or not graduate students should be included in the football ticket lottery and the Notre Dame experience. These commentaries have raised the deeper question of how graduate students fit into the Notre Dame community. In my opinion this is ultimately a question about the University's identity and mission. While it is true that Notre Dame has a unique undergraduate identity, this is only one facet of its richly textured identity as a university. Even this "unique" identity is dynamic, striving as we do for greater diversity with regard to race and ethnicity, gender, socioeconomic class, religion, physical ability and scholarship. Diversity is enriched by our graduate students, who are, indeed, vital members of our community. In many instances, they are the first teachers and mentors that students encounter when they begin their undergraduate career at Notre Dame.

Graduate students have contributed much to making the First Year of Studies the pre-eminent program that it is in the nation. Along with faculty members, graduate students inspire their younger, undergraduate colleagues to pursue their dreams. They model what it means to be a scholar. Having jobs, spouses, children and homes with mortgages, they also model how they, as students, balance real lives. In his presidential inaugural address last year, University President Father John Jenkins spoke of the inclusive spirit that we must embody if we are to become a truly great

university, saying that "We cannot be truly Catholic if we are exclusively Catholic." Provost Tom Burish echoed this belief in his address to the faculty last month, in which he emphasized the importance of fulfilling Notre Dame's potential for excellence as a graduate research institution. This implies, of course, that we cannot be a pre-eminent university if we do not include our graduate students as a valuable part of the Notre Dame community. Jenkins has also said, "Scholars in diverse disciplines pursue the same truth. Truths found in physics and biology do relate to those found in art, literature and philosophy, and our common pursuit of truth must include conversations across disciplines." Our common pursuit of truth must also include conversations across cultures and across generations of students and faculty. We are all in this academic enterprise together.

Our distinctive Catholic mission is the University's strength. It is part of what accounts for the sense of community on campus. And it is this sense of community, its generosity of spirit, its hospitality, that draw both undergraduate and graduate students here in the first place. Granted, there are finite resources like football tickets, or on-campus housing or a number of other things. But if we are to embody the ideals of community, we cannot be possessive of the "Notre Dame experience" and all that it has to offer.

Donald B. Pope-Davis, Ph.D.
 Dean of the Graduate School
 Nov. 15

SCENE & HEARD

Celebrity loves make and break America's heart

In the midst of the recent midterm elections, an even more crucial and earth-shattering world event took place — Britney and K-Fed ended their tumultuous and often “chaotic” marriage. No less than a week prior, long-time fan-favorite celebrity couple Reese Witherspoon and Ryan Phillippe decided to separate after seven years of marriage. When the public flag-bearers of love decide to call it quits, it's hard to imagine that true love could possibly exist in such a world.



Erin McGinn

Assistant
Scene Editor

The American public looks to celebrities, especially movie stars, for the answers to all of life's major dilemmas — what clothes to wear, cars to drive and most importantly how to sustain a relationship. Celebrity relationships have always been a hot topic to both hard-core celeb chasers as well as to the more casual voyeur. Very few things attract the attention and hunger of the American public more than a celebrity relationship gone horribly wrong.

The most recent heartbreaker came in the form of the Witherspoon-Phillippe split. The adorable and drama-free couple was much beloved by fans the world over. The young, attractive and family-oriented couple was viewed as one of those steadfast

and ideal relationships that were there to be emulated. Seven years later, it was over.

No celebrity break-up has arguably been more painful in recent years than that of Jessica Simpson and Nick Lachey. Like Reese and Ryan, Nick and Jessica had been long adored by fans and had garnered a huge following. From their long and very public courtship to their televised wedding, Simpson and Lachey made their living by loudly and publicly proclaiming their undying love for each other.

Their show “Newlyweds,” which aired on MTV for three seasons, firmly established them as the couple-to-be among celebrities. Only three years into their marriage, they shocked their fans and general public alike when they filed for divorce. They were Hollywood's perfect couple, complete with their very own family Christmas special. Even they couldn't keep it together.

While Nick and Jessica were the king and queen of America's homecoming, Britney and K-Fed were the weird couple who reeked of pot and practiced a little too much PDA. Attempting to mooch off of the “Newlyweds” cash cow, Britney and K-Fed had their own abomination of a reality show, “Britney & Kevin: Chaotic,” that poorly displayed the couple and all of their married antics. While it was much less heartbreaking and tragic than the other splits, it nevertheless caught the eye of the American people as much, if not more, than the concurrent elections.

Judging from these splits, it really is



Photo courtesy of emmaria.blogg.se

Actress Reese Witherspoon and actor Ryan Phillippe are one of the latest popular celebrity couples to end their relationship amid the public spotlight.

hard to keep believing in love. But for every celebrity couple that comes to a tragic demise, there is another couple springing up in passionate love — often times these passionate loves spring out of the ashes of a fallen couple. Were it not for the split of Brad and Jennifer, we would never have been bestowed with the wonder that is Brangelina.

But who else embodies true love more than TomKat? Nothing screams true love still exists in the world quite like Tom Cruise jumping on Oprah's couch. With

their Italian marriage on the horizon this weekend, it's impossible not to be in the mood for love.

The recent journeys to splitsville may have soured the idea of love for most, but fortunately Tom and Katie are here with the opportunity to bring true love back to the American populace.

Contact Erin McGinn at emcginn@nd.edu

The views expressed in this column are those of the author and not necessarily those of *The Observer*.

SCENE & HEARD

Jack Palance fondly remembered for classic roles

Jack Palance was a man's man. He had the kind of cowboy gruffness that every kid who had ever watched a Western wished they could emulate — or, like their idol, ride off into the sunset themselves.

He was unlike any other, and his distinctive voice gave us villains from classics that range from the classic Western “Shane” to Tim Burton's “Batman” and all the way around to Curly and Duke in the “City Slickers” series. He was a giant among actors and matched his onscreen tough guy look with a real tough guy persona, having worked as a coal miner, a boxer and a student pilot during World War II.



Marty
Schroeder

Assistant
Scene Editor

Born Volodymyr Palahniuk to a coal mining family of Ukrainian descent in western Pennsylvania. After working as a coal miner with his father, he began a boxing career. Fighting under the name Jack Brazzo, he recorded 12 knockouts before losing to future heavyweight contender Joe Baksi. This career, after a promising start, didn't pan out so Jack looked to other places and discovered a passion for drama.

Attending Stanford University for drama and earning a B.A., his big break came when he landed the spot

as Marlon Brando's understudy for “A Streetcar Named Desire.” He eventually replaced the immortal Brando for this play, which led to his career on the silver screen. His first role was in 1950s “Panic in the Streets,” which led to the biggest break of his career — starring as the villain Lester Blaine in the 1952 film noir, “Sudden Fear.” This led to a nomination for an Academy Award in the best supporting actor category. His star was shining, as this was only his third screen appearance. He went on to play similar villainous roles such as Dr. Jekyll and Mr. Hyde, Dracula and Attila the Hun.

Throughout his career, he was generally typecast as a villain, such as the iconic Jack Wilson in an Academy Award-nominated performance for “Shane” — and found it hard to find roles outside of this type.

In order to combat this, he took the role of pompous Hollywood producer Jeremy Prokosch in Jean-Luc Godard's artsy 1963 film “Les Mépris.”

However, after receiving the same types of offers time after time, Palance and his family moved to Switzerland in an attempt to diversify his repertoire. However, after six years he returned to the United States, claiming the Europeans were offering him the exact same roles he hoped to escape from in Hollywood.

In his old age, never one to back down from a challenge, he took on the role of grizzled and curmudgeonly Curly. This satire on his previous



Photo briandsrinventheater.com

In the excellent film noir “Sudden Fear,” Jack Palance schemes with girlfriend Gloria Grahame to murder Palance's wealthy new wife, played by Joan Crawford.

persona garnered him yet another Oscar nomination, which he won. In one of the more famous moments in his life, Palance, at the age of 73, performed one-armed pushups on stage as part of his acceptance piece. Still the tough guy.

Earlier generations may remember him for his roles as murderers in film noirs and evil gunslingers in Westerns, while the younger generations will remember his Boss Grissom in “Batman” and Curly from “City Slickers.” However Palance is remembered, he will always be revered as a singular figure who was

able to elevate himself over the politics of Hollywood. Just as tough in real life as he was on the screen, his presence will be sorely missed. His distinctive rasp and independent attitude will forever be placed in the upper echelons of Hollywood stardom.

You will be missed, Jack Palance, sorely missed.

Contact Marty Schroeder at mshroe1@nd.edu

The views expressed in this column are those of the author and not necessarily those of *The Observer*.

DVD REVIEW

Old boy, new tricks: Park's 2005 Korean thriller gets three-disc collector's edition



Photo courtesy of geekroar.com

Park Chan-wook's 2005 Korean film "Oldboy," starring Choi Min-sik, right, has gotten a much deserved collector's edition from Tartan Video.

By BRIAN DOXTADER
Scene Editor

Park Chan-wook's "Oldeuboi" ("Oldboy"), which was already released on DVD back in 2005, has been given the Collector's Edition treatment by Tartan video. The Korean film, already a cult classic, has increased in stature over the years, thanks in no small part to the original Tartan DVD release.

Nominally, "Oldboy" is a revenge story, but a bizarre and warped one, filled with violent twists and unexpected narrative shifts. Its basic plot involves Oh Dae-su (Choi Min-sik), a man who is locked up by unseen forces for 15 years without knowing why. After his release, he sets off to discover who imprisoned him and why, only to discover a strange conspiracy involving his past.

Park infuses "Oldboy" with a lightning-fast rhythm, which makes the film fly through its two-hour run-time. Audiences are riveted as the mystery unfolds, but Park is smart enough to make the journey as strange and satisfying as the ultimate destination.

Park's film is violent and often disturbing, but the director gets to the heart of his story, giving it a surprising emotional weight for a film of this type. There are several intense, relentless action sequences, all of which are well done — most notably, a long tracking shot in which Oh Dae-Su fights several cronies in an alley. Choi Min-sik gives an amazing performance as the protagonist, especially in one infamous and shockingly effective scene in which... well, let's just say that animals were definitely harmed in the making of this movie.

Tartan has gone the whole nine yards in its presentation of the new three-disc

Collector's Edition of "Oldboy." There are a host of special features that are spread across the discs, though most of them are housed on the second. The picture has been cleaned up from the previous DVD and looks much improved, with better contrast and significantly clearer image quality.

The audio is available in several mixes — 6.1 DTS-ES and 5.1 Dolby Digital Korean mixes, and a 5.1 English dubbed version. The 6.1 DTS-ES is easily the best of the mixes for those who have the proper equipment, as the sound in the action sequences practically jump out of the speakers. The English dubbed version should be avoided at all costs, as the dubbing is not particularly great, and the sound mix takes a noticeable hit in atmosphere. There are English subtitles available, which, while not perfect, are pretty good in their translations.

The cream of the special features include commentaries from the director, cinematographer and cast, and several excellent "behind the scenes" documentaries. There are also 10 deleted scenes with commentary, a featurette, a video diary from the movie shoot and (in a nice touch) the original Japanese graphic novel on which the film is based (translated into English).

Most of the features are informative and interesting, though the third disc, which contains the video diary, is a bit much. "Oldboy" comes in a cool metallic tin, with a presentation that resembles HBO's "Band of Brothers" in its look and cover, which is a bit strange considering the huge differences in content.

"Oldboy" is a unique and bizarre film, and it represents a new peak in Korean cinema. While only a year old, it indicates a new and interesting direction for Park, who continues to outdo himself with every picture.

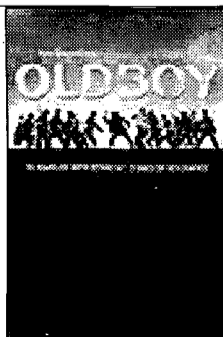
Although Tartan's original DVD was decent enough, the new three-disc collector's edition is essential for any fan of Park, "Oldboy" or Korean cinema in general.

Contact Brian Doxtader at bdoxtade@nd.edu

Oldboy

Collector's Edition

Tartan Video



WEEKEND PREVIEW

DEBARTOLO PERFORMING ARTS CENTER

DAC Classic 100

"Some Like it Hot" Sunday 4pm, Browning Cinema, \$3

DAC Movies

"House of Sand" Friday 8pm & 10pm, Browning Cinema, \$3

DAC Presents

Notre Dame and US Military Academy Glee Clubs Joint Concert

Friday 8:30pm, Leighton Concert Hall, \$3

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"Big Love"

Friday 7:30pm, Philbin Studio Theatre, \$8



Friday/Saturday 8pm and 10:30pm, 101 DeBartolo, \$3

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Clerks II

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Washington Hall, \$7 (\$10 at door)

NHL

Bruins take down Capitals in shootout, win 3-2

Boston wins after surrendering 2-0 first-period advantage

Associated Press

WASHINGTON — Patrice Bergeron scored the only goal in the shootout, lifting the Boston Bruins past the Washington Capitals 3-2 Wednesday night.

After Bergeron beat Olie Kolzig, Tim Thomas snuffed a shot by Matt Pettinger to secure the victory. The Capitals are 0-4 in shootouts this season.

Thomas stopped 33 shots for the Bruins, who got first-period goals from Phil Kessel and Brad Stuart.

Boston outshot Washington 14-7 during a scoreless third period and 5-1 in overtime.

Dainius Zubrus scored his 12th goal and Pettinger had a short-handed tally for the Capitals, who trailed 2-0 in the game's 15th minute. Kolzig had 33 saves, and Alex Ovechkin and Alexander Semin each had an assist.

Washington had won two straight and four of five.

Boston took only seven shots in the first period, but two found the back of the net. Kessel and Stuart both scored within seconds of leaving the penalty box to make it 2-0. Kessel converted a breakaway at 6:36, and Stuart connected with a wrist shot from inside the blue line.

Marc Savard assisted on both goals, extending his point streak to seven games. He has 15 assists in 15 games.

Pettinger brought the Capitals to 2-1 with 4 minutes left in the first period, and Zubrus tied it with a power-play goal at 12:19 of the second. Zubrus was alone in the right circle when Ovechkin found him with a pass across the slot.

Hurricanes 2, Rangers 1

Rod Brind'Amour scored with 6:05 left in the third period to lift the Carolina Hurricanes to a victory over the New York Rangers on Wednesday night.

Cam Ward stopped 23 shots, bouncing back from a poor performance two nights earlier in which he allowed six goals in a 7-4 loss to the Buffalo Sabres. Craig Adams also scored for the Hurricanes.

Brind'Amour's winning goal came moments after the Rangers won a faceoff in the left circle of their zone.

Former Hurricanes defenseman Aaron Ward lost the puck, and Carolina's Justin Williams tracked it down behind the goal

line. He passed to Brind'Amour in the slot, setting up the Hurricanes captain for a quick wrist shot that beat goalie Kevin Weekes high.

The Rangers pulled Weekes with about 54 seconds remaining for an extra attacker, but they managed only one shot in the final moments.

Jaromir Jagr scored the 599th goal of his career for New York. He had two goals in the Rangers' 3-2 home victory over the New Jersey Devils on Tuesday night.

Weekes made 22 saves for the Rangers, who missed on a chance to take over sole possession of first place in the Atlantic Division and remained tied with the Devils.

Brind'Amour has a six-game point streak.

Adams put the Hurricanes up 1-0 when he scored his third goal of the season less than 3 minutes in, snatching a back-handed pass from Anton Babchuk and beating Weekes with a tap-in.

Jagr tied it with a power-play goal late in the second period. He took Brendan Shanahan's pass in the left circle and snapped a shot past Ward at 16:02.

Both teams missed on first-period breakaway chances. Cam Ward stopped Jagr cold shortly after Adams' goal. Jagr made a nifty move left and tried to beat the goalie stickside, but Ward blocked it with his right pad.

Near the end of the period, Carolina's Eric Belanger seemed to have Weekes fooled, but his shot bounced off the left post. It was the first of four Carolina shots that struck posts.

Montreal 3, Tampa Bay 1

Sheldon Souray scored a pair of power-play goals, helping the Montreal Canadiens beat the Tampa Bay Lightning on Wednesday night.

Souray opened the scoring 2:35 in and then gave Montreal a 2-1 lead late in the second. He has three two-goal games this season. Seven of his eight goals have come with the man advantage.

Montreal captain Saku Koivu recorded his 335th assist with the Canadiens, tying him for 16th on the franchise's career list with Claude Provost.

Vinny Prospal scored for Tampa Bay but Vincent Lecavalier and Martin St. Louis each had 11-game point streaks snapped.

Montreal's Cristobal Huet made 29 saves, including five on Lecavalier in the first. The Canadiens have won five of seven.

Prospal's goal at 7:22 of the second tied it at 1 for the Lightning, 4-1-1 in the past six games.

Souray made it 2-1 from the top of the right circle with 4:48 left in the second. The defenseman had not scored a goal in six games.

Guillaume Latendresse extended the Canadiens' lead to 3-1 on the power play with 10:36 left.

Tampa Bay's Marc Denis made 25 saves.

Ottawa 4, Buffalo 2

Peter Schaefer broke a third-period tie, helping the struggling Ottawa Senators beat the Buffalo Sabres on Wednesday night.

Chris Neil, Jason Spezza and Chris Phillips also scored for the Senators, who snapped a two-game losing streak and won for only the second time in nine games.

Daniel Briere and Thomas Vanek scored for the Sabres, who had their four-game winning streak snapped. Buffalo (15-2-1) lost for only the second time in regulation.

Schaefer deflected Daniel Alfredsson's wrist shot from the right point past goalie Martin Biron with 7:11 left in the third to give the Senators a 3-2 lead. The goal was upheld after a replay review showed he didn't strike the puck with a high stick.

Ottawa's Ray Emery made 27 saves in his first start since a loss to Montreal on Oct. 31. He had been hampered by a sprained left wrist sustained eight days earlier in practice.

Phillips sealed the win with a short-handed, empty-netter that was shot from behind his goal line.

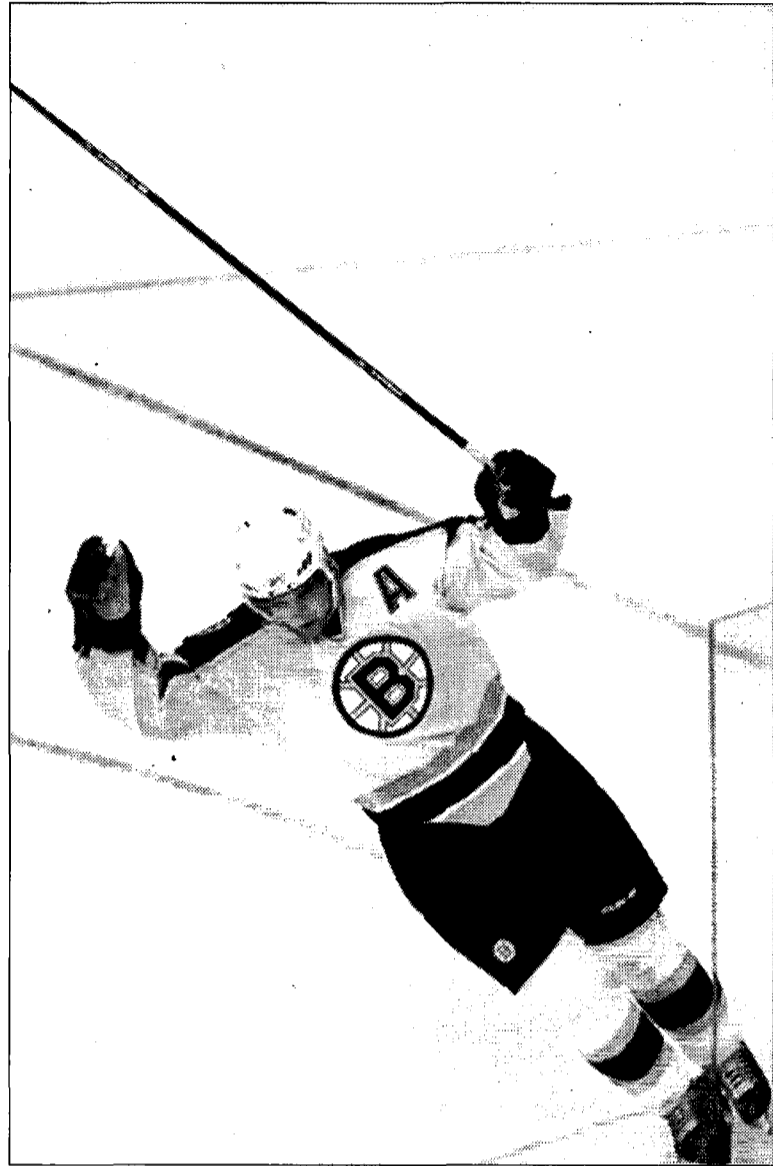
Briere gave Buffalo a 1-0 lead 5 1/2 minutes in after he corralled Ottawa defenseman Andrej Meszaros' errant clearing pass at the Senators blue line. Briere took two strides and let go a slap shot from the top of the right circle that beat Emery.

The Senators tied it 4 minutes later on the power play when Neil's wrist shot from the bottom of the left circle got by Biron.

Vanek made it 2-1 with his team-leading 12th goal, converting a rebound after Emery stopped Drew Stafford's wrist shot from the right circle.

Spezza tied it at 2 with a power-play goal at 6:32 of the third, deflecting Meszaros' slap shot from the left point.

Biron made 19 saves and lost for the first time in five starts. He foiled breakaway attempts by Alfredsson and Antoine



AP
Bruins forward Patrice Bergeron celebrates his shootout goal during Boston's 3-2 victory over Washington Wednesday night.

Vermette in the first period, and was helped in the second when Ottawa defenseman Anton Volchenkov's slap shot ricocheted off two Buffalo players before hitting the right post.

Nashville 5, Columbus 4

David Legwand had two goals and an assist and the Nashville Predators beat the Columbus Blue Jackets Wednesday night to ruin the debut of Blue Jackets interim coach Gary Agnew.

Agnew replaced Gerard Gallant, who was fired Monday, one day after a shutout loss dropped the league's lowest scoring team into last place in the Central Division. Agnew joined the Blue Jackets as an assistant in the offseason after coaching their top affiliate for six seasons.

J.P. Dumont, Vernon Fiddler and Scott Nichol also scored for Nashville, which has won seven of eight overall and eight of its last nine road games. Paul Kariya added two assists.

Rick Nash scored twice and Fredrik Modin tallied a goal and

an assist for Columbus, which has lost four of five.

Down 3-2 early in the third period, Nash and Modin scored twice in a 1:50 span to make it 4-3 at 9:12. But Legwand and Nichol quickly countered with goals 31 seconds apart just past the midway point to make it 5-4 Predators. Legwand stuffed home his own rebound at 11:32 to tie it at 4.

After Columbus defenseman Aaron Johnson turned the puck over deep in his own end, Nichol put the puck past goaltender Pascal Leclaire at 12:03 for a 5-4 Nashville lead.

Nash made it 3-3 after taking a pass from Rostislav Klesla down the right wing and snapping a shot past Tomas Vokoun.

On a similar play, Nash came out of the corner and centered a pass to Modin for a one-timer to give Columbus a 4-3 lead.

Columbus pressured right out of the gate, but Nashville scored first. Positioned in the slot, Dumont redirected Kimmo Timonen's point shot for a power-play goal at 5:21 of the opening period.

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AROUND THE NATION

Thursday, November 16, 2006

COMPILED FROM THE OBSERVER'S WIRE SERVICES

page 15

USCHO.com/CSTV Men's Division I Hockey Poll

	team	record	points
1	Maine	8-1-1	772
2	Minnesota	8-1-2	764
3	North Dakota	6-3-2	653
4	Michigan State	5-2-1	596
5	NOTRE DAME	8-1-1	595
6	Miami	8-4-0	594
7	Boston College	6-3-0	586
8	Michigan	7-3-0	540
9	Boston University	2-1-4	489
10	New Hampshire	5-2-1	445
11	Denver	6-4-0	395
12	Cornell	5-1-0	371
13	Dartmouth	4-2-0	233
14	Wisconsin	4-6-2	227
15	Northern Michigan	6-4-2	180
16	Rensselaer	4-1-3	162
17	St. Cloud State	2-3-3	157
18	Clarkson	6-3-1	147
19	Alaska	5-2-3	146
20	Massachusetts	5-1-1	132

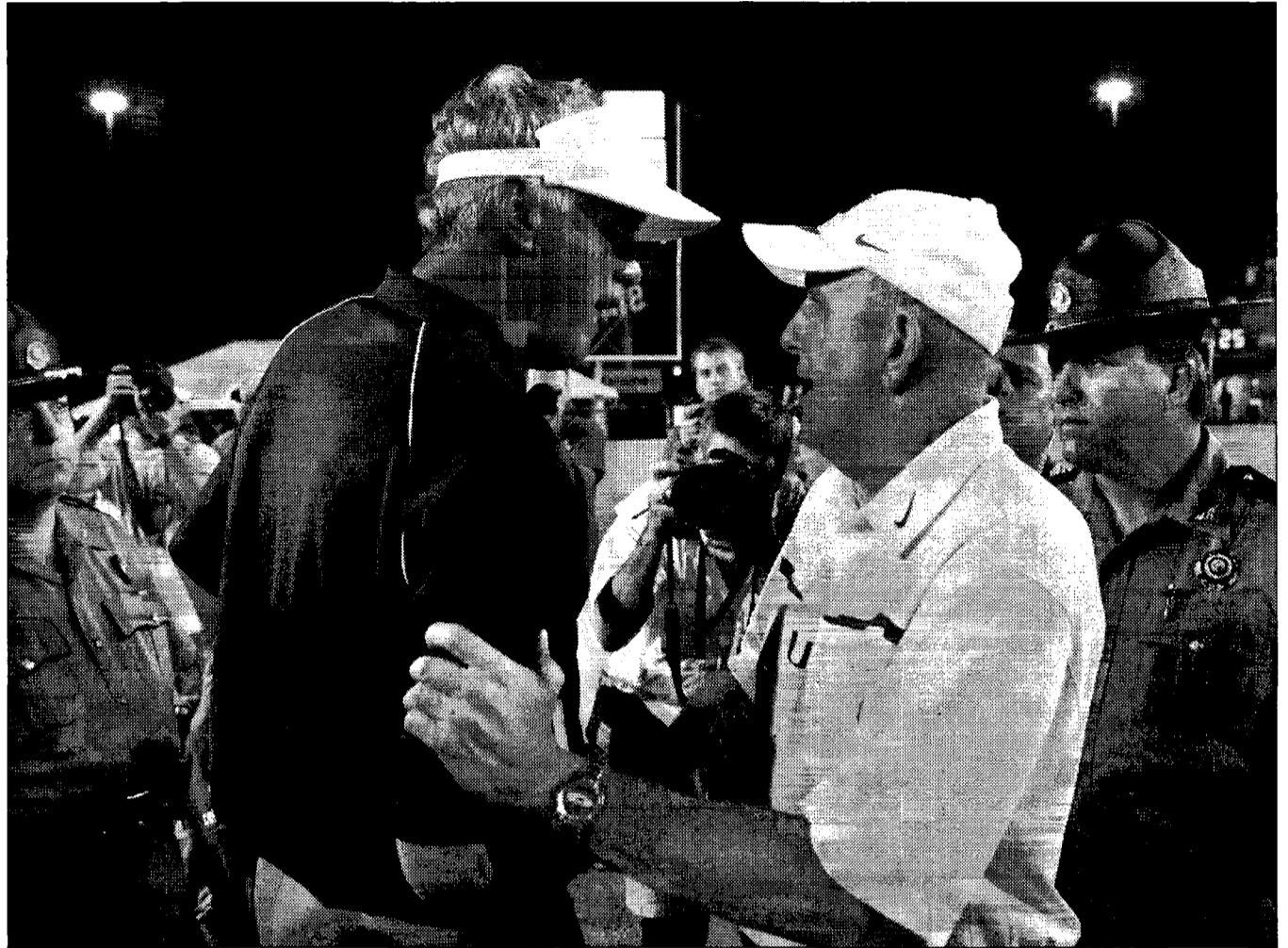
USA Today/USA Hockey Magazine Men's Hockey Poll

	team	record	points
1	Minnesota	8-1-2	492
2	Maine	8-1-1	490
3	North Dakota	6-3-1	396
4	Michigan State	5-2-1	367
5	Miami (Ohio)	8-4-0	347
6	NOTRE DAME	8-1-1	345
7	Boston College	6-3-0	342
8	Michigan	7-3-0	281
9	Boston University	2-1-4	244
10	New Hampshire	5-2-1	182
11	Denver	6-4-0	173
12	Cornell	5-1-0	149
13	Wisconsin	4-6-2	71
14	Dartmouth	4-2-0	57
15	St. Cloud State	2-3-3	33

MIAA Women's Basketball Preseason Poll

	team	points	2005-06
1	Hope	9	16-0
2	Calvin	14	14-2
3	Olivet	25	8-8
4	Albion	28	9-7
5	SAINT MARY'S	40	9-7
6	Adrian	47	4-12
7	Alma	49	7-9
8	Tri-State	54	1-15
9	Kalamazoo	58	4-12

NCAA FOOTBALL



Florida International head coach Don Strock, left, talks with Larry Coker after the FIU-Miami game on Oct. 14. Strock resigned Wednesday in the midst of an 0-9 season.

FIU coach resigns, will finish season

Associated Press

Don Strock has resigned as coach at Florida International, one of only two winless Division I-A programs this season and a program still dealing with effects of a sideline-clearing brawl against Miami last month.

Strock submitted his resignation Wednesday, university officials said. He will coach the Golden Panthers' final three games of the season.

"Now is a good time to move on to other challenges," Strock said. "I wish FIU every success."

Reached Wednesday

evening, Strock would not say if the brawl that marred Florida International's game against Miami Oct. 14 was a major factor in his decision to step aside. He would only say that he would reveal the reasons behind the decision before FIU's practice Thursday afternoon.

"I'm doing everything then," Strock told The Associated Press.

A total of 31 players — 18 from FIU, 13 from Miami — were sanctioned for their role in the fight, which took place in the third quarter of the Hurricanes' 35-0 victory. The Golden Panthers suspended 16 players indef-

initely, plus kicked two others off the team but allowed them to keep their scholarships.

FIU reinstated three of the suspended players last week before the team's 35-0 loss to Louisiana-Monroe. More players could return by season's end, university officials said.

Strock is the only head coach in FIU's brief football history. The former Miami Dolphins quarterback was hired as director of football operations in 1999, then was named coach Sept. 13, 2000.

Pete Garcia, who was hired from Miami as FIU's athletic director last month,

said the university was appreciative for Strock's role in starting the program and helping it reach Division I-A status.

"The role of the founding coach of a university football program is extremely challenging and requires very hard work and dedication," Garcia said in a statement released by the school. "We are grateful to coach Strock for laying the foundation for our program."

FIU was 5-6 in 2002, its first season under Strock. It went 5-6 again last season — sparking hope that this season could be a breakthrough for the program.

around the dial

TODAY

NCAA FOOTBALL
West Virginia at Pittsburgh
7:45 p.m., ESPN

Akron at Ohio
7:30 p.m., ESPNU

NBA
Bulls at Rockets
8 p.m., TNT

Kings at Warriors
10:30 p.m., TNT

IN BRIEF

Professional poker player arrested for running gambling ring

NEW YORK — It was the high-tech key to a massive, illegal gambling kingdom: a laptop computer that authorities say was owned by a professional poker player named James Giordano.

Giordano, who rarely let the computer out of his sight, unknowingly took a gamble earlier this year by leaving it behind while attending a wedding, police said Wednesday.

But in the three hours he and his wife were away from their Long Island hotel room, New York Police Department investigators armed with a search warrant and computer expertise sneaked in, found the laptop on a desk and made a digital copy of the hard drive before the couple returned.

The covert operation on June 15 helped unlock a sophisticated billion-dollar-a-year gambling scheme that rivaled casino sports books, authorities said at a news conference.

AP Poll board member removed after mistaking win for loss

OKLAHOMA CITY — A voter for The Associated Press college football poll was removed from the poll board Wednesday because he mistakenly thought Oklahoma had lost to Texas Tech and voted the Sooners lower in this week's rankings.

Jim Kleinpeter of The Times-Picayune of New Orleans said he tried to find the score of the Oklahoma game, but was unable to do so.

He said he was in the press box at the Alabama-LSU game "and I was asking about different teams, thinking about the poll the next day. ... I thought somebody told me that Oklahoma was losing to Texas Tech at some point. And I asked after the LSU game was over, 'Did Oklahoma win?' Somebody said Oklahoma lost," Kleinpeter said.

The Sooners rallied from a 14-point deficit to beat Texas Tech 34-24.

Youth coach possibly facing charges after attacking referee

CORPUS CHRISTI, Texas — Authorities are considering charges against a Pee Wee football coach who was caught on videotape attacking a referee after being told to stop cursing on the sidelines in front of his 5- and 6-year-old players, police said.

The amateur video of the Nov. 4 incident shows the coach charging onto a field and tackling the 18-year-old referee, who police Capt. John Houston said was briefly knocked unconscious.

"The coach had been warned several times about cursing on the sidelines. When the referee ejected him from the game, that's when he rushed him," Houston said Tuesday.

A crowd of parents ran onto the field and surrounded the pair, he said. Investigators plan to meet with Nueces County prosecutors to determine if the coach and at least one other man should face charges, Houston said.

NCAA BASKETBALL

Golden Eagles soar over favored Jayhawks

Ranked Kentucky, North Carolina squads get victories

Associated Press

LAWRENCE, Kan. — Marchello Vealy and his Oral Roberts teammates went into Allen Fieldhouse with one goal.

"We wanted to come out and shock the world tonight," Vealy said, "and we did it."

Vealy hit his first seven 3-point shots and Oral Roberts outplayed No. 3 Kansas the whole way, stunning the ragged Jayhawks 78-71 Wednesday night.

"It may be the biggest regular-season win in school history," coach Scott Sutton said. "Our trainer has been here over 30 years and said it was the highest-ranked team we've ever beat."

Vealy, a 6-7 sophomore who

shot 1-for-13 on 3-pointers last season, finished 7-for-8 from behind the arc. His only miss came on his last heave, after the Golden Eagles had thoroughly taken command.

The Golden Eagles (1-1) seemed quicker, more aggressive and better organized than the favored Jayhawks (1-1) from start to finish.

After trailing by as many as 10 points in the first half, the Big 12 favorites got as close as three.

But Ken Tutt hit ORU's 11th 3-pointer and added two free throws in the final minute. Caleb Green, a two-time Mid-Continent Conference player of the year, added 20 points and 11 rebounds.

"That team was a hungry team we played tonight," Kansas coach Bill Self said. "Caleb led the charge. I thought when we stopped them in the second half, I thought it was more their missing than us

stopping them."

Kansas cut its deficit to 72-69 on Russell Robinson's free throw with one minute left before Tutt sealed Kansas' 11th loss in its last 176 games at home.

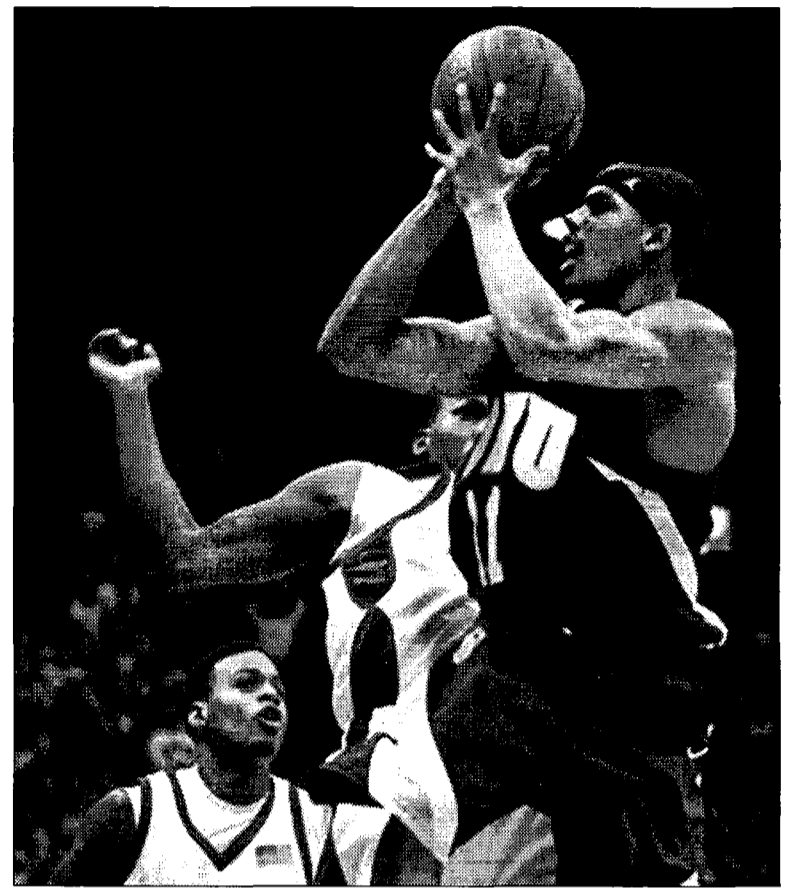
Tutt and Adam Liberty each had 12 points for the two-time defending conference champions.

"I've never seen anything like this tonight," Sutton said. "It was shocking at one point, but at the end of the day, it's a basketball game. Everybody has to put their shoes on the same way."

Sutton agreed that Kansas, which missed easy shots and was a miserable 11-for-21 from the foul line, had a tough game.

"They didn't have the best of nights. I don't know if that was due to us or just great players having off nights," he said. "I'll bet you they regroup."

Kansas got 22 points from freshman Darrell Arthur. Julian Wright, a preseason favorite for Big 12 player of the year, blew layups on two consecutive possessions as Kansas tried vainly to regain the lead in the second half.



Oral Roberts guard Adam Liberty takes a shot during the Golden Eagles' 78-71 victory over Kansas Wednesday.

No. 22 Kentucky 57, Miami (Ohio) 46

Kentucky found a way to win — plus a young, bona fide shot-blocker in the process.

Freshman forward Perry Stevenson swatted seven shots and No. 22 Kentucky scored the final 10 points of the game to pull away from Miami of Ohio Wednesday night in its season opener.

"He gave us what we needed," forward Bobby Perry said of the 6-foot-9 freshman. "I've

seen him block shots and play the way he did tonight all of the time."

Despite Stevenson's play, things got uncomfortable for the Wildcats late. Two free throws by Nathan Peavy cut the Kentucky edge to 47-46 with four minutes left — leaving the Rupp Arena crowd a little nervous.

"You always have that going through your mind," said junior Ramel Bradley, who made his

first career regular season start at point guard. "This is college basketball and a lot of crazy things happen."

But Bradley hit a jumper in traffic and Randolph Morris made two free throws, then scored from the post to stretch it back to a seven-point deficit.

"We'll learn a lot from this game," Kentucky coach Tubby Smith said.

Joe Crawford led the Wildcats with 18 points. Morris added a double-double with 12 points and 10 rebounds, all on defense.

No. 2 North Carolina 73, Winthrop 66

North Carolina coach Roy Williams finally saw what he was looking for from the Tar Heels in the second half Wednesday night against Winthrop.

Tyler Hansbrough had 20 points and 10 rebounds, and No. 2 North Carolina rallied to beat Winthrop in the NIT Season Tip-Off.

"When somebody hits you, you have a decision to make," Williams said. "We have to have some toughness and we had no toughness in the first half."

Wayne Ellington added 13 points and Brandon Wright scored 12 for the Tar Heels, who overcame 25 points from the Eagles' Torrell Martin to advance to the semifinals next week in New York against the winner of a late game Wednesday between Gonzaga and Baylor.

Williams watched in disbelief in the first half as Winthrop hit open 3-pointers, grabbed nearly every loose ball and built a 12-point lead. "We were walking around letting people kick our butts and it wasn't making any difference to us," Williams said. "It was a sorry attitude we had at that point."

North Carolina (2-0), down nine with under 17 minutes to play, went to their highly regarded freshmen class to come back.

Ellington's back-to-back buckets inside and Ty Lawson's 3-pointer in a 9-0 run tied it at 45.

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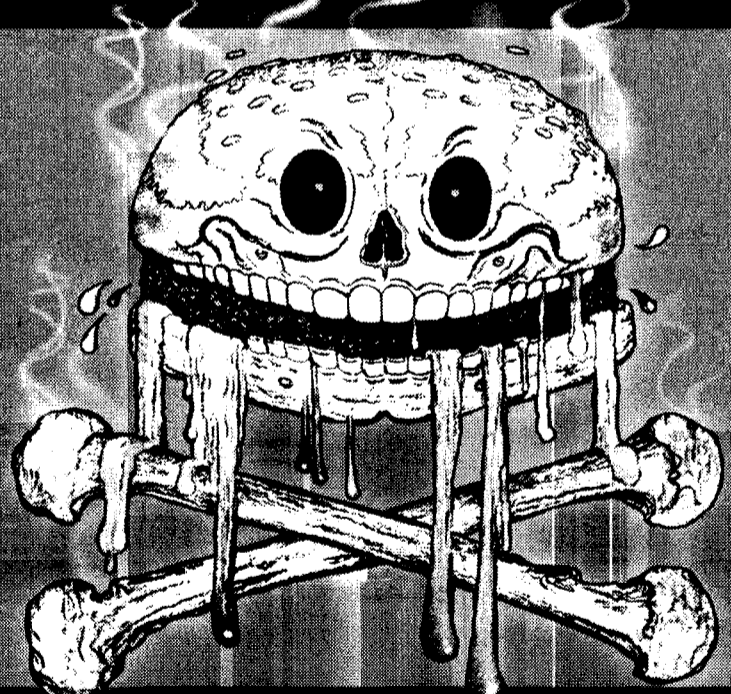
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MLB

Girardi, Leyland named game's top managers

Skippers both piloted young teams to good records, turnarounds

Associated Press

NEW YORK — Sometime soon, Joe Girardi will go looking for another job in a major league dugout. And when he does, he'll have a Manager of the Year award at the top of his resume.

Six weeks after he was fired by Florida, Girardi won the NL honor Wednesday for keeping the rookie-laden Marlins in contention nearly all season. Jim Leyland took the AL award after a quick turnaround with the Detroit Tigers.

A rookie skipper himself, Girardi beat out Willie Randolph of the New York Mets by a comfortable margin to become the first Manager of the Year with a losing record.

"I don't know if vindication is a good word, just because as a manager, you want to manage," Girardi said.

He received 18 of 32 first-place votes and totaled 111 points in balloting by the Baseball Writers' Association of America. Randolph got eight first-place votes and 81 points.

"It's nice that people who watch the game every day understood what we accomplished," Girardi said, adding he wasn't particularly surprised

to win. "We had a lot of good things happen."

Leyland turned around the long-moribund Tigers in his first year with the team, leading them to the World Series and their first winning season since 1993. He received 19 of 28 first-place votes and 118 points to top Minnesota's Ron Gardenhire, who was listed first on nine ballots and totaled 93 points.

"I knew that we had something here. I thought it would take longer than it did. This team started believing," Leyland said. "We had good players going into spring training, but we didn't have a very good team. We made ourselves a good team and that's something I'm very proud of."

Playing 22 rookies, Girardi guided the Marlins to a 78-84 finish and had them in the play-off race until a late-September fade — a surprisingly competitive performance for a team that was expected to lose at least 100 games.

Florida had a \$15 million opening day payroll, the lowest in the major leagues by more than \$20 million.

Still, he was fired two days after the season ended following a rift with owner Jeffrey Loria. Girardi has since agreed to rejoin the New York Yankees' broadcast booth, rather than seek another managing job.

"I don't believe in this case perception is reality," he said. "I

wanted it to work out but it never got worked out, for whatever reason. ... We move on to bigger and better things."

After the announcement, the Marlins were ready with a statement.

"We are pleased for Joe and we wish him well," the team said.

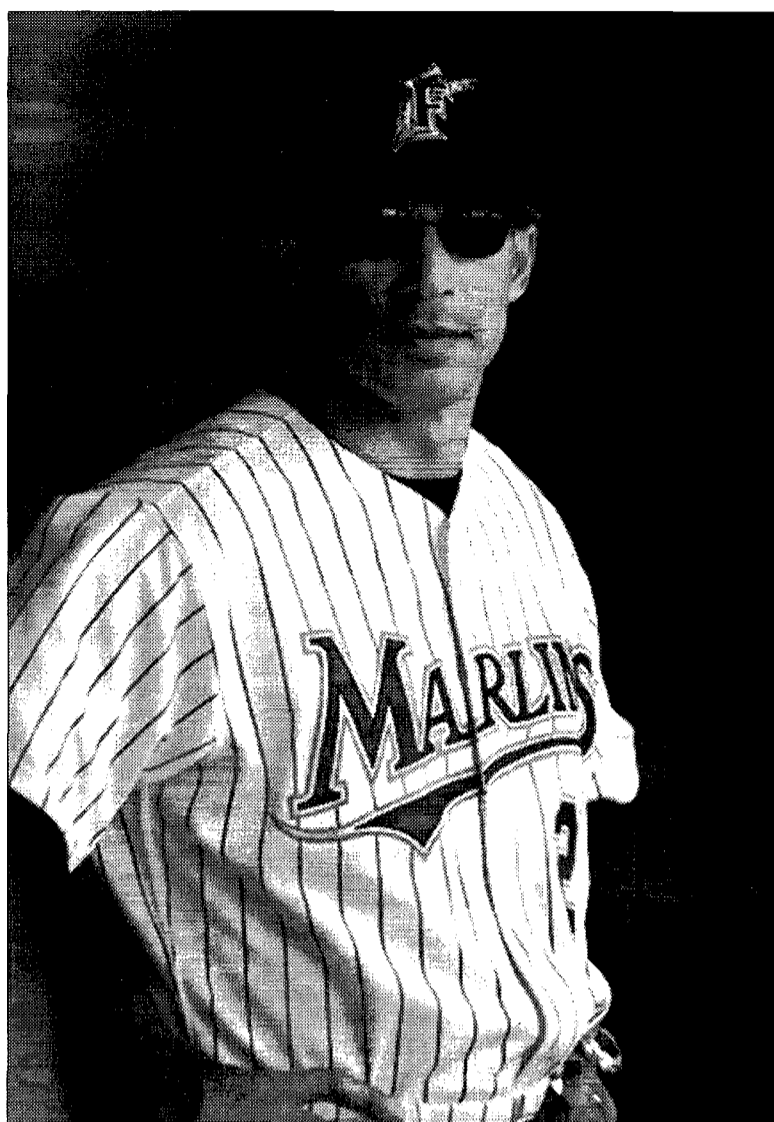
Girardi, who succeeded Randolph as Joe Torre's bench coach with the Yankees in 2005, is the second Manager of the Year to be fired that year. The other was Baltimore's Davey Johnson, the AL winner in 1997.

"To rehash that, I don't think that does anyone any good," Girardi said. "Obviously, I'm not there, and I don't know how they feel about it. A manager wants to manage. I didn't want to leave Florida."

Girardi was interested in the opening with his hometown Chicago Cubs, but they hired Lou Piniella this offseason. The former catcher also interviewed with the Washington Nationals, but pulled out of the running before they chose Manny Acta.

"There's no secret to what I'm looking for. I really want to manage again because I love it," Girardi said. "It has to be right not only for me, but for my family. ... I believe my opportunity will come again."

The 61-year-old Leyland appears firmly entrenched in Motown after winning his third Manager of the Year award.



Former Florida Marlins manager Joe Girardi looks at the field during a game against San Diego Apr. 11. AP

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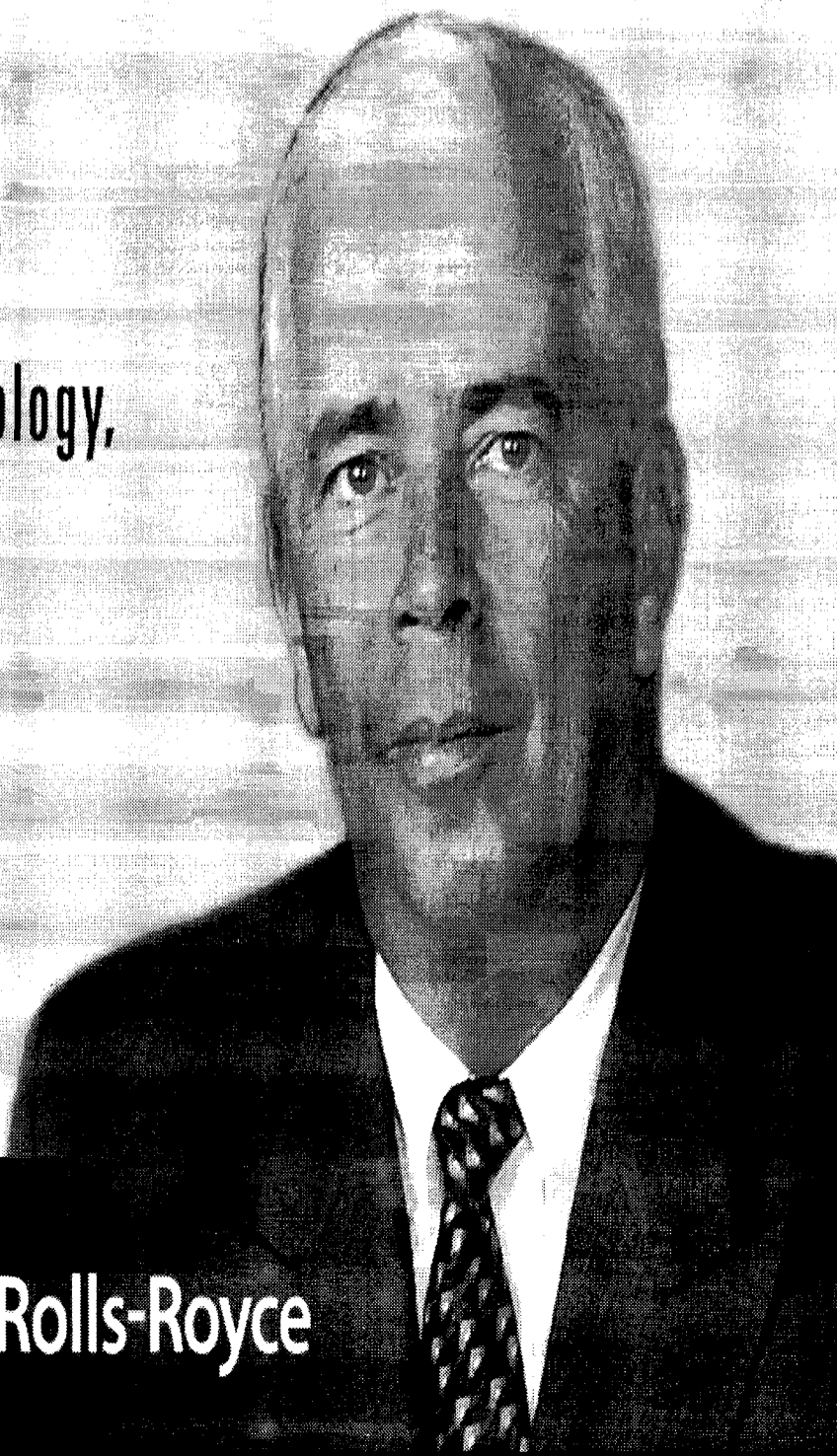


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NHL

Pens' Malkin to stay in America

Judge clears Russian forward to remain in NHL after dispute

Associated Press

NEW YORK — Evgeni Malkin was cleared to stay with the Pittsburgh Penguins after a federal judge denied a demand by his former Russian club that he be yanked from the NHL.

Metallurg Magnitogorsk, a Russian Super League team, claims that Malkin is under contract in his native country. The club sought a preliminary injunction that would have banned the forward from playing for the Penguins until the matter is resolved.

But the ruling Wednesday by U.S. District Judge Loretta A. Preska clears the way for Malkin, a star rookie with Penguins, and minor leaguers Andrei Taratukhin of the Calgary Flames and Alexei Mikhnov of the Edmonton Oilers to stick with the NHL franchises.

Led by Metallurg Magnitogorsk, Russian clubs sued in October claiming that the NHL broke U.S. antitrust law and improperly interfered in their business affairs by signing away players who were still under contract.

The deal with the International Ice Hockey Federation calls for the NHL to pay a \$200,000 fee when it signs European players, but Russian hockey officials declined to sign the agreement on the grounds that they were unfairly compensated for top talent.

Since then, the world's two top hockey leagues have been at odds.

In August, the NHL told its clubs they were free to sign contracts with Russian hockey players already under contract.

Malkin, 20, had just signed a one-year contract with

Metallurg Magnitogorsk when he abruptly left camp to join the Penguins this fall.

In retaliation, the Russian clubs asked the U.S. courts to issue an injunction benching the players in North America and returning them to their old teams.

Preska ruled that the Russians hadn't met the standard for a preliminary injunction. To do so, she said, they would have had to prove that the players' absence from the Russian league was causing their former teams irreparable harm.

The courts have generally found that the loss of a star athlete can indeed constitute such a harm, but Preska said that in this case, the Russian clubs appeared to be more concerned with wresting larger player transfer fees from the NHL than maintaining their competitiveness.

"These cases were always about money," Preska said. "The only issue is how much."

The ruling doesn't stop the case for good, but all but ensures that Malkin, Taratukhin and Mikhnov will remain with their NHL teams.

"Obviously we are very disappointed," said Alexander Berkovich, the attorney for the Russian clubs.

He rejected the notion that the dispute was all about money.

"They need the best players," he said, "Regrettably, it's not going to happen in this case."

NHL deputy commissioner Bill Daly said in a written statement that he hoped the ruling would persuade the Russian clubs to "discontinue their strategy of litigation," and engage in "good faith negotiations" about the future system for player transfers.

In the absence of an agreement, the NHL has maintained that Russian labor law allows players there to quit with two weeks notice.

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ALLISON AMBROSE/The Observer

Irish point guard Kyle McAlarney focuses during Notre Dame's 92-49 victory over IPFW Nov. 10.

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NBA

Martin will miss rest of season with injury

Damage to forward's knee 'more significant' than originally thought

Associated Press

DENVER — Nuggets forward Kenyon Martin will miss the rest of the season because of a bad right knee.

Martin had arthroscopic surgery Wednesday, and the team said the operation "revealed more significant damage" than originally thought.

Martin has five years and more than \$66 million left on his contract.

He played in two games this season, averaging 9.5 points and 10 rebounds.

The Nuggets played at Orlando on Wednesday night.

"I just found out," Nuggets player personnel

director Mark Warkentien told The Associated Press from Belgrade, Serbia, where he was wrapping up a scouting trip. "I'm still taken aback a little bit and I'll talk to my guys in the morning and assess where we're at."

Martin was limited to a career-low 56 games last season after surgery on his left knee. He was suspended in the playoffs for his tirade at the coaching staff after his playing time was held down against the Los Angeles Clippers.

He and coach George Karl patched up their relationship, and after training camp Martin

declared himself healthy for the first time since undergoing microfracture surgery on his left knee 18 months ago.

He was taped up and ready to play against the New York Knicks on Nov. 8 when a team doctor went into the locker room minutes before tip-off and sent him for tests on his swollen right knee.

"Right now I'm at a loss for words, you know what I'm saying? I worked my butt off in training camp. For this to happen now, I'm down in the dumps," Martin told The Associated Press that night after an MRI revealed another surgery was necessary.

Martin said he had no idea how or when he hurt his right knee but was hoping to miss only one or two months, not the whole year.

The Nuggets bolstered their front court in the offseason with the addition of Joe Smith and Reggie Evans, to go along with the return of Nene.

Eduardo Najera said last week that the Nuggets would miss Martin's powerful presence.

"It's very difficult to lose him. He's been a leader and he sets the tone with his aggressive play and personality," Najera said. "It will take some time for us to adjust. ... We all have a chance to get more minutes. Joe hasn't played that many minutes, and Evans hasn't either. I think that Martin is irreplaceable, but combined, all our big guys can do a pretty good job."

"It's very difficult to lose him. He's been a leader and he sets the tone with his aggressive play and personality."

Eduardo Najera
Nuggets guard

MLB

GMs consider using replay

Blue Jays near deal with Thomas; Mets and Padres agree to trade

Associated Press

NAPLES, Fla. — When it comes to instant replay, baseball general managers want to look it over.

GMs plan to talk about the topic some more, and perhaps make recommendations in the future, even they know commissioner Bud Selig is against the having replays aid umpires' decisions.

"There is sufficient interest in it that it really warrants further discussion," baseball senior vice president Joe Garagiola Jr. said Wednesday at the GMs' annual meetings. "There's no specific action item at the moment. We just want to keep talking about the different ways it could come into play and just keep kind of refining our thinking on the topic."

GMs have repeatedly discussed the topic but know replays aren't likely to be used while Selig is in charge. Two years ago, GMs split 15-15 on a vote to further consider the use of instant replay.

"The commissioner's views on instant replay are well known but I also know he respects the body here," Garagiola said. "So it's an important topic to continue to discuss."

Chicago Cubs manager Lou Piniella, whose been known to speak his mind to umpires, doesn't think there's a need for replays.

"Umpires do a really nice job," he said. "I think that's the way baseball has been played since inception. I don't see any reason to change it."

On the third day of the four-day session:

- ♦ Toronto neared agreement on a two-year contract with designated hitter Frank Thomas.

- ♦ The New York Mets traded

relievers Heath Bell and Royce Ring to the San Diego Padres for outfielder Ben Johnson and right-hander Jon Adkins.

- ♦ The New York Yankees declined Mike Mussina's \$17 million option but neared agreement on a two-year contract with the right-hander that would be worth about \$23 million.

- ♦ Baltimore neared agreement with pitcher Jamie Walker on a three-year contract worth about \$11 million.

- ♦ Tampa Bay won the rights to Japanese third baseman Akinori Iwamura when the Devil Rays' bid of about \$4.5 million was accepted by the Yakult Swallows.

- ♦ The Chicago Cubs agreed to a \$5.25 million, two-year contract with backup catcher Henry Blanco.

- ♦ Philadelphia reached a preliminary agreement on a two-year contract with third baseman Wes Helms.

While big-names clients are being discussed with teams in this early stage of free agency — players such as Alfonso Soriano and Barry Zito — no deals appear close.

GMs did approve several changes. Starting next year, a team can change its postseason roster up until 10 a.m. on the day its first game is played, not when it is scheduled. That came in response to the post-

ponement of the NL championship series opener between the Mets and Cardinals.

Starting next year, tie games will be a thing of the past — if a regulation game is tied when stopped by rain, and it will be suspended and resumed at the point where it was interrupted. That change was approved last year but not ratified by the players' association, which can delay rules modifications for one year but can't block them.

GMs didn't approve a proposal to have games suspended that were not yet regulation — in other words, if there is a rainout after two innings, the game still will be wiped out and replayed from the start.

In a rule change that must be approved by owners and the union, umpires proposed that weekends count for waivers during spring training.

Baseball also revealed a number of statistics on umpires. The Questec computer system, used in 11 ballparks, said 94.91 percent of ball-strike calls were correct, up from 94.20 percent in 2005. That represents a decline from 8.65 to 7.64 missed pitches per game.

Ejections dropped from 227 to 218 this year, and warnings fell from 79 to 68. There were 30 hit batters after warnings, of which 12 pitchers were ejected.

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#18 CHRISTIE SEANER

Lapira

continued from page 24

he finished it. That's what a big time player does."

The play started just two minutes before halftime when sophomore forward Bright Dike received a pass at the top of the box. With his back to the goal, Dike flicked the ball into the path of an onrushing Lapira, who outran his defender to the ball and — despite shooting from almost at the end line — buried a low shot in the far corner of the net.

"I don't know that shot went in," Lapira said. "I didn't have much of an angle. I think I got a little bit lucky."

The Irish were fortunate the score was still tied at zero when Lapira scored his goal. Notre Dame, playing its first game in 18 days, was clearly outplayed by the Flames in the first 10 minutes of the game.

Only three minutes in, Illinois-Chicago midfielder Baggio Husidic ripped a shot off a cross, which rebounded back off the Irish crossbar. Two minutes later, Flames forward Eric Cervantes unleashed from 25 yards and appeared to have Notre Dame keeper Chris Cahill beat — but the shot sailed just wide of the goal.

"Maybe that was your answer," said Irish coach Bobby Clark, referring to whether Notre Dame would be rusty after the long layoff. "We hadn't played a game for 18 days, and it took the boys about 10 minutes to adjust to the pace of the game."

After weathering the initial

storm from Illinois-Chicago, Notre Dame proceeded to rain down shots on Flames keeper Jovan Bubonja. In the 20th minute, senior forward Justin McGeeney received a through ball from midfielder Ian Etherington, putting him in on the keeper, but his shot was deflected out for a corner kick by Bubonja.

Four minutes later, senior midfielder Nate Norman thought he had opened the scoring, bending a low shot toward the corner of the net, but a diving Bubonja again denied the Irish.

"They won the battle for the first 10 minutes, but after that we quickly got our act together and started taking control of the game," senior co-captain Greg Dalby said. "We created a lot of chances after those first 10 minutes."

On the evening, Notre Dame out-shot Illinois-Chicago 18 to nine — a high number of chances given the rainy conditions. As the game progressed, the field became more and more of a mess, with players struggling to keep their footing.

"In these conditions, that was a superb game," Clark said. "There was only one goal, but there were quite a few chances. [Illinois-Chicago] maybe didn't have great chances, but they got close enough to make my heart skip a few beats."

With their win, the Irish will advance to play at No. 7 Maryland — last year's NCAA champion — who dispatched St. John's 2-0 Wednesday.

Contact Greg Arbogast at garbogas@nd.edu

History

continued from page 24

to another early postseason exit.

In the first 10 minutes — when the Irish have generally played sharp soccer all season — Notre Dame got out to a sloppy start in even sloppier conditions. The Flames pushed the tempo early, and the first four shots were aimed at the Irish goal.

Irish coach Bobby Clark attributed the slow start to the fact that the Irish were likely a little rusty after not playing a competitive game for nearly three weeks.

After playing like they were headed for another early exit from the NCAA Tournament, the Irish quickly turned the momentum around.

Striker Joseph Lapira, whose national-best 21st goal was the difference maker in the 1-0 match, didn't agree that the time off was responsible for the lackluster start. He did say, however, that the Irish turned it around sometime soon after the 11th minute began.

"I don't know what changed, but we just started getting our composure and playing our game," he said. "That's when we started to get some success."

After allowing Illinois-

Chicago to take the first four shots and keep the ball in the Irish zone for most of the opening 10 minutes, the Irish rebounded and out-shot the Flames 18-4 the rest of the way.

In the game's final 80 minutes, senior goalkeeper Chris Cahill was never seriously challenged, though the Flames had enough good runs to keep those who braved the weather — including Clark — on the edge of their seats.

"They got close enough to make my heart skip a couple of beats," he said.

Now that the Irish have completely re-sharpened the competitive edge that may have dulled a bit in the long recess, each day from now until their final game is a historic one.

All season, Notre Dame has had the tools to be an elite soccer team. In almost all of its matches, it has played like one.

Coming into Wednesday's game, the Irish

were tied for 13th in the nation in goals per game. Lapira and senior midfielder Greg Dalby were both named Big East player of the year at their respective positions, and both made the list of 15

finalists for the Missouri Athletic Club Hermann Trophy, which is presented annually to the top college soccer player in the nation.

Notre Dame has already made its deepest postseason run ever, and it is built to make a deeper run still.

"There's no easy games in the round of 32, and there's fewer easy games in the round of 16."

Bobby Clark
Irish coach

While Wednesday's win was momentous, the Irish now have the chance to advance into "best-Irish-team-ever" territory.

On Saturday, Notre Dame will travel to College Park, Md., to take on the No. 7 Terrapins. Last season, Maryland won the national championship, and it has been one of the top teams again this year.

"There's no easy games in the round of 32, and there's even fewer easy games in the round of 16," Clark said. "We're very aware of the enormity of the task."

Very aware, because Saturday's game presents the Irish with an opportunity to do much more than advance to the next round of the tournament.

This year's edition of the Irish is already a historic team, but if they pull out the victory in College Park — people will realize it.

The views expressed in this column are those of the author and not necessarily those of The Observer.
Contact Eric Retter at eretter@nd.edu



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