

Cappello hit by new investigations

City Council refuses move to fire him

By DAVID HANDLER

The Santa Barbara City Council refused yesterday to conduct an investigation on the moonlighting and real estate activities of its attorney, A. Barry Cappello, or to suspend Cappello until other agencies conclude such an investigation.

Based on a recommendation by Mayor Gerald Firestone, Council voted 5-1 to table consideration of Cappello's status as City Attorney until conclusive evidence is available.

"It has been stated here that the State Bar, Local Bar, the Real Estate Commission and Attorney General's Office are looking into this matter. We assume it will also be taken to Superior Court based on a libel action," declared Firestone.

"Full information should be available to the Council before it can decide on Mr. Cappello," he explained.

Discussion of the matter, however, was not without its share of theatrics and heated debate.

The Santa Barbara Community Union had requested the agenda time to discuss Cappello, whose credibility, they stated in a letter to the Council, "is subject to legitimate doubt."

With a flair for dramatics that ranks on a par with most courtroom melodrama, the Community Union members passed out for the first time newly published copies of Probe during the agenda item preceding the Cappello discussion.

The newly released investigative newspaper carries evidence contradicting



CITY ATTORNEY CAPPELLO musters a grin for NEXUS photographer Melinda Finn (a radical who uses one of those expensive "foreign" cameras). The City Council refused to fire Cappello yesterday.

VOL. 53 - NO. 4
WEDNESDAY, JULY 12, 1972

UCSB
Summer

NEXUS

UNIVERSITY OF CALIFORNIA, SANTA BARBARA

recent public statements made by Cappello.

As members of the audience and press corps leafed through the Probe, Ted Schoenman opened for the Community Union by explaining that since the information has surfaced (see NEXUS article), Cappello "no longer holds the public trust."

"We now believe Council should demand the resignation of Cappello, and fire him if he refuses," he told the Council members.

Further speakers read portions of the newly discovered documents into the record, and one took issue with Firestone's recommendation to table the matter by arguing it could take one to two years before "conclusive evidence" is available—meanwhile, Cappello would still be serving as City Attorney.

UCSB Sociology Professor Harvey Molotch labelled Firestone's recommendation as "unfair to the citizens."

(Continued on p. 8, col. 3)

Contradiction in statements has surfaced

By DAVID HANDLER

New evidence has surfaced which directly contradicts public statements made recently by District Attorney David Minier and City Attorney A. Barry Cappello about the date that Cappello ceased acting as defense attorney for Paul Zamora, President of Oakdale Manor, Inc.

A Probe expose, published the first of last month, questioned whether Minier, Cappello and Jim B. Worthen, a former candidate for Third District Supervisor and real estate partner of Minier's, might possibly be linked with Oakdale Manor—a real estate corporation facing nine civil law suits, six of which are for fraud.

Probe's findings included the revelation that while the District Attorney's office was investigating Oakdale Manor for criminal fraud, Cappello, at that time Minier's Chief Trial Deputy, was moonlighting as Zamora's attorney in several suits against him. No criminal action as been taken by the DA's office against Oakdale Manor.

The key questions have been whether or not Cappello knew the DA's office was investigating his client's real estate transactions and if Cappello ceased acting as Zamora's attorney when he found out it was.

Both Minier and Cappello have granted lengthy television and newspaper interviews to answer these questions.

In the July 9 edition of the Santa Barbara News-Press, Cappello said that in December 1970, he orally advised Zamora, Milo Saling and Michael Szymanski (all three of whom were arrested by Minier last month on charges of conspiracy to commit arson, defraud an insurance company and commit grand theft) that he could no longer represent them and followed up with letters to them in January, 1971.

When asked if he had served as the attorney for Zamora, Saling or Szymanski after January, 1971, Cappello responded, "No legal work of any kind—other than my job."

On a June 20 KEYT interview, Cappello declared, "I stopped representing Zamora and Oakdale Manor in Winter, 1970. While I was representing him in a civil lawsuit, it came to my attention that some of the attorneys in town requested the DA's office to investigate Oakdale Manor from a criminal nature. Now I didn't know about this right off the bat, but when I found out about it, I asked the DA if it was true."

"He said yes, a request for an investigation was filed. I then wrote a letter to Mr. Zamora and Oakdale Manor, and I told them that I was sorry; that regardless of the factual basis...I could no longer represent him, and I dropped him as a client," he claimed.

Through KEYT and the NEXUS, Minier has reaffirmed these statements. Minier, who has insisted Cappello was not aware that part of the DA's office was investigating his client, told KEYT such a situation existed for "less than two months, in November and December of 1970."

Minier added that "When Mr. Cappello was informed about the existence of the file, he then withdrew, in writing, as Oakdale's attorney."

Last week, Minier told the NEXUS (see interview page 3), "As of January first (Continued on p. 2, col. 1)

Supervisors OK park district; owners quiet

By ABBY HAIGHT

"I'd like to work with the students in Isla Vista on the park," announced Jack Schwartz, a property owner who headed a drive to defeat the Isla Vista Parks and Recreation District proposal, which finally passed the Board of Supervisors last week.

Schwartz was responding to a letter

which he, along with the top 50 property owners and all Isla Vista management firms, received this week from Andy Simpson, IVCC Planning commissioner. Simpson's letter invited the owners to participate in developing the community through an owner's group that would be dedicated to the improvement of Isla Vista.

"I'm interested in making Isla Vista a nicer place," Schwartz told the NEXUS yesterday. "I think the students out there are wonderful, hardworking people, and I want to help them in any way I can."

In answer to a question concerning rumors that he plans to seek an injunction against the formation of the district, Schwartz said, "We must abide by what the law is. We didn't have enough protest signatures, and there are no hard feelings."

Included with Simpson's letter to the property owners was a copy of an IVCC resolution of July 5, 1972 which states in part, "...Whereas the IVCC acknowledges greater need for communication with property owners on all issues of mutual concern and specifically with respect to the Isla Vista Parks and Recreation District formation, therefore, be it hereby resolved that the IVCC initiate, to foster and encourage beneficial relations with Isla Vista property owners group to advise and discuss with the Community Council all matters of joint interest..."

The resolution goes on to say that the

property owners will be asked to make specific recommendations on the operation of the Parks and Recreation District and on ways to minimize the costs of maintaining and operating the park. It also specifies that the group will be asked to participate regularly in weekly IVCC meetings.

Carter Ray, who is organizing the property owners group, says that he has received firm commitments from a number of owners and managers to work with the group, and "many others have expressed interest in the idea of working with us to efficiently run the park and improve the community."

NOVEMBER VOTE?

The next step towards actual formation of the district will be the setting of a date for an election on the matter by the Board of Supervisors. Simpson and Ray are hopeful that the issue will be placed on the November ballot in order to insure a large voter turnout. The question on the district, which will be voted upon only by Isla Vista residents, will be, "Do you favor a Parks and Recreation District in Isla Vista?" and, "Who will be the Board of Directors of the District if it is established?"

The district cannot begin to receive tax monies until one year after its formation, which pushes the date for the completion of the park forward to late 1973.



"IS THIS SEAT TAKEN?" Outrageous scenes like this abound in the Marx Brothers movies to be shown in Campbell Hall this Friday. For story, turn to page 10.

Cappello ...

(Continued from p. 1)

(1971) at the very latest, and probably before, he (Cappello) actually told Zamora he was going to have nothing more to do with him."

The DA also disclosed that when he promoted Cappello, effective January 1, 1971, he told him, "Look, Barry, if you want to be Assistant, that's the end. No

more private practice."

Public documents, however, disagree with Minier and Cappello's statements.

Superior Court Calendars on the case of Hackett vs. Zamora (case No. 85175) show that Cappello was on record as Zamora's legal counsel during office hours, on at least four occasions in 1971:

- June 3, at 11 a.m., (for a trial setting conference)
- July 29, at 1 p.m. (for a continuance)
- August 19, at 1 p.m. (for a

continuance)

- September 8, at 9 a.m. (for resetting the trial date)

Cappello's last known listing as Zamora's attorney, September 8, 1971, was on the very day the Santa Barbara City Council announced his appointment as City Attorney.

Cappello did not actually quit as Zamora's attorney in the fraud case until September 15, 1971. A substitution of attorney form, signed by Cappello on the 15th, was filed in the County Clerks

office two days later. (see document, page 2).

Further statements made by Cappello do not match with documents available to the public.

In the same July 9 interview with the News-Press, he was asked about a report that he had received a \$48,000 loan from Oakdale Manor.

The City Attorney replied, "There was no loan." and added that Zamora has never lent him any money.

(Continued on p. 11, col. 3)

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ROY J. MILLENDER, JR.
ATTORNEY AT LAW
5820 STATE STREET, SUITE 202
SANTA BARBARA, CALIFORNIA 93105
TELEPHONE 687-5278

FILED
SUPERIOR COURT
SEP 17 1971
J. E. LEWIS, County Clerk
Deputy Clerk

Attorney for: Defendant

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA

WILLIAM B. HACKETT, III,
Plaintiff
vs.
PAUL ZAMORA,
Defendant

No. 85175
SUBSTITUTION OF ATTORNEY

DEFENDANT PAUL ZAMORA HEREBY SUBSTITUTES ROY J. MILLENDER, JR.
AS HIS ATTORNEY OF RECORD IN PLACE OF A. BARRY CAPPELLO.

DATED this 15 day of September, 1971.

I HEREBY CONSENT TO THE SUBSTITUTION.
DATED this 15 day of September, 1971.

I HEREBY ACCEPT THE SUBSTITUTION.
DATED this 15 day of September, 1971.

PUBLIC DOCUMENT (above) shows when Barry Cappello actually quit as Oakdale Manor president Paul Zamora's attorney in a fraud suit.

Worthen arrest demanded

By MIKE WINSTON

Santa Barbara attorney Theodore Keeney filed a motion in Superior Court last Friday calling for the arrest of local real estate investor Jim Worthen on charges that Worthen disobeyed a court order to produce documents on his real estate holdings.

Keeney's motion, in part states, "...plaintiffs likewise will move the Court for an order directing that James B. Worthen be arrested and brought forthwith before this Court to answer for the violation of the Order of this Court, dated June 14, 1972."

That order required Worthen to produce records on his real estate holdings and dealings with Oakdale Manor, Inc., a real estate corporation currently facing six civil fraud suits, as required by Keeney. Keeney claims that Worthen did not produce some of those records.

Worthen is currently a defendant in several of the fraud suits against Oakdale Manor.

Keeney's motion came as a possible counter to a recent motion by Worthen for a change of venue in a fraud suit, in which Keeney is serving as the plaintiffs' attorney against Worthen. Worthen claims that unfavorable local publicity has made it impossible for him to receive a fair ruling in the case.

In support of this claim, Worthen's attorney,

Christopher Zajic, has subpoenaed two local attorneys, Frank Sarguis and James Slater, to appear in court tomorrow with all documents relating to what Worthen alleges is their involvement with the publication of Probe, a local investigative journal that has published information allegedly linking Worthen to fraudulent real estate schemes.

Zajic subpoenaed NEXUS editor Mike Gordon for the Thursday hearing, as well.

Keeney's motion, on file with the County Clerk's office, also asks the Court to establish as fact the following statements:

- "That Jim B. Worthen admits Milo Saling is the 'real' leader and director of Oakdale Manor Inc., and that under his (Saling's) direction, he performed various tasks for Oakdale Manor Inc. in return for which he received money and property.

- "That Jim B. Worthen admits Milo Saling "directed" him to "penetrate" the District Attorney's Office in order to provide protection for Oakdale Manor Inc. and Milo Saling."

- "Pursuant to said admission, he participated with Paul Zamora to "penetrate" the District Attorney's Office."

- "Without said penetration, Oakdale Manor Inc., Milo Saling, and Paul Zamora would not have been able to accumulate the property and perpetrate the frauds which occurred."

PRE-INVENTORY CLEARANCE



SALE



25% TO 50%
OFF LIST PRICE

ON MANY ITEMS WE MUST
SELL PRIOR TO INVENTORY
THREE DAYS ONLY

IN THE UNIVERSITY CENTER LOBBY
TUESDAY - WEDNESDAY - THURSDAY
JULY 11th - 12th - 13th
10:00 A.M. to 3:00 P.M.

UC
SB
ampus
Bookstore

A SERVICE OF THE UNIVERSITY CENTER



NEXUS Special Report:

AN INTERVIEW WITH DAVID MINIER

By MIKE GORDON

Four Santa Barbara County newspapers, including the NEXUS, have published information in the last month that may link District Attorney David Minier with a number of local real estate investors who have been accused of alleged real estate fraud.

Until recently, Minier has not been available to talk with the press about his possible involvement with these men. His first public statement in the controversy came on Wednesday, June 28, in a staged interview, taped during Minier's office hours with KEYT News Director Bill Huddy, for a local Channel 3 news program.

However, on Monday, July 3, the NEXUS was able to interview the District Attorney in his office for over an hour. With Minier's permission, the NEXUS taped that interview.

What follows is a direct transcript of the Minier-NEXUS question-and-answer session, taken from the original tape. Originally scheduled to be printed last Wednesday, this story was delayed for a week following the UCSB Administration's Independence Day takeover of last week's issue of the NEXUS.

Minier's remarks have been transcribed faithfully and have not been edited except for length — the original transcript was over thirty pages long.

NEXUS: Do you have any comments on the News-Press editorial that accompanied your letter (June 28), the one where they chopped out a paragraph?

MINIER: Yes...

NEXUS: Anything printable?

MINIER: (laughs) Let's see, I'm trying to remember what they said. I remember they accused me of an emotional tirade, and all I can say is, if my letter did constitute an emotional tirade, they certainly answered in kind. It appeared they were very 'up tight' in writing it. What I said wasn't scurrilous, really. Uh...well...(referring to the News-Press editorial) 'Shutting off the flow of news from the office.' I don't really think that's particularly important — that's very misleading. Once before, I didn't like the way they were writing up certain stories, so I went down and talked to them. I never said I'd shut off the flow of news from the office, but we've always been very cooperative with the News-Press, we'd tell them all kinds of things. A lot of times we'd tell them things off the record. And the point I was trying to make to the News-Press was that we will work with them as long as we don't think they're, in effect, stabbing us in the back. But if we think they're stabbing us in the back, all they're gonna get will be form news releases and so on, and we're not gonna talk to them on a personal friendly basis and give them little 'scoops' and things, if they're writing what we think are slanted articles.

NEXUS: Assuming that all the papers refuse to retract, when do you plan to file libel suits?

MINIER: I don't know, and, uh, I've — all along, I've not made any — I haven't made a lot of statements in that regard and I probably never will throughout the, uh, time of the litigation. If, uh — as a matter of fact, I — for whatever it's worth, I have never said, definitely, that I am going to sue. But on the other hand, I've never definitely said that I won't. Frankly, I'm much more concerned with the News-Press, as I think I've indicated



before, than I am with the other two newspapers.

NEXUS: Why did you engage Melvin Belli in preference to a local attorney?

MINIER: Well — I'm just thinking of whether I want to get into that, because I don't care to talk too much about the civil suit. But I — Libel, for one thing, libel is a very complicated area of the law. Of course, Belli did lose his libel case, his most recent one.

NEXUS: Versus Curtis Publishing Company.

MINIER: Yeah, now nobody's reported the one he won in Florida, for around \$60,000 or \$70,000, where he represented himself. But really, to say a guy's lost a libel case doesn't really say much, because the technical pleadings and all are so complicated that if you want to go off on the basis that Belli lost one, well, obviously I can come back and say that he's going to be that much better because of the experience than in terms of technicalities.

NEXUS: Probe said at a recent press conference that there were 33 misquotes of their material in the 34 demands for retraction you sent them. Do you know about that?

MINIER: I honestly don't know what

they're talking about. I, uh, did look over them again for typographical errors. But I read through the demand for retraction and I — I assume they're talking about typographical errors, so I didn't read it that closely. There may be. But I didn't bother to go through and see if there were 34 — it may be, I noticed there's some places where, not portions are left out, but instead of printing the whole of the sentence there'll just be dot-dot-dot-

NEXUS: Ellipsis.

MINIER: — to indicate — and maybe they're including that, I don't know.

NEXUS: I see. Do you have any specific ways in which the NEXUS has been 'anti-law enforcement,' as you claimed?

MINIER: Specifically?

NEXUS: On what basis did you make those charges?

MINIER: Well, let me turn that back several years--

NEXUS: Yes, well, since then. The NEXUS.

MINIER: Oh, well, I don't know. Was it the NEXUS or the EL GAUCHO during the riots?

NEXUS: During the riots, that was the last year of the EL GAUCHO. Since then it's been named the NEXUS.

MINIER: Oh. Well, now when I said that, frankly I wasn't thinking in terms of — I was considering one newspaper. I — when the name changed, maybe symbolically that was supposed to be a change in the position of it, I don't know. I was thinking in terms of the paper being the EL GAUCHO and the NEXUS.

NEXUS: Would you have the same reply about your statement that we called you a pig?

MINIER: What?

NEXUS: Could you name an instance in which the NEXUS has done that?

MINIER: I may not be able to. When did you say it became the NEXUS?

NEXUS: It became the NEXUS the fall, or the summer, after the riots.

MINIER: Well, I didn't realize you were

NEXUS, then I may have been wrong.

NEXUS: You didn't think that our June 2 story, the one that's the specific problem, was a straight story?

MINIER: June 2 — uh —

NEXUS: The original story.

MINIER: Well, frankly, the only thing that I didn't like about the original story was the — just the repetition of what I considered to be the libel, the 'linked' to fraud instead of saying 'they were allegedly linked to fraud' or whatever, uh — I'd have to get it out to look at it.

NEXUS: You said on the interview on Bill Huddy's show that the demands for retraction were filed primarily because the News-Press started to widen the entire affair.

MINIER: Uh-huh.

NEXUS: Your demands on us were signed before the News-Press article appeared; therefore, you decided to file them before the News-Press entered the thing. Isn't that a contradiction?

MINIER: Oh, on the — oh; now — go back again. You say the —

NEXUS: Right. You said that —

MINIER: Oh — no. Well, I think on Huddy's show — I think what he asked me was on the question of suits: Would you sue, or would you have sued, or something of that nature, had the News-Press not gotten in. And my answer, I believe my answer was — and this is what I meant to say; now maybe it was different — I'm quite confident — I can't speak for Barry Cappello, but for myself, I don't think I would have ever gone forward with actually suing had it not been for the News-Press getting into the act.

NEXUS: Was the interview for the Bill Huddy show taped on county time?

MINIER: On county time?

NEXUS: On yours.

MINIER: Well, it was taped — it depends on what you want to call county time, it was taped at 3 o'clock in the afternoon.

NEXUS: Are those your regular office

"...I have to admit the use of a certain amount of rhetoric in the referring to the newspapers collectively as underground newspapers."

—David Minier

making the distinction — If you're making that distinction, I'm sure that the, uh, what I would say, the real aggravated anti-law enforcement positions, then, were probably before it changed. (Former EL GAUCHO Editor Becca Wilson, when contacted for response, replied, "EL GAUCHO never called him a pig, we never did.")

NEXUS: On what basis did you call NEXUS, News and Review and Probe people 'radical Isla Vista agitators'?

MINIER: Radical agitators, well, a radical — a radical, I think, is defined as a — if you're talking about political radicals, you're talking about a political group that seeks extreme change in established institutions. Now, the, uh — to me, the — to begin with, the persons, the personalities involved — certainly with the Santa Barbara News and Review — those individuals, I believe, almost to a man, fit that category, by their past deeds, by their present associations and so on. — I was just going to say, in all fairness to the NEXUS, again, I was thinking of the NEXUS and the EL GAUCHO as being just one continuing — the same thing. I was thinking of people like Becca Wilson and so on. If there is a difference now in the orientation of the

hours?

MINIER: My — yes. It would be during the regular office hours. However, what I should point out — since I know by the nature of your question that it might appear in print — an elected official doesn't have any regular office hours, as a matter of fact. And some elected officials probably don't spend too much time in the office.

NEXUS: On your operating throughout this affair, what's your definition of an underground newspaper?

MINIER: An underground newspaper? Well — (long pause) You see, what I'm trying to do is think exactly how you're going to write this up. So since you're apparently concerned about that, I have to admit the use of a certain amount of rhetoric in the referring to the newspapers collectively as underground newspapers. The NEXUS is, of course, not an underground newspaper because it operates out of a box office (sic). Uh, whether the News and Review is or not, I don't know. Apparently they do claim to maintain an office.

NEXUS: Yes, they do.

MINIER: Is that a regular office, or is that something they share with another — (Continued on p. 4, col. 1)

Minier...

(Continued from p. 3)

NEXUS: It's a regular office, a newspaper office. (The Santa Barbara News and Review maintains advertising and editorial offices at 424 N. Nopal, Santa Barbara. They are open weekdays from 9:30-5:00.)

MINIER: Yeah, I think that probably technically the term 'underground newspaper' refers only to the Probe.

NEXUS: That 1,562-page report you

you and he hold property together, and you said on KEYT that your office investigated Oakdale Manor. Is that a conflict of interest?

MINIER: What?

NEXUS: The relationship with Worthen, in that he is general manager of Oakdale Manor, that you and he hold property together, and you investigated Oakdale Manor.

MINIER: No.

NEXUS: What specifically does that 1,562-page file deal with? You had to deal with it in a short amount of time on the TV shows. Is that exclusively Oakdale

situation. In other words, there are no nice, easy crimes popping up all over the place that you can say, 'aha! there's a clear case of criminal fraud.'

NEXUS: It says here (referring to DA investigator William Steele's arson complaint) that Hanak (the man accused of lighting the fire) tried to get out a downstairs door, but the door would not open. In the News-Press, there was a report that the door had been nailed shut. Was that ever investigated? That would sound like attempted murder.

MINIER: The — yes, the, uh — yeah. Whether — I don't know whether it was

is wrong. Is that Dolsen or Cobler? There's so many of them, to tell you the truth, I can't keep 'em straight —

NEXUS: Let's check the original — yes, that's Dolsen.

MINIER: Okay. Well, if that's Dolsen — you see, Cobler has his own case. Cobler was involved in the 1010 Garcia because he painted it at Zamora's request prior to the fire. I don't know if that's in our declaration or not.

NEXUS: If Worthen is found guilty of fraud in the Dolsen case, or in any other cases, what effect will that have on the property that you and he own together?



NEXUS: Would you have the same reply about your statement that we called you a pig?

MINIER: What?

NEXUS: Could you name an instance in which the NEXUS has done that?

MINIER: I may not be able to...

referred to: would it be possible to see a copy of it overnight?

MINIER: No.

NEXUS: No?

MINIER: No. That is, if you ask me, any file, any file in the office, the answer would be the same.

NEXUS: How about the five-page cover letter?

MINIER: It would be — the answer is the same on that. And again, it's — this is not an exception, that would be the rule.

NEXUS: Jim Worthen is listed as general manager of Oakdale Manor, according to documents reproduced in the Probe, and

Manor, or does that include the arson case at 1010 Garcia Road?

MINIER: Well, it includes the arson case, because that's all part of Oakdale Manor. But the — virtually every case that's dealt with in Probe is in that file with its own little index tab, according to the address of the property. (Minier, in this interview, later admits that he has never read the file.)

NEXUS: What did you find in that report? Can you discuss that?

MINIER: No, I don't think, uh — you see, the investigation actually is not closed. It's a very difficult practical

ever determined if it was nailed shut, or not. It may have been that Hanak said it was nailed shut, I'm not actually sure. At any rate, Hanak thinks that it was deliberate, that somebody was trying to kill him. But whether at the time — I kind of doubt at the time that the police actually had evidence whether it was nailed shut or not, because all I had was a little handwritten report.

NEXUS: What relationship was there between the arson at 1010 Garcia and the Dolsen fraud case, which involves that address?

MINIER: Uh — it may be that the name

MINIER: If there were a judgement against him, that means that his half of the property would be liable, as far as wherever they tried to go to satisfy the judgement.

NEXUS: Yes. Would you be able to sell your half?

MINIER: Well, I don't know. That's a good question. — There'd be no legal prohibition against it. What I think you're asking is a practical matter, it just depends on how fast you can sell the property. When there's a lien against it, it always makes it harder to sell the

(Continued on p. 5, col. 1)

ST. MARK'S CENTER
CATHOLIC BELIEF & PRACTICE —
Monday Evenings, 7:45

MASSSES	WEEKDAYS	CENTER ACTIVITIES
(Sat. 5:10 P.M.)	12:10 P.M.	*Chapel
8:00 A.M.	5:10 P.M.	*Personal Counseling
10:45 A.M.		*Library
5:30 P.M.		*Study Rooms
		*Lounge

PHONE 968 6860

shirts,
trunks,
dresses,
too!

Custom Bikinis
Bikini Factory
314 Chapala s.b.

SUMMER CLEARANCE SALE

— ALL TROUSERS FOR GAL'S
1/3 TO 1/2 OFF
— LARGE SELECTION OF MEN'S
PANTS 1/2 PRICE
— MOST SIZES 26, 27, 28 PANTS
1/2 PRICE
NEW SUMMER HOURS: 12-5
MON.—SAT.
TRIGO TROUSERS
6551 TRIGO RD. I.V.

Yogi Haeckel holds Complete Yoga classes every Thursday and Friday from 12-2 and 3-5 in UCen 2272. The classes include instruction in Hatha, Raja, Fiani, and Kundalini Yoga. All are welcome to attend. For further information call him at 967-1860 or 966-7400 (message service).

Second class postage paid at Goleta, California, 93017, and printed by the Campus Press, 323 Magnolia, Goleta, California. Please return PO form 3579 to P.O. Box 13402, University Center, Santa Barbara, California, 93102. Editorial Office T.M. Storke Publications Bldg. 1035, phone 961-2691. Advertising Office T.M. Storke Publications Bldg. 1045, phone 961-3829, Gayle Kerr, Advertising Manager.

the brown mule
frameshop

5722B Hollister Ave. near
Goleta, California 9641304

WELCOME STUDENTS

VOLKSWAGEN
PORSCHE
FOREIGN CAR
SPECIALISTS
CASEY'S GARAGE
5724 Hollister Ave.
Ph. 964-3600

IT'S SUMMER!

STUDIOS (Close to Campus) \$75.00 Per Month
(Close to Beach) \$80.00 Per Month

ONE BEDROOMS (Close to Campus) \$80.00 Per Month
(On Beach) \$90.00 Per Month

TWO BEDROOMS (Close to Campus) \$115.00 Per Month
(On Beach) \$130.00 Per Month

THREE BEDROOMS (On Beach) \$175.00 Per Month

Available June 16 thru September 1, 1972

RENTALS ETC. 968-1008
6551 Trigo Road — Suite 3
Goleta, California 93017

Editorial

Happy 4th of July

Our staff didn't have a whole hell of a lot of fun on Independence Day this year. No one really wants to get seized, but arm-wrestling with the University of California is like trying to say "No!" to death. You can't win.

The great yarn we had planned to tell you last week about how much fun it is to spend a solid week getting your arm twisted by half the UCSB administration is now appropriate. We have the paper, for a while at least. Last Friday we got nine new demands for retraction of "libelous" statements from Minier and Cappello that we allegedly made in our first two summer papers. These are even more ridiculous than the last set—but the University's panic squad may soon be back in action.

We compromised four times our original stance on retracting the first set of demands. First we were awakened in the middle of the night (1 a.m.) for an "emergency" meeting; we agreed to write a clarification of our journalistic intent. Not good enough, they said. We added some

legalese. Still not good enough. Then, the clincher, two more separate compromises stemming from a five-hour session with members of the UCSB Administration. Based on veiled threats of a takeover—which no one wanted—we finally drafted one whereby "everyone stood on common ground." Fine.

Then it went up to the Regents' General Counsel. He said "No." And we lost the paper.

—We simply couldn't go any further.

Because we were nice and reasonable, we got the paper back. We feel the importance of the material presented today warranted bargaining for it.

But now, we face a similar situation with the University. We have no intention whatsoever of retracting the latest round of "libelous" statements. We wouldn't be surprised if we get a whole new set of them after today's paper.

So, the University—if it follows last week's precedent—is going to have to keep taking over the newspaper week after week.

Will they listen to our case this time? Does the University of California ever listen to anyone?

Will they make a start?

Editorial

Two Attorneys

On page 1 of today's NEXUS, there appears an article about City Attorney Barry Cappello. The article says that official court records show he was lying when he said that he was never Oakdale Manor president Paul Zamora's attorney after January 1, 1971.

On page 3 of today's NEXUS, there appears an interview with District Attorney David Minier. In it he makes statements which are lies.

The amount of other evidence that these public officials are deliberately deceiving Santa Barbara's citizens is starting to pile up uncomfortably high. Yet neither has given the public any facts that refute this evidence.

Instead, they have engaged in a display of mud-slinging and radical-baiting that smacks of small-time McCarthyism. Playing on right-wing paranoia, Minier and Cappello evidently hope to discredit the facts brought against them by discrediting those who bring them.

If the District Attorney and City Attorney have rational explanations for their activities in this controversy, let them produce them. Otherwise, the public must conclude that these men are no longer fit to hold their offices.

NEXUS Opinion

Letters

Minier should resign

(Editor's note: The following letter was sent to District Attorney Minier on July 8 by Santa Barbara attorney Frank Sarguis.)

Mr. David D. Minier
District Attorney

Dear David:

I have been trying to get you since Wednesday last—to no avail. You have failed to call back. Therefore, I am obliged to communicate with you in this written fashion.

Let me say, first of all, that (a) I am not running for public office, and more particularly I am not seeking to become a District Attorney today, next election, or ever; and (b) I am not now, nor have I ever been "anti-law enforcement," but very much pro.

I feel these prefatory remarks are necessary, because of the T.V. and press shows you have put on recently for this community, and also because of your frenzied responses in the past to any form of criticism concerning various of your office practices.

About two years ago, the Washington Monthly published a catalogue of the standard ploys used by public figures to worm out of a scandal. The list includes:

1. Sudden illness
2. Blanket denial
3. Limited admissions when the evidence becomes overwhelming
4. Lapses of memory
5. Blaming the whole thing on the press or on politics
6. Calling for an official investigation by a sympathetic tribunal and introduction of dubious expert testimony

I know that all of these will ring a bell in your mind in connection with the scandal that has surfaced the past six weeks, and implicating you, your former Chief Deputy and others.

I know that you have been driven by burning ambitions the past few years, Dave, but your political cynicism has simply gotten totally out of hand. Clearly, public office is not meant to be used this way. And while I have no illusions about it, I nevertheless urge you strongly to please consider resigning immediately from the office of District Attorney.

I believe that such a gesture on your part at this critical juncture would constitute at least some evidence of your concern for the reputation of the public office you have held and abused.

There are many highly qualified individuals in your own office who could step into the top job and perform admirably, and I would willingly lend my support to the nomination of any one of them for the balance of your unexpired term.

We must definitely have an intelligent and tough prosecutor in this office. What the public can no longer afford, however, is the perversion of the office to personal ends, whether political or otherwise.

I believe this is a time for you to come to grips with yourself and with your responsibilities to the public, Dave. This is not a time for the gutter tactics, wild attacks, paranoia and other antics you have recently served up.

Won't you consider this unselfish act? You will do yourself, your fellow lawyers, and the County's voters all a big favor.

FRANCIS SARGUIS

Santa Cruz editor hits Regents

To the Regents:

As editor of the campus newspaper at Santa Cruz, I wish to express my disappointment in the University of California for its intervention into the current scandal caused by articles in the UCSB DAILY NEXUS and the Santa Barbara News & Review. The University has acted improperly in preventing the use of court justice. The editors of the papers in question were confident of a safe outcome from the threatened court suit; the

University has no jurisdiction over the content of its campus newspapers.

It is incumbent upon the Regents to lift all restrictions on the content of student newspapers. I am very upset that the news of the University's judicious usurpation of the First Amendment came to me on this nation's 196th birthday.

BERNARD WALP, editor
City on a Hill Press

Takeover: par for Administration

To the Editor:

The takeover of the DAILY NEXUS by U.C. bosses last week should remind us of two University facts of life. First, that as students we are trapped in the same kind of powerlessness vis-a-vis the Administration as the industrial worker whose daily life is controlled by management. Second, that the high sounding rhetoric of academic freedom espoused by administrators is a myth perpetuated only to protect the University elite in their self-interest.

Though students are unquestionably a privileged class, they are virtually powerless within the institutional hierarchy? Since at least as far back as 1964 and the Free Speech Movement, the analogy between the university, which mass produces human cogs for the industrial machine, and the factory system has been articulated. Yet we students are little better off now than were the students who began the struggle for free speech on campus.

We are still unable to be taught by professors of our choice, as was demonstrated by last year's Maurice Zeitlin affair and the more recent rash of junior faculty firings without cause. We still are not allowed to choose our classes, as the cancellation of Richard Flacks' Sociology 174 demonstrates.

And now we are reminded that

we still are not allowed free expression. Students pay twenty-five thousand dollars a year for the NEXUS. The newspaper staff work year round to get the paper out. Yet the academic elite who control our lives seem determined to seize our media at the hint of any outside pressure.

A FELLOW STUDENT

OPI employee resigns

To the Editor:

I have suspended all services as a consultant to the UCSB Office of Public Information. The ethics of my occupation, (media and communications) demand this after suppression of the July 5 NEXUS by the Chancellor, and its publication by OPI, an administrative agency of the Office of the Chancellor. It is a straightforward issue of a public agency breaching the First Amendment. No quibbling over technicalities can escape that fact. It should not have been

done. The Chancellor should have defended the NEXUS and the First Amendment, not crushed them.

However, my services on matters of communications, community education, transportation and management, are available to any and all segments of the UCSB-IV community. I am chairman of the Citizen Advisory Committee to the South Coast Transportation Study, and president of the Isla Vista Ass'n.

BILL BOTWRIGHT

The opinions expressed are those of the individual writer and do not necessarily represent those of the Regents of the University of California, the Associated Students or the UCSB DAILY NEXUS. Articles labelled "editorial" represent a consensus of the UCSB DAILY NEXUS Editorial Board unless they are signed by an individual writer. The UCSB DAILY NEXUS welcomes letters and columns from opposing viewpoints.

Letters

Isla Vista Loop will have a faire this week

To the Editor:

Isla Vista's loop area will be the site this weekend of a circus crafts faire, rock concert and street dance.

IVCC is sponsoring Major Chumleigh's Amazing Traveling Circus, an all-new show that will perform on Friday, Saturday and Sunday at 6 and 9 p.m. with weekend matinees at 2 p.m.

The Midsummer Crafts Faire, sponsored by the People's Arts Program, is in line with the Isla Vista tradition of a summer festival. This weekend's faire, which will be held on Saturday and Sunday, will feature local and distant craftsmen, daily rock concerts and a street dance Sunday night.

All craftsmen are invited to participate in the Faire, and those desiring space may call 685-1114, or come by the Service Center at 970 Embarcadero del Mar, Suite B, room 4 between 1 and 6 p.m. until Thursday, and any unassigned space can be obtained at the Faire Saturday morning.

Anyone interested in helping to organize the Midsummer Crafts Faire and Circus is urged to call me at 685-1114.

Okay, people?

ED CARROLL

GOLETA NOW HAS A

BASKIN-ROBBINS

31 FLAVORS ICE CREAM

5749 CALLE REAL

967-9001

(NEAR JORDANO'S)

OPEN NITELY 'TIL 11:00

★ **FREE** ★

**NEED INFORMATION
ON POSSIBLE CAREERS?**

COME IN AND BROWSE THROUGH OUR COLLECTION
OF JOB DESCRIPTIONS, JOB REQUIREMENTS, LABOR
MARKET PREDICTIONS and more.

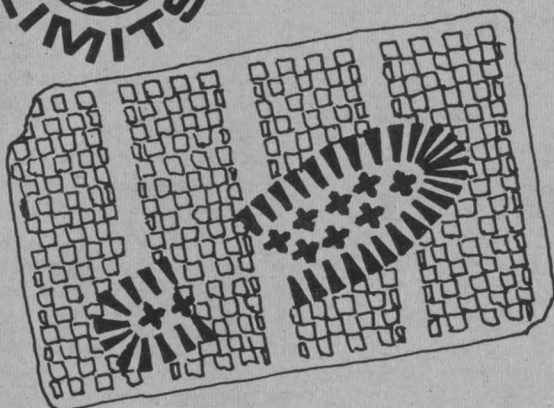
OPEN FOR BROWSING DAILY 8-5

HELP AVAILABLE T & F mornings, W afternoons
at your **STUDENT COUNSELING CENTER**

BLDG. 478



Quality Backpacking,
Climbing and Ski
Touring Equipment



If you're going to stomp waffles,
then buy waffle stompers...

But if you're going backpacking, climbing,
or just day hiking, see our fine line of
quality boots from Iowa, Pivetta, Vasque
and Galibier. Priced from \$20.

Fairview Center - Goleta - 964-5217

REQUIEM FOR A REIGN

Alas, poor King Vernon,
A considerable chap in body,
Stalwart, dignified and loyal,
To what he thought was proper.

Less substantial of administrative mind,
And vision (botany's microscope sees small),
Propped in his castle,
Wondering what was going on,
Saying something now and then,
As if he knew.

In the alright days,
When the buildings grew,
The engineers and concrete men,
Did them, if not all handsome,
At least quick, and new.
Reduced, debased by haste
And icy death of values
To stark South Hall.

The toads and troglodytes of academe,
Warn young faculty,
It is not quite fitting
To live beyond the eucalyptus curtain.

The fine young men who do or try,
Are pilloried and nagged to bits,
On picknose points, and driven out.

Ask what service history did today,
And a practitioner will tell you,
"I taught the fall of Babylon,"
While it fell here around his ears.

Broken fossils lie behind the doors,
Of the Administration Building's floors,
(My shame too; too long there),
Badly fumbling things and matters,
That relate little to the fate,
Of these abused and injured shores.

Stricken down now by Vernon
In his last beknighted might
The First amendment, and journalists
Who by full disclosure were only doing right.

Alas poor Vernon,
We wanted so to let you go,
In grace back to your science
And your lab.

But you, how melancholy,
Did lack the grace,
To let us let you do it.

BILL BOTWRIGHT

The O.P.I.
Idiot

To the Editor:

I was very much distressed last week to find the DAILY NEXUS taken over by the Office of Public Information (O.P.I.) Idiot, a rag devoted to all of the non-news that doesn't make the University scene.

What upset me so much was the censorship on the part of the University administration, acting on the alleged advice of the U.C. Regents in printing a retraction of allegations which have yet to be disproven.

This disgust on my part doesn't have anything to do with being liberal, radical, conservative or any other mixture of political ideologies. It comes from being an American citizen who gets very upset when the first amendment to the United States Constitution (Freedom of Press) has been violated by willfully suppressing the news.

The DAILY NEXUS and the U.C. Regents will probably survive the publication of the O.P.I. Idiot's publication last week. However, a dangerous precedent has been set when any group or individual who doesn't like the NEXUS can press a libel suit to have the Chancellor take the heat off.

RICHARD EBER

EUROPE
CHARTER
FLIGHTS

ROUND-TRIP FLIGHTS

JULY 9	LA/LONDON	\$252.00
AUG 27	LONDON/LA	50 Days
JULY 23	LA/LONDON	\$252.00
AUG 20	LONDON/LA	29 Days
AUG 9	LA/MADRID	\$272.00
SEPT 18	AMST/LA	41 Days
AUG 19	LA/LONDON	\$252.00
SEPT 16	LONDON/LA	29 Days
AUG 28	LA/LONDON	\$252.00
SEPT 26	LONDON/LA	30 Days
SEPT 5	LA/LONDON	\$239.00
SEPT 26	LONDON/LA	21 Days
SEPT 5	LA/LONDON	\$239.00
OCT 2	LONDON/LA	26 Days
SEPT 17	LA/LON/FRANK	\$247.00
OCT 18	FRANK/LON/LA	32 Days
SEPT 26	LA/LONDON	\$199.00
OCT 9	LONDON/LA	14 Days

ONE-WAY FLIGHTS

JUNE 28	LONDON/LA	\$138.00
JULY 26	LA/LONDON	\$138.00
AUG 2	LA/LONDON	\$138.00
AUG 27	LONDON/LA	\$138.00
AUG 31	DUBLIN/LA	\$138.00
SEPT 6	LA/LONDON	\$124.00
SEPT 19	LA/LONDON	\$124.00

THESE PRO-RATA CHARTER FLIGHTS ARE AVAILABLE ONLY TO U.C.S.B. STUDENTS, FACULTY AND STAFF PLUS THEIR IMMEDIATE FAMILIES LIVING IN THE SAME HOUSEHOLD. ALL SEATS ARE SOLD ON A FIRST-COME, FIRST-SERVED BASIS. THE PARTICIPATING AIRLINES ARE BRITANNIA AND SATURN UTILIZING SUPER DC8 AND BOEING 707 JETS EXCLUSIVELY. CONTACT US FOR FURTHER INFORMATION.

Flight Coordinators:
John and Susan

**Charter
Flights**

10956 Weyburn Avenue
Los Angeles, Ca 90024
Telephone: (213) 478-8286

SCUBA DIVING CLASSES

Conducted throughout the year.

NAUI CERTIFICATION

AIR • RENTALS • REPAIRS

Complete Service for Sport
Divers - Including Custom
Tailored Wet Suits which are
made here at the shop

CLOSEST TO THE CAMPUS -
PARK RIGHT AT THE DOOR

BOB'S DIVING LOCKER

500 Botello Road, Goleta 967-4456

OPEN 9-6 Tues. thru Sat. Closed Sun., Mon.

(In the 6000 block of Hollister, just west of Fairview,
turn North at the Drive-in Theatre entrance, shop is on
right, 200 yds. from Hollister.)

SUN and HEARTH
STORE & garden restaurant

ORANGES
6c lb.

While
They
Last

abundant selection of organic food

6516 Trigo Road Isla Vista tel. 968-7369
Open Everyday 9-8

Minier...

(Continued from p. 5)

of those two is a prestigious attorney — (laughs).

NEXUS: Well. Let's say either Slater or Sarguis.

MINIER: Well, I don't know. I do feel that very obviously that a great deal of help was given to the writers of Probe by some attorney. The attorney who has the most information on all of these cases is, of course, Ted Keeney. And we do know that Keeney's been in contact with Bonnie Adams. Uh —

NEXUS: How do you know that?

MINIER: Uh — because, uh, when one of our people was in his office waiting for him.

NEXUS: She was there?

MINIER: Uh — (pause) She wasn't there. I remember one time they wrote — it was both Sarguis and Bonnie Adams and either one time he was talking to Sarguis on a very long phone call and there was a message waiting for Bonnie Adams or vice versa. And also, he's, well, I'm not going to say anything about it.

NEXUS: Have you made any effort to talk to Bonnie Adams?

MINIER: No, I haven't made any efforts, although the — KIST is attempting to put together a forum or a debate or something of that nature. I think

Cappello and me on the one side and Bonnie Adams and I think it's Eric Lyons (Committee for the Right to Know chairman) or somebody else on the other side. He (KIST News Director Ed Foley) has left word with them and the last I heard, they had not responded.

NEXUS: KIST has left word with Bonnie Adams and Eric Lyons?

MINIER: Well, that's what they told me. (When asked if KIST has contacted her, Probe editor Adams replied, "We have never been contacted." Lyons similarly responded, "No, never. This is the first time I've heard of it.")

NEXUS: There've been rumors that you're interested in running in Teague's seat when he retires. Does that have any validity?

MINIER: No. Matter of fact, I've never indicated any interest in that.

NEXUS: We've also heard rumors that the State Bar Association is going to investigate your alleged misconduct. Do you know anything about that?

MINIER: Well — I think what they're referring to is the fact that the — Ted Schoenman (member of the Santa Barbara Community Union) sent a letter to the local bar, asking for an investigation, to the Board of Directors. So the Board of Directors — of which I'm a member, incidentally, fortunately I wasn't there at the time so they didn't have the embarrassment of having me leave the room. Because our local bar has

no investigatory powers, they just packaged it up in a letter and sent it down to the state bar. It was rather a matter of convenience. Now, I feel that the state bar might be interested very much in the — (pause) in the practices of some of the other attorneys involved in all of this. I'm not going to state any more, but I —

NEXUS: No names?

MINIER: No — but if the Bar should ever

NEXUS: You did know that Jim Worthen was part of Oakdale Manor while you were investigating it?

MINIER: No.

decide to get involved — well, I will make a name: Mr. Keeney, since he was named in the News-Press. I think—I think there's some questionable conflict of interest on his part, in representing two people that were both involved in an arson, and apparently attempting to use the criminal process as some kind of lever in the system of — 'cause he's representing Cobler, who is the one that assisted in the preparation of the arson. And he also purports to represent Hanak — and he purports to claim to tell us when we can interview Hanak and when we can't, and so on. As a matter of fact, he even took

one of our tape recorders once, and he refused to give it back until we agreed to present our documents in a certain motel, and so forth. (When contacted by the NEXUS for comment, Keeney replied, "That's incredible. All of that's incredible. I don't think Mr. Minier's in any position to reflect on the facts of the case." He also denied that his client Cobler had any direct part in committing the alleged arson.)

NEXUS: In the Huddy interview, you said that the News-Press statement that your office never investigated Oakdale Manor was an outright lie. During that investigation, you must have been aware that Worthen was listed as the Oakdale Manor general manager. Did you take any steps to cut off your relationship with Worthen, or curtail it, at that point?

MINIER: I wasn't aware of that, no. I mean, I was not aware that he existed as general manager.

NEXUS: Are you aware of that now?

MINIER: Well, I am now, having seen the thing (the file) —

NEXUS: When did you become aware of it?

MINIER: (long pause) Well, to tell you the honest truth, I'm not sure if I was aware before the Probe came out. And I don't — I don't know that it's in our file or not — I think that that may not be, I'm not — it may be and it may not, in our file. But I've never directly, uh, over

(Continued on p. 9, col. 1)

Isla Vista Counseling Center

Drop-in
Hours

Monday-Friday 10:00 a.m. to 12:00 noon
1:00 p.m. to 4:00 p.m.

Personal Exploration Group

Thursday evening, 8-9:30 p.m.

6586 Madrid

961-3922

961-2781

Cappello . . .

(Continued from p. 1)

"The City Council incriminates itself—allies itself in the minds of the public with Minier and Cappello—this is a dangerous suspicion," he explained.

Councilmember F.E. Lowance, the only one who voted against Firestone's proposal, stated, "I

disagree with the Mayor. The City Council is obligated to discuss seriously what has been said here."

When Lowance suggested an Executive Session Discussion and expressed a fear that the Council might be trying to "sweep the issue under the rug," both Firestone and Councilmember William Sayre exploded with anger.

"An executive session isn't necessary—it would only add an additional cloud to this matter. For you to suggest we're sweeping this under the rug surprises me," the Mayor argued.

"Mr. Lowance is the one who is covering-up—we have already discussed it," Sayre claimed.

"To say we haven't full knowledge of this is totally and completely false! And in this Republic, a man is innocent until proven guilty and you darn well better believe it!" he cried to an audience much of whom could barely stifle laughter.

Cappello was asked following the discussion if the new evidence does indeed contradict his recent public statements.

"I have no statement to make," he told the NEXUS, "But if you're an objective reporter, you'll contact the other attorney whose name appears on those documents and ask him if I was in Court on those days."

The NEXUS contacted Jack Otera, "the other attorney," twice yesterday—but he failed to return our calls.

竹 BAMBOO HOUSE 屋

RESTAURANT

Best Cantonese Food Lowest Price

964-4013

5957-F Calle Real, Goleta
Same Building as Santa Maria Savings

George Liu
Owner
& Chef

Instruction
in
all Chinese
cooking

COME IN AND SEE OUR 59' SECTION

Complete from Dr. Doolittle to Dave Mason
at

Crane's Record Shop

901 Embarcadero del Norte

968-3817

SUMMER RENTALS

Studio's at \$75 @ month
One Bedroom's at \$85 @ month
Two Bedroom's at \$115 @ month

FALL RENTALS

Large apartments at realistic prices.

Studio's at \$105 and \$110 @ month
One Bedroom's at \$120 and \$130 @ month
Two Bedroom's at \$155 to \$180 @ month


Further reductions for unfurnished units.

Contact U.S. Property Management
6690 Abrego Road, I.V. 968-3294

**MAJOR CHUMLEIGH'S
AMAZING TRAVELING
CIRCUS** at the Madrid Park Site

July 14 6 & 9 pm
July 15 & 16 2 & 6 & 9 pm
Admission \$1.50 general | \$1.00 12-17 | 50c under 12

MIDSUMMER



CRAFTS FAIRE
BANDS AND MADRID PARK JULY 15, 16 A CIRCUS! ALL WEEKEND

ALEX MALER

We practiced
what others
preached

FAVELA REALTY

963-7915

Minier...

(Continued from p. 8)
the period of the investigation — I — I've never read the file.

NEXUS: The 1562-page —

MINIER: Right. I've never read it. I've never read most of the files —

NEXUS: You did know that Jim Worthen was part of Oakdale Manor while you were investigating it?

MINIER: No.

NEXUS: He never, like, told you or anything?

MINIER: He consistently denies, and has denied, and is denying in his lawsuit, I understand, that he is a part of Oakdale Manor. But I — no, I never had any knowledge, or any understanding, that he is a part of Oakdale Manor.

NEXUS: I see. We've looked through the Probe and we can't see any part in it where it says your office refused to investigate Oakdale Manor.

MINIER: I didn't say that, I don't think — I don't think the Probe did.

NEXUS: Well, that was the impression we got that you were saying over Bill Huddy News, and also over KIST.

MINIER: No, no. I was accusing the News-Press of that more, because the — the News-Press has said this a number of times. I'm not saying the Probe ever said that. (On Wednesday, June 28, Minier made the following comment on the Bill Huddy News: "The news sheet (Probe) also contained, however, allegations that the District Attorney's office had refused to investigate various real estate frauds allegedly committed by a corporation named Oakdale Manor and its general manager, Paul Zamora.")

NEXUS: Now, Barry Cappello was chief trial deputy, and he was working after hours on this moonlighting situation, as a defense attorney for Oakdale Manor. Now: while he was doing that, was there an investigation underway in this office on Oakdale Manor?

MINIER: Yes.

NEXUS: And he was working here, but he did not know about it? Is that the way the situation went?

MINIER: Right — the latest situation — we — we opened our file on October the — I think it was the 20th, October 20, 1970. This is the day we actually took a manila file and put a little deal on it. And we found out that Barry — that Barry Cappello was representing Oakdale Manor in some of these (suits). So — (DA's investigator) Steele came to me at that point and he said, 'What are we going to do? It looks like we're going to be starting an investigation on Oakdale Manor.' So we said, 'What are we gonna do about Barry. Uh — it's going to be rather embarrassing should we not tell him.' And I said, 'Okay, don't tell him,' simply because of the fact that he was representing them, which was not, in my opinion, an indication of distrust — it was just a precaution.

NEXUS: How long did this situation last whereby you were conducting an investigation that Barry 'did not know about'?

MINIER: Well, it was a very short time. I was going over this with Steele and we checked our memories, because it was a very long time ago. But we, we figured it was probably between one and two weeks. So — then in about, well — Cappello was made, uh, on the first of January (1970). He was promoted to assistant. And one of the conditions

about promoting him was, even though I couldn't legally require him to get out of all of his private practice, but I just said, 'Look, Barry, if you want to be Assistant, no more private practice.' So he sent a letter to Zamora, saying, 'I'm not going to handle your stuff any more.'

NEXUS: That was in January?

MINIER: That was in January, so we're talking about a period of, say, maybe mid-November to the first of January, during which time Cappello was representing Oakdale Manor and knowing we had an investigation. And when Cappello actually told Zamora that he wasn't going to have anything more to do with it, I don't know, but I — he formalized it in a letter that he sent on or about the first of January (1970).

(Today's edition of the DAILY NEXUS printed an official court document which shows that Barry Cappello was acting as attorney of record for Paul Zamora until September 15, 1971.)

NEXUS: Did he tell you that he would

no longer have anything to do with Oakdale Manor when he found out that you were investigating?

MINIER: Yes. Yeah, right. And we had, for the remainder of the time he was in the office, it was kind of a gentleman's understanding that he wouldn't ask about the investigation, and he wouldn't be told.

NEXUS: While this situation was going on — when he was working as Oakdale Manor's attorney — did he have access to the files or documents? — I'm trying to understand how it's possible for a guy to be here in the office and not know this thing is going on.

MINIER: Okay, I'll tell you, I'll tell you. Because our investigative bureau was upstairs. And right now — almost — probably 90 per cent of their files up there, I don't know what's in them.

NEXUS: Are you still investigating at all?

MINIER: We're not doing anything currently, because there's no more information we've got currently.

MacGillivray wants to revive death penalty in California

Assemblyman W. Don MacGillivray (R-Santa Barbara) recently expressed his sincere disappointment at the recent United States Supreme Court's decision banning the death penalty.

"Although I will continue to support the death penalty initiative as a means of protest, I feel that for the protection of society, we should have an alternative for those people guilty of first-degree murder," said the conservative GOP Assemblyman.

"It is for this reason that I have sent an official letter to Assemblyman Bob Moretti, Speaker of the Assembly, requesting his permission to grant a special hearing on my AB 703, which provides for imprisonment without possibility of parole for those people convicted of first-degree murder.

"I am hopeful that such permission will be granted," concluded the Republican incumbent, who will face liberal Democrat Gary Hart in November.

MARX BROTHERS FRI. NITE
CAMPBELL HALL 7 AND 9

USED RECORDS BOUGHT & SOLD Morninglory Music

910-C Embarcadero del Norte Isla Vista 968-4665

→ CAL JET CHARTERS ←

* SUMMER EUROPE FLIGHTS *

Don't be misled by lower prices, investigate first! Fly with our reliable charter group. Know your facts on your charter carrier before you sign your application. Don't take a chance with an unknown charter airline.

Flights still available to Europe (one way or round trip) July, Aug. & Sept.

→ ROUND TRIPS ←

Oakland or LA to London --- as low as \$259 (round trip)
Oakland or LA to Amsterdam --- as low as \$289 (round trip)
Oakland or LA to Brussels --- as low as \$279 (round trip)

→ ONE WAYS ←

Oakland or LA
to London & Brussels --- as low as \$149 (one way)
London or Brussels
to Oakland or LA --- as low as \$149 (one way)

→ SPECIAL AUGUST HAWAII FLIGHT ←

No. SH816 San Francisco to Honolulu Lv. Aug. 16 (Pan Am)
Round Trip Honolulu to San Francisco Ret Aug. 30 \$159
No. LH816 Los Angeles to Honolulu Lv. Aug. 16 (Pan Am)
Round Trip Honolulu to Los Angeles Ret Aug. 30 \$149

→ NOW AVAILABLE ←

* Christmas Break Charter Schedule *

(Flights to Europe, New York, Hawaii & Mexico)

* Fall 1972, Winter, & Spring 1973 Charter Flight Schedule *

WRITE FOR SCHEDULE & APPLICATION

All fares include U.S. Federal Tax and Departure Tax where applicable, and an administrative fee of \$4.00 per person. These fares are based on a pro-rate share of the total cost and are subject to an increase or decrease depending on the actual number of participants on each individual flight. These Charter Flights are available only to students, employees, staff, faculty, and extension students of the University of California and members of their immediate families. There are NO MEMBERSHIP FEES.

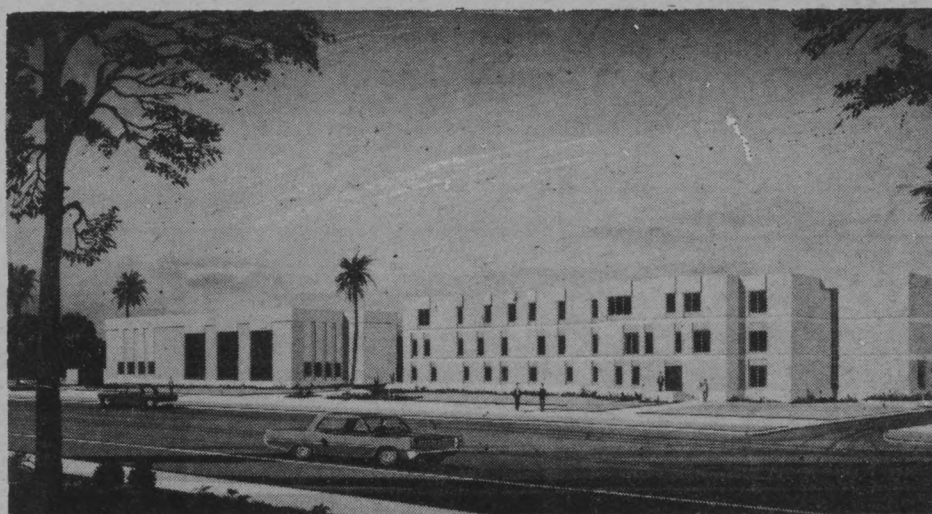
All flights via certified airlines flying jet equipment. Complimentary meals and beverages served in flight.

For Application & Further Information write:

CAL JET CHARTERS
2150 Green Street
San Francisco, California 94123

or call (415) 922-1434

LIVE AT THE FINEST



Quiet, Friendly, Relaxing

The College Inn

Excellent Food—Privacy—Quiet—Recreation Lounges—Pool
& Ping Pong Tables—Study Lounges—Covered Parking—Laundry
Facilities—Maid & Linen Service—Close to Campus—Good Furniture—
Wall to Wall Carpeting—Color TV Lounges—Heated Pool—
Pleasant Atmosphere

WHAT MORE DO YOU WANT? COME IN — SEE — COMPARE

6647 El Colegio

968-1041

Spectrum's new range

Love Song

The grunion
are coming

it is complex
& unpredictable

they arrive
connected with the moon

men
who have lived longer
run
to capture

the subtle sort of thing that
doesn't happen every night. I'm

not interested. Everything I
care for happens all the time.

—Robert Kelly

By STEVEN F. BELTON

The latest issue of SPECTRUM, UCSB's chief literary organ, is currently on sale at the Campus and Isla Vista Bookstores, and represents a genuine and laudatory effort to be a solid contribution to actual living poetry and fiction. In contrast to previous editions, which often seemed to be nothing more than a compilation of the better efforts of an undergraduate Creative Writing class, the editor Sam Manill, has created a book worth purchasing by anyone with an interest in current literature.

In addition to Robert Kelly (see poem at left), there are other established modern poets presenting previously unpublished works. And, besides

fine pieces from the UCSB student body, and a few poems by local faculty members Bob Brandts and Frederick Turner that have been making the rounds at recent poetry readings, the three female winners of a nation-wide Spectrum conference are represented.

It is to be devoutly wished that this precedent of using Spectrum for the purpose it was originally designed — a nationally recognized literary magazine — will be followed in future editions. Limitations of space forbid any meaningful description of the contributions, and any singling out of especially commendable works would represent nothing more than personal taste. Poetry cannot be reached second-hand, and the new Spectrum is good enough to deserve that deference.

Difficult as it may be to believe, the 1972 Spectrum is a product of UCSB, and will be read by the people who will be writing and appreciating the meaningful literature of the coming years. In fact, in one case, this slim volume has helped change an English Major's instinctive and inculcated distrust of projective verse.

Buy it.



THE MARX BROTHERS and the world's shortest friendship



Marxism sweeps campus by the sea

This Friday (July 14) at 7 p.m., the NEXUS will show two films starring the Marx Brothers: "The Cocoanuts" and "Monkey Business." The brilliant comedy of the Marx Brothers (Groucho, Harpo, Chico and Zeppo) is widely regarded as the best ever recorded on film since the advent of sound.

"The Cocoanuts" was adapted from the stage play success written by George S. Kaufmann and Morrie Ryskind. The plot has something to do with a hotel and the Florida land boom, but mostly it is all an excuse for outrageous comedy.

"Monkey Business" was the first Marxist film to include the writing wit of S.J. Perelman (of "The New Yorker"). The Marx Brothers are stowaways on an ocean liner (much as in "A Night at the Opera"), and the plot concerns their efforts to keep ahead of the captain. Needless to say, they end up running the picture.

The films screen at 7 and 9 p.m. in Campbell Hall, admission \$1.

MEXICO: need traveling companion from about Aug. 19 through Sept. 25 in rural Mexico. Cost: approx. \$20 per day. Call Marilyn 963-9141.

20-TYPING

TYPING: papers, letters, etc.
Phone 968-8572

21-WANTED

Sell your used books for cash—
MADEIRA BOOKSTORE - 915
Emb. del Norte at Corner w/
Pardall.

(Continued from below)

Isla Vista Counseling Center

Personal Exploration Group

Thursday Evenings,

8 - 9:30 P.M.

6586 Madrid, Apt. A.

961-3922

961-2781

SMORGASBORD ALL YOU CAN EAT

6 KINDS OF PIZZA
POTATO SALAD & COLESLAW

11:30 - 1:30 Mon.-Fri.

99c

RUSTY'S

MCAT - DAT

Home Study Review
and Testing Program

For information write:

Graduate Studies Center
P.O. Box 386, N.Y., N.Y. 10011

CLASSIFIEDS

1-ANNOUNCEMENTS

DON'T MISS THIS! Waterbeds - \$23 incl. liner, pad, & 10 yr. guar. Call 964-1974 after 10.

BAHAI FAITH Public Fireside Thursday eve. 7/13 - 7:30, UConn 2294. All Welcome.

Quakers (FRIENDS) Welcome everybody every Thursday, 7:30pm-URC Library, 777 Camino Pescadero. Rapping, silent meditation.

2-APARTMENTS TO SHARE

Townhouse to share: own bedrm., backyard, & patio; \$75 / mo. + util. - 963-9141, 916 N. Alisos, C. S.B.

FALL - 1 F. NEEDED for spacious beachfront apartment - close to campus - private owners. Call 968-7557.

F. needs place for Fall pref. own room-beachside. Contact me-C. Harkins, Gen. Del., Wawona, Yosemite, Ca. Will get down to see and/or meet. Please Write!

3-AUTOS FOR SALE

'71 Alfa Spider 5 spd., fuel inj., top shape - \$3750 or best offer (must sell) call 962-3053.

'61 Corvett 289, good condit., asking \$900-Call Bruce 961-2455.

5-FOR RENT

Non-smokers share large beautifully furnished home - projection & darkroom, very large private room-\$95. No pets please, close to campus - 968-6012.

El Cid Apts. Aug. vacancies - \$85 mo., 1 brm.; \$120-2 brm. 6510 Sabado Tarde, mgr., Bill Apt. F - 968-3480. (Fall Vacancies also).

Beach apts.-3 bd., 2 bath, next to campus; for fall, singles, and 2 girls. Beautiful inside-oak furny, dishwashers, self-defrosting refrig.-6525A D. Playa, 968-5066.

4 Bdrm. apt. on ocean-special for summer-owner: 967-6311.

HOMELESS FOR FALL??? Live where owners care and refunds are made. 4 man 57.50 ea., 3 man 72.50 ea. Pri. mgr. on prop.-6522 No. 2 Sabado Tarde.

Broadview Apts-Mgr-968-3116
833 Embarcadero del Mar
1 Bdrm.-pool-parking-laundry.

6-FOR SALE

Guitar, bass amp, bike, kittens, surf & belly boards - 968-5771.

Akai 1800 tape recorder, reel to reel & 8 - track cart. - \$190; Craig car stereo, 4 & 8 - track, new inc. 2 spkrs. - \$65 - 968-0376.

'64 VW, fine mech. cond., new tires, brakes - \$475 / offer. Days: 961-2333, nights: 967-6994 John.

'60 Chrys. needs some repairs, best offer, 968-3493, aft. 6 p.m.

Hermes portable tpwrtr. top cn., internat'l keys - \$28 - 962-3053.

Pioneer 440SX tuner - amp. \$125, Dual 1009 Turntable \$85; both like new - Call 962-3053.

Gibson ES345TD elec. guitar, hollow body, stereo wiring, best offer - Jon 968-4684.

2 bicycles (m.s., W.'s) - reasonable 685-1379.

8-HELP WANTED

REWARD for information leading to the identity and location of two girls driving a red Volkswagen beetle northbound on Ventura Hwy. on the Conejo grade who witnessed an automobile accident on Sunday, January 13, 1972 about 6:00 p.m. The car went over the side of the cliff and caught fire. Please call (collect) to Peggy (213) 624-9861.

Free room and board for responsible female in exchange for part-time housework and child care. Toddler and bright but physically handicapped 4 yr. old. Summer and/or coming academic year - 962-2407.

Free Board & pri rm & bath to fem sr grad stud or TA in exchange for asstng liberal, congenial apt. manager. Apply 6522 Sabado Tarde, Apt. 2.

9-HOUSE FOR RENT

Fac, staff -3 brm country hse, modern -summer \$450 mo, veg. grdn-968-3480, Moffat, eves & wkds.

12-MOTORCYCLES

'70 BSA 441, 8000 m., imac - \$595 / best of. - 6643 Sabado Tarde.

16-SERVICES OFFERED

Research reports on every conceivable academic topic available. Send \$1 for free catalog. Box 24165, LA Cal 90024.

18-TRAVEL

EUROPE JET FLIGHTS
LA/AMSTERDAM/LA - \$279 RT
AUGUST 2 TO SEPT. 3
CALL W.A.C. (213) 838-9329
4246 OVERLAND AVE.,
CULVER CITY 90230



Summer home of the

49ers -

BUT WE'VE ROOM FOR YOU!

\$1,350.00 SINGLE

\$1,250.00 DOUBLE

(including food)

FONTAINEBLEAU

6525 EL COLEGIO • GOLETA, CALIFORNIA 93017

PHONE 968-1091 OR 968-1008

FILM REVIEW

'What's Up, Doc?'

By RICHARD PROCTER

"Screwball comedy" was a kind of farce peculiar to the thirties in which a dizzy but unstoppable young woman (usually an heiress, usually played by Carole Lombard) chased a pompous and befuddled professor-type (Cary Grant) from disaster to disaster, passing only long enough to throw a pie or take a pratfall. It was a curious mixture of visual and verbal slapstick, abetted by a host of the most talented and watchable personalities ever on the screen.

After doing an imitation John Ford with "The Last Picture Show," director Peter Bogdanovich has in "Whats Up Doc" decided to emulate the style of Howard Hawks in "Bringing Up Baby." I say emulate because, unlike "Picture Show" in which he lost his feel for the material in his homage, Bogdanovich here finds his own style and only keeps the spirit of the original works of the thirties. The material is sharp and the direction and editing are superbly co-ordinated for comic effect.

The main problem arises in the casting. Barbara Streisand is an excellent comedienne, and some of supporting characters are as appealing as anyone who appeared in the thirties. But Ryan O'Neal is no Cary Grant, and while he is able to carry off a few comic moments nicely he oft-times acts as if he wasn't let in on the joke.

For the most part, though, the film makes you laugh out loud. The plot is something about mistaken identity among four overnight bags, holding jewels, secret documents, Miss Streisand's unmentionables and some rocks that O'Neal claims will prove the musical nature of ancient man. Streisand wins O'Neal away from his nagging wife-to-be in the nick of time, and the whole thing ends in a very funny car chase destruction sequence. The plot is constructed so that you can forget it and concentrate on the gags, many of which are stolen from Chuck Jones' Roadrunner cartoons, which in turn were stolen from old Buster Keaton films. A line of cars careen down the street, and sure enough, a couple of guys are carrying a pane of glass across the same street. A guy jumps over a fence, and, you guessed it, there is a garden party in progress on the other side.

Bogdanovich's experience as a critic is being put to good use. His films have a look of craftsmanship, as if they were constructed with some forethought instead of being thrown together with whatever was improvised on the set as is the case of something like "Get to Know Your Rabbit." In the case of "The Last Picture Show," the craftsman ship smothered the artist's viewpoint and what was to be a penetrating but affectionate character study came off as a well crafted but essentially heartless melodrama. Here the director allows himself more improvisation, and the effect is one of personality without self-indulgence.

ZODIAC ASSOCIATES PRODUCTIONS PRESENTS

THIS FRIDAY & SATURDAY

"Cleopatra - the Last of the

Red Hot Mummies"

DINNER

& SHOW

COMBINATION

\$5.75

DELICIOUS

Beef-en

Brochette

IN THE CABARET THEATRE

AT THE TIMBERS

Highway 101 and

Winchester Canyon Road

SHOW ONLY

STUDENTS

\$2.50

\$3.00 Gen. Adm.

Reservations

Necessary

968-1111

Tom Stoppard's

ROSENCRANTZ & GUILDENSTERN ARE DEAD

July 21-22 & 27-29

Main Theatre - 8:00 p.m.

Tickets: \$1/\$2

Arts & Lectures Office

THEATRE ROUNDABOUT

Storke Plaza - 12:15 p.m.

Friday, July 14 "Commedia"
 Tuesday, July 18 Puppet Show
 Wednesday, July 19 Summer Dance
 Friday, July 21 "Dr. Faustus"
 Wednesday, July 26 "Commedia"

FREE!!!

FUN!!!



Bogart fans are urged to go to the 6pm showing of "The Treasure of the Sierra Madre" since the early Bogart shows have been less crowded compared to the 8pm show. Campbell Hall, Thursday night.

Jazz tonight

The Preservation Hall Jazz Band will give a concert tonight at 8 pm in Robertson Gym. Although their performances are often sell-outs in advance, tickets are still available at the Arts and Lectures office, Disco Record Center in La Cumbre Plaza, and Tapes Etc. in Goleta.

Coronet, piano, trombone, clarinet, drums, and tuba are used to recreate authentic old New Orleans jazz.

Contradictions . . .

(Continued from p. 2)

A Deed of Trust, recorded July 17, 1970 in the Official Records of Santa Barbara County (Book 2315, Page 281) shows that Cappello did indeed receive a \$48,000 loan from Oakdale Manor.

According to the document, Oakdale Manor served as the lender, (Beneficiary), Saling Company served as intermediary (Trustee) and Milo Saling, real estate investor and head of Isla Vista's Income Property Management, was Notary Public.

It is also interesting to note that Cappello's address on the

document is given as 118 E. Figueroa—the address of the District Attorney's office.

(The NEXUS has a copy of this document on file but cannot run it due to lack of space. It may be seen in the new edition of Probe—published yesterday which initiated this investigation.)



tapes etc.

"THE CAR STEREO SPECIALISTS"
 Mon.-Sat. 10-6 - Fri. Nites 'Til 9
 160 NORTH FAIRVIEW AVENUE • GOLETA

MAGIC LANTERN THEATRE

BOX-OFFICE OPEN 6:30

#1 WOODY ALLEN "PLAY IT AGAIN, SAM" - AND - "HAROLD & MAUDE"

Raquel Welch Burt Reynolds

HERE COME THE FUZZ

PRESERVATION HALL JAZZ BAND New Orleans, La.

TONIGHT 8 P.M. ROBERTSON GYM

\$1.50 Students/\$2.50 Non-Students
 75¢ Children 12 & under (at door)
 Presented by UCSB, CAL. Ph. 961-3535.

SANTA BARBARA ENTERTAINMENT GUIDE
 FOR THEATRE INFORMATION
 CALL 962-8111

PARAMOUNT PICTURES PRESENTS
The Godfather
 Good Seats Anytime
New STATE
 1217 State Street

Nicholas and Alexandra
RIVIERA
 Near Santa Barbara Mission
 opposite El Encanto Hotel

"PRIME CUT"
GRANADA
 1216 State Street

\$1.00 Any Seat
 NOW YOU SEE HIM!
 NOW YOU DON'T
 "PERRI"
ARLINGTON
 1317 State Street

3 ACADEMY AWARDS
Fiddler on the Roof
 United Artists
FAIRVIEW
 251 N. Fairview • Goleta

BARBARA STREISAND
 RYAN O'NEAL
 "WHAT'S UP, DOC?"
 Woody Allen
 "TAKE THE MONEY & RUN"
CINEMA
 6050 Hollister Ave. • Goleta

\$1.75 PER CAR-LOAD 3 FEATURES
SKYJACKED
 JAMES COBURN F. R. F. W.
 THE CAREY D. LLARS
 TREATMENT M. RE.
AIRPORT Drive-In
 Hollister and Fairview

SEAN CONNERY
GOLDFINGER
 SEAN CONNERY
Dr. No
 SEAN CONNERY
 FROM RUSSIA WITH LOVE!
SANTA BARBARA DRIVE-IN #1
 Memorial Hwy at Kellogg Goleta (NORTH)

INTRODUCING
FRITZ the CAT
 He's X rated and animated!
 woody allen's "bananas"
SANTA BARBARA DRIVE-IN #2
 Memorial Hwy at Kellogg Goleta (SOUTH)

Why food costs more in the UCen

By EDWARD MACKIE

Joe Xavier, Food Service Manager, cites a general rise in wholesale acquisition costs—coupled with a decrease in cafeteria patrons—as the two major reasons for the UCen food service's financial difficulties.

A UCen Cafeteria price hike has gone into effect. Announced by the University Center Governing Board last May and implemented at the outset of Summer Session, the new prices, though unpopular, are seemingly inevitable, and cover a selective increase on twenty-eight items of

food, reflecting the general rise in the cost of commodities during the last three years.

Presently, the University Center and its affiliate, Storke Student Publications Building, is running a deficit in excess of \$130,000 annually. To offset these losses, cash reserve funds, collected in previous years, have been tapped. Unfortunately for the UCen Food Service, the reserves are not enough to solve its problems permanently.

Six years ago, when the present University Center opened its doors, general

sales were brisk and profits were on the upswing—largely due to an unexpected jump in enrollment. From that date, however, began a series of calamities which culminated in the present fiscal dilemma.

Student enrollment fell drastically as general expenses—for the income as well as the non-income areas soared. To complicate matters further, a critical problem arose last summer when the UCen appeared unable to meet its \$600,000 payroll. Reserve funds however, were siphoned off and cost cuts were necessary to stem the crisis.

By that time, wholesale food costs had risen by 12 per cent—meat by even more. In addition, the drop in patronage and a perennial loss of eating utensils (\$4,400 worth in 1971-72) compounded worries. (More than 6,252 teaspoons and 2,100 coffee cups disappeared in a nine-month period.) Concurrently, a substantial number of the regular working staff were laid off.

One employee has also suggested that the cafeteria has been so plagued by the presence of dogs, a considerable number of patrons have been driven away.

The only alternative to an increase, comments Doug Jensen, Assistant A.S. Director, is a "sufficient volume of sales to break even."

DISCOUNT RECORDS — THE TRI-COUNTIES MOST COMPLETE RECORD STORE IS HAVING A ...



SUPER SALE

LOWEST PRICES EVER



Fantastic Savings On Every LP and Tape in Stock*



Son of Schmilsson
New Nilsson **2.99**



Elvis as Recorded at
Madison Square Gardens **2.99**

Featuring RCA Records
at Double Discount Prices!

All
Regular
List 5.98

RCA 2.99

All
Reg.
List 6.98

NOW
3.49

All
Imports

NOW
4.98

Budget Classical At A Double Discount

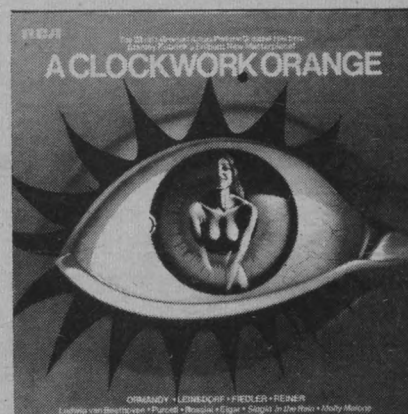
1.79

per DISC or

3 FOR 5.00

All 6.98 List
8" TRACK &
CASSETTE TAPES

4.29



A Clockwork Orange **2.99**
Ormandy • Fiedler • Reiner
and Others



Greensleeves **2.99**
Eugene Ormandy



Check Out Our Everyday
Low Prices On All Other Labels
*Bengla Desh Excluded

discount records inc.

900 Embarcadero Del Mar — I. V. — 968-9674



SUMMER HOURS:

Mon. to Thurs.
Friday & Saturday
Sunday

10-9
10-10
12-6