



## **BULKY DOCUMENTS**

(Exceeds 100 pages)

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Filed: 09/13/2010

Title: *OPPOSER'S NOTICE OF RELIANCE NO. 15*

**Part 2 of 3**

**91190886**

# THE DISPATCH

"We Have Met The Enemy, And He Is Us." Pogo

JANUARY 26, 1996

OCEAN CITY, MARYLAND

PRICELESS

## Slots Competition Crushing Downs

### Simulcasting In Serious Trouble

OCEAN CITY (GDF) — The president of the Delmarva Downs Raceway said this week that he will be conducting a "hard reevaluation" in mid-February to determine whether it's feasible to continue simulcasting from the facility during the non-live racing season.

Dennis Dowd, who is also the president of the Rosecroft Raceway in Fort Washington, said that Delmarva Downs has seen a drop of around 20 percent over the last couple of weeks in numbers of people attending simulcasting events — something he believes is related to the addition of slot machines at the Delaware-based tracks of Dover

Downs and Delaware Park.

"We are breaking even right now," Dowd said. "If the trend continues, and we lose money... We might be better off not operating at all."

Currently, Dowd said he's waiting to see how the revenue from simulcasting will be once Delmarva Downs starts simulcasting races from Rosecroft, which will resume live racing on Feb. 1 and will continue it through Dec. 21.

Currently, it costs around \$3,000 a day to run the simulcasting facility at Delmarva Downs, and that includes employing 19 people at an average of \$10 per hour, Dowd said. If the facility continues to break even, it will remain open as a "service to the community," he said.

Delmarva Downs begins its live racing on May 24, and ends on Sept. 1. The track would have simulcasting during its live racing season, regardless of whether it had it the rest of the year, Dowd said.

There are a total of 500 slot



machines at Dover Downs, which also offers simulcasting and year-round racing. There are 715 at Delaware Park, which also currently

SEE PAGE 6

## Rte. 113 Funds Down The Road

BERLIN (GDF) — While the repair work on Rt. 90 has already started and is expected to be completed by early next year, the same cannot be said for the proposed dualization of Rt. 113.

Nor is it anticipated that the latter will begin any time soon.

In a recently released six-year transportation plan, it was announced that \$1.5 million has been earmarked for a section of Rt. 90 from Rt. 589 to the Assawoman Bay. Half of the project, from the St. Martin's River to Assawoman Bay, is already underway and should be finished by May, while the remainder will be completed by May 1997, said Liz Kalinowski, spokesperson for the Maryland Department of Transportation.

"We want to get (each section) done before the beach traffic comes down," Kalinowski said.

A total of \$1.4 million was also set aside in the six-year plan for engineering work on the proposed dualization of Rt. 113, which

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## Future For Rancho Apts.



Rancho Apartments owner Ed Naugans speaks on business plans and summer security. SEE PAGE 5.

## Schools May Eat Septic Cost

### County Next Target For Passing Buck

OCEAN CITY (GDF) — The Worcester County Board of Education is in a position where they may have to ask for Worcester County funding to help complete the septic and water system at the proposed Stephen Decatur Middle School.

School officials are hoping that the construction bids for the new school, which are expected to be returned in March, will be low enough so that the water and septic systems can be paid for out of the \$7.5 million bond that is funding the facility, said school superintendent Dr. Terrance

Greenwood.

However, if the school construction bids come in as anticipated, he said, it's likely that the school board will have to go before the County Commissioners to ask for additional money, which will be in the hundreds of thousands of dollars. If the commissioners say no, then the school board will have to take the funds out of its fiscal 1997 budget, Dr. Greenwood said.

The money, which could be as much as \$300,000, is the equivalent of numerous teacher positions,

although Dr. Greenwood could not say where the money would come from if the school board needed to draw from its own account.

There is currently \$322,000 in an "unreserved fund balance" that the County Commissioners could dip into if needed, and which should still be available in fiscal 1997, said Nikki Hogue, budget officer for Worcester County. The county could try to increase the bond, but that would require a referendum, Hogue said.

Originally, it was projected that the septic and water system would cost anywhere between \$210,000 to

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### Be Old Almanac

Mostly sunny, cold and clear. Rain possible late Friday. Saturday: Partly

cloudy and breezy. Sunday: Sunny. Highs in 30s, lows in 20s.

"The Lone Ranger" made its radio debut on Jan. 30, 1933. On this day in 1974, UCLA won its 88th consecutive basketball game.

Estimated 12,000  
Grads Seek  
Lodgings So Far  
— Page 4 —

Foreign Workforce  
From U.K.  
Coming To Resort  
— Page 4 —

Berlin Study  
Plans For  
Industrial Park  
— Page 5 —

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PLAINTIFF'S  
EXHIBIT

290

ALL STATE LEGAL SUPPLY CO.

O.C. Secrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
Offered by Opposer

# EDITORIAL

**Maryland  
Coast Dispatch**

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Stephen Ziegler, Assistant Editor  
Greg Ford, Sports Editor • Carolyn Sorensen, Community Editor  
Cindy Ward, Art Director • Christy Brow, Sales Coordinator

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## The Non-Smoking Resolution

The following information, aimed at helping those attempting to quit, was published in the National Business Association Monthly. If you've decided to pack up smoking for your New Year's Resolution, Health magazine says that one good way to break the habit is to smoke by the clock. Scheduled smoking — according to a study by the University of Texas — actually helped people in one program break the association between cigarettes and the cues (stress, fatigue, meals, and alcohol) that generally trigger cigarette cravings.

People in the program reported they cut back by smoking at very specific times, such as 9 a.m. and 7:30 p.m. about 44 percent of those studied were still nonsmokers after one year.

Those results are far better than those of people who quit cold turkey and had a 22 percent success rate. Those who reduced the numbers of cigarettes they smoked at random — not by a set clock schedule had an 18 percent success rate.

When people cut back on cigarettes, usually their craving builds all day until the cigarette that is allowed is a special treat or reward. When people know they can have a cigarette at a specified hour, the unconscious connection between smoking and trigger urges is forgotten.

The following comments were compiled by the New York Times:

### Nicotine Not Important

It is simply not true, as F.D.A. contends, that "nicotine is perhaps the most important criterion employed by cigarette companies in the purchase of tobacco." Nicotine content of a particular tobacco variety can vary dramatically from year to year and even farm to farm and is not evaluated at purchase. Indeed, an accurate pre-purchase evaluation of nicotine would be impossible given the number of individual tobacco farms...and the nature of the auction process.

—Brown & Williamson Tobacco

### The Lion's Share Of The Adolescent Market

The tobacco industry spent over \$4.6 billion advertising and promoting tobacco products in 1991. Much of this advertising appeals directly to children. We suspect that this explains why the three most heavily advertised brands have captured 86 percent of the illegal teen market when the same brands' share of the legal, adult market is only 35 percent.

—Richard Blumenthal, Attorney General of Connecticut, filing for his state and attorneys general in 26 other states

### Raising The Smoking Age

We also propose that the minimum age of sale be raised nationally to 21...This standard for age of sale has been set in the case of alcohol, the other legal drug for adults that is prohibited among youth...We see no reason for treating these substances differently as regards age of purchase.

—The American Medical Association

## YOUR OPINION

### Truck Wars Continue

Editor:

It has been whispered for years that Ocean City is run by a network of "Good Ole Boys." Lately those whispers have become more audible and even quite visible. Several things

have surfaced that make me wonder just which of our current councilmen are representing all of our residents' interests, and which are working for those very same "Good Ole Boys."

I think it has become obvious that, where the issues of zoning are con-

cerned, the members of this council (save one) have leaned in favor of commercial business interests instead of protecting our R1 and R2 residential communities as our ordinances should be structured. Because we have a limited geography and are not growing outside those boundaries, yet continue to grow within them, we are destined to fight the same battles as we revisit these issues time and time again. The council has offered no leadership on the issue of zoning.

The issue of the expansion of Eagle's Landing Golf Course is another example of how things get done here in Ocean City. This is the second time that I know of that the "Network" has attempted to slip expenditures through the bureaucratic process with little or no public scrutiny. I applaud Vince Gisriel for calling Dennis Dare to task on this issue and look forward to what certainly will be further interesting disclosures.

How was the razing of the old and construction of the new Ocean City airport terminal decided? Did the residents of this town vote on these?

Are our councilmen afraid of a referendum on issues of significant monetary impact upon their citizenry? Our priorities have a great deal to be desired. The residential voices of this town need to be heard and hopefully will be on election day.

Perhaps it's time we took a hard look at just how we are being represented and governed, where those representatives live, and how they earn their livings. Yes, including stronger financial disclosure laws as is required for many government workers. Because we have these councilmen who live on Teal Drive, I

think it safe to say that Mallard Island is well represented. A few small contractors and business people who abuse the spirit and letter of the law are protected as evidenced by some recent zoning issue votes. Should we consider changing the way our council is structured and elected?

Although the idea of creating voting districts is not new, it may be timely. Ask Worcester County. We might divide the town into four equal districts with one representative from each district and southern sections of town. This might ensure that all residents are equally represented and each representative has a constituency to whom he/she is responsible. This of course is not something our current council will be quick to endorse, and I doubt the "Good Ole Boys" are interested in changing things to make them more responsive to all citizens.

I wouldn't hire an employee without an interview and research of his/her qualifications. Neither should I elect a councilman or mayor without those same considerations. After all, don't those representatives work for and are paid by us?

One thing is clear to me as we enter an election season, we need to give close scrutiny to every candidate and expect that positions on issues are clearly defined by each candidate. This should be an issues-driven election, the issues as defined by all of the residents of Ocean City, not just those that suit the "Good Ole Boys."

Signed

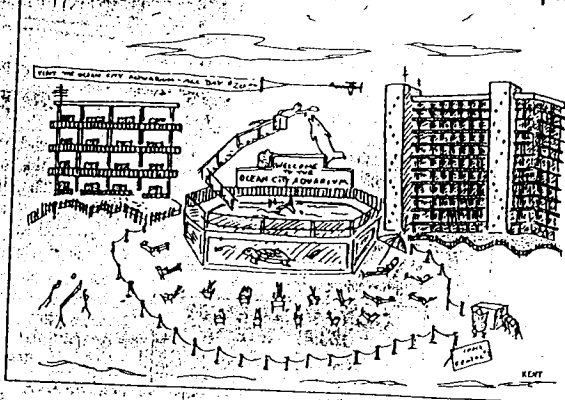
Bob Broderick

Mr. Broderick:

Another whispered aspect of this area is how folks seem to enjoy a "good ole" feud.

Editor

## The Big Book Of Downtown Development Concepts



## Quotes Of The Week

"This has got to be the most examined site plan in the history of Ocean City." Planning and Zoning Commissioner Jerry Milko regarding the proposed 118th Street car wash.

### Health Fair Seeks Help

OCEAN CITY — The AARP Worcester County Chapter 1917 sponsored annual Health Fair is scheduled to be held on April 2 at the Ocean City Convention Center. Everyone over the age of 13 will be admitted, and the fair is free for all. The 1995 Health Fair provided health screening for more than 1,100 Ocean City and surrounding community residents.

Areas of screening include: blood pressure, blood cholesterol, blood sugar, glaucoma, sight and hearing, chiropractic, diet and nutrition, vitamin C testing, dental screening, colorectal test for occult blood, height and weight, exercise demonstration, and other simple screenings. Pamphlets and other literature will be distributed.

The Health Fair is cosponsored by the Mayor and Council of Ocean City, and the Atlantic General Hospital. All necessary services for this Health Fair will be provided by local medical and hospital personnel without charge. Volunteers will include members of AARP Chapter 1917 and other residents of the Ocean City community.

AARP Chapter 1917 is a non-profit organization without means of securing funds, and are asking for donations from local businesses and associations to help defray the cost of conducting this event. Send donations to 116 Bering Road, Ocean City, MD 21842.



Atlantic, Smith, Cropper & Deely employees contributed \$1,671 to the 1995 United Way Campaign. Leaders in the effort are, seated, Chairman Alfred Melso Sr., and from the left, Robert Elliott, Jennifer Hunt, Theresa Elliott, Ronald Pasquariello and Joni Walter.

### Lifestages Symposium

BERLIN — Peninsula Regional Medical Center will sponsor its fourth annual women's symposium entitled, "Lifestages: A Woman's Perspective," on Saturday, March 23, at the Sheraton Fontainebleau in Ocean City.

This day-long event will feature speakers and exhibits that address the special interests of women.

Marlo Thomas, actress, producer and social activist, will deliver the keynote address — from "That Girl" to "This Woman," a presentation sparked with humor, grace and inspiration.

For more information, call the Community Relations Department at 543-7137 or 1-800-955-PRMC.

### DNR Honors Duck Doc

SALISBURY — Maryland Department of Natural Resources Secretary, John R. Griffin, will present an Honorary Ranger plaque to Jim Tragle D.V.M. on Thursday, Jan. 18, at 1:30 p.m. in the DNR office Multi-Service Center in Salisbury.

Dr. Tragle has volunteered his time and service to treat animals in DNR's Scales and Tales program. He also volunteers his talents to other injured wildlife. Dr. Tragle is the vet who tried to replace the beak of the Ocean Pines mallard a year or so ago.

He also works closely with the Salisbury Zoo and volunteers his time assisting the Tri-state Bird Rescue Association and the Chesapeake Rehabilitation Center.

### Snow Hill Sock Hop

SNOW HILL — On Feb. 10, the Snow Hill Chamber of Commerce will sponsor a "Sweetheart Chop Hop" reminiscent of the 50s at the Snow Hill Lions Club. Deejay music by Choppy Layton of WKHH will be played from 8-12 p.m.

This couples only evening will feature a contest for the Best 50s/60s costume, a raffle that will offer such prizes as a romantic dinner at the Snow Hill Inn, an evening at the River House Inn, a picnic complete with wine and cheese, plus much more. Admission is \$15 per couple with a cash bar. Reservations must be made in advance. Tables of eight are available.

Reservations can be made by calling Pat Hudson at 632-2280 Wed.- Fri. 9-5, or Saturday until noon.

### Auxiliarist Honored

OCEAN CITY — William Mooney of Ocean Pines was honored as "Auxiliarist of the Year" by members of U.S. Coast Guard Flotilla 12-05. He devoted more than 1,200 hours to Auxiliary activities during 1995, spent 270 hours on boat patrols, 265 hours on public education and member training classes, and set up the first public education boating course at Wor-Wic Community College.



# Seacrets

BAR & GRILL  
OPEN YEAR-ROUND

Daily Lunch  
Specials  
\$5.00  
11 a.m.-3 p.m.

MONDAY  
Beef Ragu

TUESDAY  
Chicken & Dumplings

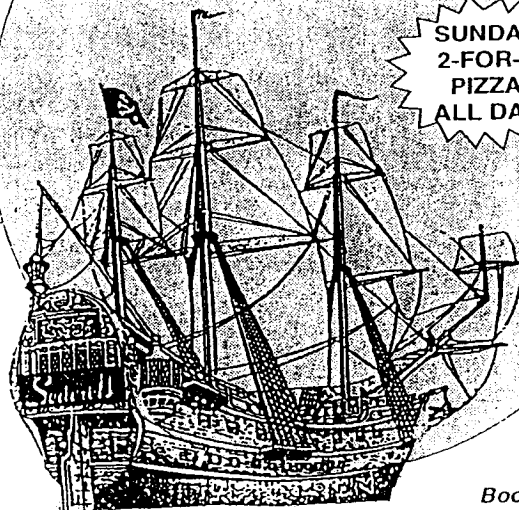
WEDNESDAY  
Roast Pork

THURSDAY  
Chicken Chili

FRIDAY  
Fish & Chips

NEW MENU  
1/2-PRICE DINNERS  
Monday-Thursday  
5 p.m.-10 p.m.

SUNDAY  
2-FOR-1  
PIZZA  
ALL DAY



### LIVE BANDS

10 p.m.-Close

Friday, Jan. 26

"VOODOOBOP"

Saturday & Sunday

Jan. 27-28

"TOM LARSEN"

Tuesday, Jan. 30

"CHAMELEON"

Thursday, Feb. 1

"BITS-N-PIECES"

### HAPPY HOUR

Monday-Friday

4 p.m.-7 p.m.

Half-Price Jerk Chicken,  
Fries & Onion Rings

Book Your Parties In Jamaica USA

(410) 524-4900 • Lite Fare 'Til 1 a.m. • West End Of 49th St.

P 43784



**SEACRETS TRIAL EXHIBIT 291**

# THE DISPATCH

"We Have Met The Enemy, And He Is Us." Fogo

JANUARY 19, 1996

OCEAN CITY, MARYLAND

PRICELESS

## Sewer Plan B To Cost Big

Berlin Flushes First Proposal

BERLIN (GDF) — The new Stephen Decatur Middle School will have a septic system.

In about 15 years it will have to be replaced at the cost of several thousand dollars, said County Commissioner James Barrett. The one at Stephen Decatur High School will likely need to be replaced in about 10 years.

If the Town of Berlin had accepted the county's proposal and decided to extend sewer and water service to both schools, the county's taxpayers would never have had to worry again about paying those expenses, Barrett said. In the case of the new middle school, it would have saved the county about a half million dollars, he said.

However, on Tuesday night the Berlin Town Council effectively killed any chance that will happen when it voted 4-1 to ask the Worcester County Commissioners to come up with another piece of land it would sell to the town if it's serious about wanting Berlin to supply water and sewer to the middle school and Stephen Decatur High School.

Worcester County had proposed selling the town 180 acres of land on Harrison Road for \$1 in exchange for Berlin being the water and sewer provider to the schools. The land was being eyed for spray irrigation use, which would enable Berlin to expand its wastewater capacity.

"They had (the septic plan) all done," said Barrett. "The only reason that this was brought in, at the last minute, was that it makes sense to get both schools on the city system forever."

Dr. Terrance Greenwood, superintendent of schools for Worcester County, said it will cost around

SEE PAGE 4



### De Oldt Almanac

Friday: Rain, warmer temperatures, high of 50. Saturday-Sunday:

Partly cloudy, becoming mostly sunny Monday. Highs in 30s; lows in 20s.

On Jan. 26, 1837, Michigan became the 26th state. Visits always give pleasure; if not the arriving, so the departing.

BUS RIDERSHIP ANALYSIS					
MONTH	1991	1992	1993	1994	1995
January	10,849	12,100	23,170	21,272	23,701
February	11,250	12,700	24,620	22,761	22,761
March	17,450	18,500	34,500	31,500	34,500
April	18,500	19,500	37,500	34,500	37,500
May	20,500	21,500	40,500	37,500	40,500
June	22,500	23,500	43,500	40,500	43,500
July	24,500	25,500	46,500	43,500	46,500
August	26,500	27,500	49,500	46,500	49,500
September	28,500	29,500	52,500	49,500	52,500
October	30,500	31,500	55,500	52,500	55,500
November	32,500	33,500	58,500	55,500	58,500
December	34,500	35,500	61,500	58,500	61,500
TOTAL	2,543,793	2,806,351	5,472,000	5,006,500	5,472,000

See Revenue Chart Page 3

## Alleged Rose-Factor In Bus Figs New Numbers Expected For 1996

OCEAN CITY (ZIG) — Municipal bus ridership totals for 1995 squeaked slightly beyond the transportation department totals for 1994, a mere 4.14 percent. The previous year's (1994) totals had also shown a slight upturn against 1993. Overall, however, these increases represent a dropping back in the trend. Greater increases were seen the previous three years.

Ridership showed a soaring increase in 1991, (113.07 percent) which demonstrated the success of the newly implemented program of

charging \$1 a day. Before May 1991, the fare was \$.75 per ride. Up until then, ridership more or less steadily duplicated previous years. The dollar-a-day program resulted in a startling doubling of ridership.

The following year, 1992, ridership rose even higher, 10.28 percent. In 1993 it was up again a significant 11.06 percent. In 1994, however, it showed a more modest increase of only 6.76 percent.

Andy Horvath, acting Superintendent of Transportation, said some of

SEE PAGE 3

## Economic Impact Of Snow Winterfest May Be Down 10%

OCEAN CITY (GDF) — Nearly two weeks after what is being called the "Blizzard of '95" local businesses continue to feel the effects of the cold winter on their cash registers.

A year ago, during what was a mild January, visitors flocked to the resort. However, this year, because they were snowed in at home, they couldn't make the trip. This year's blizzard, which occurred on the week of Jan. 16, and was followed a week later by a storm that dropped rain in Worcester County, but snow in other areas.

"I personally imagine that (business) will be lower because of the weather," said Susan Lynch, executive director of the Ocean City Hotel and Restaurant Association.

One trade that will likely feel the bite of the recent snowfalls is the hotels industry, which may have trouble matching the strong January showing of a year ago, when more than \$90,000 in room taxes was collected.

"We're so far behind we won't be able to catch up," said James Davis, general manager of Sea Bay Inn — Best Western on Coastal Highway.

Added Mary Balun, marketing director of the Georgia Belle: "Because of

SEE PAGE 3

## Legal Aid For Guards

OCEAN CITY (GDF) — Delegate Bennett Bozman said this week that he is drafting a bill that will grant municipal lifeguards immunity from lawsuits for actions that are done in a "good faith" manner.

Currently, there are laws that protect police officers and firefighters under such conditions, he said.

"Right now in Maryland we have a 'good samaritan' immunity, but it's really questionable whether lifeguards fall under that category," said Ocean City Solicitor Guy Ayres, who discussed establishing a state law with Del. Bozman.

"We've just had a number of cases that have involved lifeguards," Ayres added.

The move to grant lifeguards immunity in "good faith" situations was spurred on by an incident that occurred a couple of years ago in which a lifeguard applicant drowned during a lifesaving training session held at an indoor pool.

The town, the Mayor and City Council, as well as the two lifeguards present at the scene, were sued, Ayres said. Research showed that the town and the Mayor and City Council were immune from the suit, but that the two lifeguards weren't, he said.

"We won the case," Ayres said, "but we weren't able to get it dismissed out because of (a lack of) immunity."

If the judgement had gone against the lifeguards, the town would have been responsible for paying for the damages, Ayres noted.

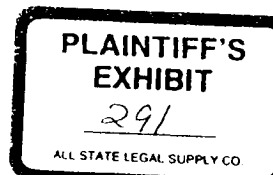
Bozman said his proposal would cover only those lifeguards hired by a municipal government.

If the immunity granted to lifeguards is similar to that of police officers and firefighters, then it would protect them in cases of "ordinary negligence," Ayres said. That would cover cases where a lifeguard is proceeding to save someone's life, and inadvertently may injure the victim.

An example might be saving a person from drowning, and, in the process of performing CPR, the lifeguard has to execute actions that could cause paralysis to the victim, Ayres said.

George Schoepf, captain of the Ocean City lifeguards, said he supports the legislation, noting that lifeguards "put their life on the line" when they are attempting to save a life. □

P 43785



O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
Offered by Opposer

# EDITORIAL

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## IMAXs And Fish Tanks

There has never been such a positive response to a new idea, even before it was presented, as there has been in favor of the preliminary plan to install an aquarium as part of the redevelopment of downtown Ocean City. What the elected and appointed officials need to keep in mind when tinkering with the last unspoiled area of the resort, is not to spoil the last unspoiled area of the resort.

While everyone is thinking up keen new ideas for developing downtown, they shouldn't forget that there is a reason why everyone goes to the Boardwalk more frequently than any other place: The area doesn't change. It's the same as when people with kids were kids themselves. The beach houses. The smell of the timbers. The expanse of sky uncluttered by upper stories.

There was another plan for a major attraction put forward not too long ago which although enthusiastically presented, seemed somewhat off-center. The IMAX theater plan would be an interesting feature, but an aquarium is classic and timeless. An IMAX, as a strictly technological attraction, has the danger of becoming "dated" as all technology does. We could end up with a ridiculously expensive eyesore reminding us of an enormously bad decision, like the remnants of the World's Fair.

An aquarium makes sense if they can keep it in the character of the downtown and offer things that are characteristic of this area that might not be in the Baltimore aquarium. Then they have to figure out how to get people to go to it. There is a fascinating museum on the bitter end of the Boardwalk where everyone already walks, and many vacationers who have come to the resort for twenty years have never even thought about going in. The aquarium might end up in the cursed south-of-the-bridge area in which case the resort would have to very aggressively promote it, because everyone knows people would rather go to Rehoboth than go south of the bridge.

And promoting has never been the resort's forte. For some reason they always think it's more effective to advertise attractions to people hundreds of miles away rather than opt for the modest expense of advertising to the people already here.

Probably the thing that could best avoid disaster would be hiring a consultant. Seen as an added elitist expense by some, it really pays to get people working on a project who know something about it.

## YOUR OPINION

### Gisriel On Golf And Government

Editor:

I would like to respond to an article entitled "Gisriel Opposes Bill's Golf Course Add-on," which appeared in the Maryland Times-Press on 1/10/96.

The City Council as a whole did not know an amended ordinance was being prepared for a vote on the evening of January 3rd. The City Manager, Dennis Dare, had ordered an amended ordinance to be drawn up, without prior Council approval. The amended ordinance called for adding \$4 million in new Municipal Bonds for a nine (9) hole expansion to Eagle's Landing Golf Course, to an earlier ordinance authorizing \$8 million in Refunding Bonds for the Wastewater Plant. In a memo to the Mayor and City Council, I strongly

recommended that the Council vote against the amended ordinance, primarily because there had been no public discussion or debate on golf course expansion, and partly because the matters were not even related. The article stated in part:

"Dare...took exception to Gisriel's memo because, he said, it revealed confidential information regarding closed-door negotiations to buy property adjacent to the golf course... and continuing:

"He didn't have the votes to kill this, so he put it out there to the public," Dare said of Gisriel. "I think he's been fairly unethical about this."

The fact is, it was Dennis Dare who ordered the amended ordinance calling for \$4 million in new municipal bonds for golf course expansion.

The fact is, it was Dennis Dare who had it written and prepared for Council action without any prior approval

of the City Council.

The fact is, it was Dennis Dare who had the amended ordinance put in the Council packets for the January 3rd Council meeting, thus bringing the matter to an open public meeting. Once it appears in the Council packet, it is open for public discussion. In light of the Open Meetings Compliance Board's recent opinion on the ordinance governing solicitation or the Boardwalk, it is very clear that the amended ordinance needed to be discussed in public prior to any vote on the matter.

If we are going to talk about ethics then how ethical is it for staff to be holding secret meetings and/or negotiations to discuss golf course matters, such as the annexation of Light-house Sound in 1992, without the full knowledge of the Mayor and City Council? How ethical is it to be holding secret discussions about golf course expansion at Eagle's Landing in 1994 without the full knowledge of the Mayor and City Council? How ethical is it for some council members to know of these secret meetings and do nothing to bring it to the attention of the Mayor and the entire City Council?

I will again ask the questions that did in 1992:

Who is running City Hall? Is it the elected officials as a body? Is it one or two elected officials? Is it the City Manager and/or his staff?

I again intend to make certain that there is no mistake as to who is in charge at City Hall! I will strive again to make sure that elected officials as an entire elected body remain in charge in City Hall, as long as I am in office.

I will continue to protect the interests of the taxpayers and residents of the Town of Ocean City.

Vincent dePaul-Gisriel, Jr.  
City Councilman  
Town of Ocean City

### Inhuman Editorial

Editor:

I would like to make a few comments on your Jan. 12th article regarding "It's Not My Job, Man." First, I believe to compare an assembly line to an opera would be like comparing that tenor's death to a soldier's. The only common bond that you apparently missed is that death is a solo act and they both died in the line of duty.

But, when you asked "What happened to joy, passion, pride in one's

work?" I can only answer by saying for some people it is lost, like your humanity and morals. I was always taught to believe that the death of one of God's children should be mourned, not overlooked as if she/he were a bad link in a chain.

Lastly, is it so important to risk the safety of a postal worker so you can get your publisher's sweepstakes, bills, etc.? Please rethink what you wrote and how you feel on this subject.

This isn't an issue about laziness or a "trend of resignation" as far as I am concerned.

Signed  
Bill Death Do Us Part  
D.K. Hill  
Dear Ms. Hill,  
Didn't I see you on Oprah?  
Editor

### Phillips Beach Plaza Shepherds Snow Victims

Editor:

During a blizzard, good samaritans often appear and restore our faith in the world.

We had come to Ocean City before the storm to attend a family wedding. Many of the wedding guests stayed at Phillips Beach Plaza — an establishment we all know as one of the finest hotels. Now I know it's much more than the caring concern of so many people.

We found ourselves stranded with my 86-year-old mother. Ocean City streets were passable, but Rt. 50 was not, so we couldn't get back to our home in Northwest Baltimore County.

The folks at Phillips moved us into comfortable apartments, and donated a plethora of food and drink to stock our pantry and refrigerator.

They called us often, and knocked on our door to see if we were in need of anything. They treated us in much the same fashion as you would treat a dear friend visiting your home.

At times like this we don't get everyone's name, but special thanks to Pat Anthony, who saw to it that the tiniest details were attended to — even giving us her home phone number. Just in case.

Phillips Beach Plaza is indeed the finest hotel, a safe haven, and — in the truest sense of the words — a real home away from home.

Many thanks!  
Pat Long  
Woodlawn, Md.

## Quote Of The Week

"Let us in or cancel the meeting!" A voice outside the Berlin Town Council meeting room which was packed Tuesday to discuss a proposed wastewater irrigation land purchase on Harrison Road.

"I'm not going to sit up here tonight and be a guinea pig for the County Commissioners," Berlin Councilman Elroy Brittingham during the debate on the same issue.

# Students Earn Anti-Violence Credits

**SALISBURY** — Many tri-county area middle and high school students will soon be able to move a step closer to graduation by helping the Life Crisis Center.

Life Crisis Center executive Director David Delehanty says a \$2,725 state grant from the Governor's Commission on Service Learning will enable the agency to take its anti-violence message into area schools and help students accumulate community service hours required for graduation.

"Our goal is to help prevent violence in our community by educating our youth about date rape, domestic

violence and community violence in general. We want to give them the skills needed to identify, avoid and/or respond to potentially explosive situations. We can also provide them with concrete opportunities to help victims of sexual assault and abuse."

Life Crisis clinical director Diane Brissey says the agency and area school representatives are currently working out the details of the program which could be of special help to victims of domestic violence and their children. "If all goes as planned, students could get involved with such activities as tutoring, planning activities for the children, or holding flow-

er sales to support the Safe Home which is scheduled to open this spring. The list of possibilities is endless."

Brissey says the Life Crisis Center hopes to reach some 200-300 Worcester, Wicomico, and Somerset county students with the program which runs through August.

The Life Crisis Center, a United Way member agency, is the only non-profit, charitable organization of its kind on the lower Eastern Shore that provides round-the-clock telephone counseling, advocacy and referrals for victims of domestic violence, sexual assault and sexual abuse.

## Thanks To 'Needy Families' Participants

**OCEAN PINES** — Chief and Mrs. Rod Murray would like to personally thank all of the businesses, clubs and individuals who participated in the 1995 Needy Family Christmas Program by contributing their time, talents and gifts. A special thanks goes to all the lower school students at Worcester Country School.

More than 200 businesses, organizations, families and individuals helped make this program a success.

## Gilchrest Dolphin Bill

**WASHINGTON** — Congressman Wayne T. Gilchrest (R-Maryland-1st) and Rep. Randy "Duke" Cunningham (R-California) introduced a bill to minimize the effect of tuna fishing on dolphin populations and marine ecosystems.

"It is time for the U.S. to recognize that our dolphin-protection policies have succeeded in encouraging other fishing nations to try to prevent dolphin mortality in the course of tuna fishing," said Gilchrest. "It is time to reward those efforts, and encourage fishing in the most ecologically benign manner."

## Library Friends Meet

**OCEAN CITY** — The Ocean City Friends of the Library invite all interested persons plus current members, to our first meeting of 1996 on Tuesday, Feb. 6, at 7:30 p.m. Meetings are held in the Ocean City Branch of the Worcester County Library, at 14th Street and Coastal Highway.

Stewart Wells, director of the county library system, will be the speaker for the first evening's program.

A chairman is needed for the Friends' May book sale. If anyone can help with this important fund raiser please call the library.

For more information call 289-7297.

# Celestial Navigation Course


**SALISBURY** — The office of community and continuing education at Wor-Wic Community College is offering a course in "Basic Celestial Navigation" this winter on Tuesdays from Jan. 30-April 16, from 7-9 p.m., at Stephen Decatur High School in Berlin.

The course will cover how to obtain a geographical position (FIX) on a chart using a marine sextant and celestial bodies, such as the sun, moon, navigational stars and planets, and how to obtain a latitude/longitude position on earth that is accurate to less than five miles. The course will emphasize astronomy,

the solar system, celestial coordinates, concept of time, the Nautical Almanac, spherical trigonometry of sight reduction and plotting of lines of position.

Prerequisites for this course include a basic understanding of maritime piloting, including charts, course plotting, determination of time, distance and speed and an ability to use a calculator with trigonometric functions.

For more information, call Wor-Wic's community and continuing education office in Salisbury, or in Berlin at 641-4134.



**The Dispatch**  
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# Seacrets

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Beef Ragu

**TUESDAY**  
Chicken & Dumplins

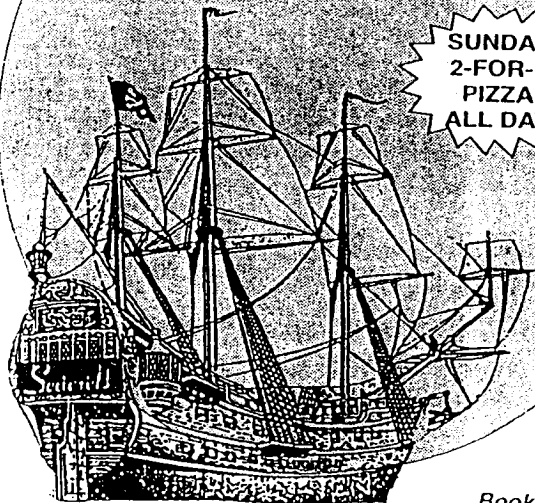
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Roast Pork

**THURSDAY**  
Chicken Chili

**FRIDAY**  
Fish & Chips

**NEW MENU**  
**1/2-PRICE DINNERS**  
Monday-Thursday  
5 p.m.-10 p.m.

**SUNDAY**  
**2-FOR-1**  
**PIZZA**  
**ALL DAY**



## LIVE BANDS

10 p.m.-Close

**Friday & Saturday**  
Jan. 19-20

**"THE SUBTERRANEANS"**

**Sunday, Jan. 21**

**"MAMA JAMA"**

**Tuesday, Jan. 23**

**"SIX"**

**Thursday, Jan. 25**

**"BITS-N-PIECES"**

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SEACRETS TRIAL EXHIBIT 292

# The Dispatch

"We have met the enemy, and he is us." Pogo

January 12, 1996

Ocean City, Maryland

Priceless

## Secretary Brady Calls For Bold Changes

OCEAN CITY (ZIG)—Jim Brady, Secretary of the Maryland Department of Business and Economic Development took the microphone at the Wednesday meeting of the Ocean City Economic Development Committee, hosted by EDC Chairman Dr. Leonard Berger at the Sheraton Fontainebleau Hotel on 101st Street.

He said the "provincial" attitude of the state was working to its detriment, and that some bold changes had to be implemented to keep Maryland competitive.

"Maryland has not been as bold in economic development and tourism as it needs to be," he said. In order to stay competitive in the market against neighboring states, Brady said he wanted to attract new business. Nevertheless, he said this was of secondary importance to the development and continued success of companies already located here. He said currently established companies offer the greatest potential for growth and the creation of new jobs.

Some difficulties faced by the state include its standing as fourth highest

in income tax — Brady called it archaic. He also cited a lack of collaboration between counties and communities which don't work together



"We have to make some bold decisions. We have to be prepared to make some changes. We have to move on." Jim Brady, Maryland secretary for Business and Economic Development, spoke to about 70 members of the Ocean City business community Wednesday afternoon at the Sheraton Fontainebleau Hotel.

to increase their combined success. "We have to understand that when something good happens in Ocean City or Howard County, it's good for the state. We have to be aggressive in marketing this state," he added, "and not the least bit embarrassed about it."

Brady went on to express a wish to see an easing of the regulatory process, which he said causes needless delays for businesses. He suggested the state may be imposing too many difficulties on new and developing companies with its environmental regulations.

"We need environmental regulations," he said, "but there's no reason why there are so many cases where we exceed federal standards." He called for more of a balance in establishing regulations. "Applying for a permit should not be the most painful experience of one's life," he added. "Business does not have the time to wait 14 months to find out if they can do something."

The secretary went on to suggest that companies should seriously con-

sider increasing the training of employees in order to keep up with technological changes that have occurred since 1980. He said there was a growing "mismatch" between the needs of the employer and the level of training in the employee.

Following the talk by the secretary, Angela Reynolds, EDC co-chair, read a report on the recommendations put together by her five recently established think-tank committees.

Brady's associate, Sally Scott Marietta, who referred to the Ocean City business community as one of the state's "customers," said these meetings are important for the exchange of ideas which provide the secretary with essential material to consider when devising policy in Annapolis.

Also present at the meeting were Ocean City Mayor Roland Powell, County Commissioners Jeanne Lynch, Granville Trimper, and Jim Barrett, Ocean City Council President George Feehley, and Councilmen, Jim Mathias, Jim Hall, Lee Duggan, Rick Meehan, and Buck Mann.

## Worcester Headed For Wastewater Woes

BERLIN (GDF/CAS) — The proposal to have the Town of Berlin run water and sewer service to the new Stephen Decatur Middle School, in exchange for purchasing 180 acres of county land for \$1, may be headed for some trouble at the next Berlin Town Council meeting.

The council is scheduled to meet on Tuesday, Jan. 16, during which Mayor Ron Bireley said he will push for a vote on the proposal, which includes the purchase of 180 acres on Harri-

son Road. That site would be used in the future for a spray irrigation field.

However, one council member, Paula Lynch, said she is opposed to the idea, while another, Elroy Brittingham, said he could only support it if certain guarantees were made. Councilman Rex Hailey supports the proposal, while Councilman Dean Burrell said he would not reveal his opinion prior to the council meeting. Council Vice President Joseph Parker could not be reached for comment.

"I don't think it's in the best interests of the town," Lynch said. "I don't think it make sense from a dollars and cents point of view."

Part of the proposal between the county and the town includes the option of having Berlin eventually become the water and wastewater supplier to Stephen Decatur High School.

Lynch said those two facilities will use up a "good one third" of the town's water and wastewater capacity.

Currently, Berlin has about 200,000 gallons available on the system, Hailey said, and the new middle school will use up about 25 percent of that.

By purchasing the property, Berlin will be able to expand its current system, which will enable the town to grow, Hailey said.

"This takes care of the long-term future of the town of Berlin," he said. "If that land gets away, we'll have a hard time getting another piece of land."

Mayor Ron Bireley said the field will allow the town to spray year-round, at the rate of about 600,000 gallons a day. Currently, Berlin has the ability to spray around 550,000 gallons a day at a site in the Libertytown area, which can only be done about eight months out of the year, he said.

However, Brittingham, who initially supported the proposal, now says he wants a guarantee from Worcester County that another piece of land will be available if the town can't get the permits to spray on the Harrison Road property.

Brittingham said he prefers the second piece of land, which needs to be the same size as the Harrison Road property, to be located near the present spray irrigation field in Libertytown.

"The more I think about it, the

more I need that guarantee," he said.

A group of Harrison Road area residents have joined together in opposition to the proposed land transfer for use as a spray irrigation site.

A spokesman for the alliance said, "We are concerned because the land is located in a fragile environmental area at the headwaters of Newport Creek. The soil is sandy and will leach possible contaminants into the ecosystem, affecting the coastal bay's fish and waterfowl. There are 40,000 geese here now, in addition to eagles and osprey, and there are also approximately 200 residents in the area."

The spokesman, who wished to remain anonymous, added, "This is a no-need equation. The Town of Berlin doesn't need to increase its sewage treatment capacity for years to come and we, Berlin's neighbors, definitely don't see a need to endanger the environment."

"This is a school board and county problem and I don't see why the Town of Berlin would want to burden its citizens and neighbors with their budgetary or sewage problems," he added.

Future use of the site would require approval by the U.S. Departments of Health, Natural Resources, Fish and Wildlife and the Environ-

SEE PAGE 9

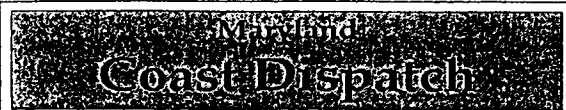
**De Olde Almanac**  
Cloudy and snowy on Friday, clearing later Saturday. Temperatures in the high 20s/low 30s. Sunny skies on Monday, but temperatures remaining cold.  
On Jan. 16, 1961, the U.S. issued a ban on travel to Cuba. Benjamin Franklin born, 1706. "Necessity never made a good bargain."

O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
Offered by Opposer



P 43788

# EDITORIAL



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Greg Ford, Sports Editor • Carolyn Sorensen, Community Editor  
Cindy Ward, Art Director • Christy Brow, Sales Coordinator  
The Maryland Coast Dispatch is published weekly on Friday mornings 52 weeks a year. The Maryland Coast Dispatch is published and owned solely by Richard V. Lohmeyer. Address all mail to P.O. Box 467, Berlin, Md. 21811. Deadline for advertising copy is noon Tuesdays. Offices are located at Route 346 and Graham Avenue, Berlin, Md. Telephone (410) 641-4561, Fax (410) 641-0966. For subscription information, call (410) 641-3637.

## It's Not My Job, Man

What happened to joy, passion, pride in one's work? There are a few professions with axioms of passion built into them. Generations of pride lie behind words like, "the show must go on."

Last week during a performance at the Metropolitan Opera in New York a tenor fell dead on the stage. Yes, someone falling dead is an occurrence worthy of a company shut-down. Still, I'd be willing to bet that if someone fell dead on an assembly-line in Detroit, the company would be back in production an hour later. At the opera, they made an announcement and closed the show.

How pathetic. "The show must go on," has lost its credibility. Words like these shouldn't degenerate into meaningless whimsy. They are the lowest common denominator beyond which no one with pride in their profession and legacy should cross.

A stage manager should have gone on stage with a script and read the lines if they couldn't dig up a singer. The Metropolitan Opera is worthy of less respect than most high-school drama departments.

We might wonder what's next. Will the post office stop delivering mail because of rain, snow and gloom of night? Apparently, yes. Postal employees were given the day off Monday because of snow and gloom. Agreed, the weather as very bad. But employees at the Food Lion managed to make it to work. This is not to disparage postal workers here who demonstrate more charm and patience, and provide a higher level of service than most cities. But they are part of the downward trend. "Maybe every man for himself," is the new phrase that describes the guiding foundation for employees everywhere.

"Neither rain, nor snow, nor gloom of night..." these words bring an aura of undisputed respect to the profession of postal workers. They go back to the days of the pony express. "The show must go on," is a phrase built on the backs of Vaudeville entertainers who didn't have luncheon spreads and castles in Malibu. Strippers and comedians travelled with their children and smiled on stage for the price of a hotel room.

Whoever gave the order to close the show, whoever gave the order to close the post offices, they did not opt for the choice that would breathe inspiration into professions. Yes, they are just people who get cold and have car trouble like everyone else. But something vital is lost. Sometimes the show doesn't go on. Sometimes snow and gloom stops the mail.

As the mighty continue to fall we can easily predict who will be next to join the trend of resignation. We expect the next nautical disaster will find the captain being first to the lifeboat.

## Quotes Of The Week

"They ought to just declare this whole area C-11" Caine Woods resident Robert Broderick regarding the town council's decision not to restrict oversized trucks from parking in his community.

"We have never marketed the state of Maryland very effectively. I don't know if it's something in the drinking water." Jim Brady, Secretary of the state's department of Business and Economic Development, at an Ocean City EDC meeting Wednesday.

## Letters Welcome

Letters to the editor appear on page 27 of this week's Dispatch. The Maryland Coast Dispatch invites all readers to make their opinions and thoughts known through letters to the editor. Letters must include the writer's name, address and phone number. Priority will be given to letters sent exclusively to The Dispatch. Write to: Letters to the Editor, Maryland Coast Dispatch, P.O. Box 467, Berlin, Md. 21811.

## On Balance

by Pat Schrawder

THINGS I DON'T UNDERSTAND have been occupying my thoughts lately. I wonder if these have crossed your mind?



What is all this fuss in New Hampshire about the date of their primary vs. Delaware's? It appears that New Hampshire has a law which says their primary has to be one week before any others but Delaware plans to have one this year just four days after N.H. Now I agree that New Hampshire can make any law they want about the date of their elections but since when did the laws of one state dictate what all the other states had to do?

Why do many liberals continue to dislike any form of tax cut when practically every well known economist will readily admit that lower tax rates result in growth in the economy? Don't they remember their campaign slogan, "it's the economy stupid?"

After months of delay, the White House said this week that they had suddenly found missing notes revealing the amount of involvement Mrs. Clinton had with White Water when she worked at the Rose Law firm. Furthermore, these notes are said by them to substantiate that Mrs. Clinton had only minor participation. Now Mrs. Clinton strikes me as a very "hands on" type of person. Does anyone else wonder if these notes which suddenly "surfaced" are the originals?

This balanced budget business is perplexing. I thought it was a clear cut debate. The president agreed in theory that the budget needs to be balanced. He agreed to present a balanced budget based on the same scorecard as the Republicans. He presented a budget that did not balance. Then he presented a budget that was so bad not even one of his own party members would vote for it. Al Gore said the president never agreed to present one. The president said he did agree. Still he didn't present one. Then his spokesman said the only reason Republicans wanted him to present one is so they could "pick it apart." So??? Meanwhile, Republicans have had a balanced budget on the table all along. Who is being more responsible and more accountable?

The news media tells us that the

president is leading in the polls as a result of this budget debate because he is seen as a leader and as the one who is protecting the public. This doesn't make sense. It takes two to tango. Republicans have a plan. Appropriations bills are on the president's desk. If he won't sign them, isn't the shutdown equally his fault?

Speaking of shutdowns and essential versus non-essential employees, has anyone missed the Surgeon General lately?

I don't trust this whole thing with polls anyway. You can get the answer you want just by the way the question is phrased and the demographic area in which it is conducted. No one has ever called me or anyone I know for a poll question. Have you ever been called?

Prominent liberal Democrats have been quoted lately as saying that they are having an historic comeback. Morale within their ranks was never higher. This may be so but I wonder why so many of their party have switched to the Republican party since the election of Bill Clinton and yet not one Republican has switched. Doesn't it seem that their enthusiasm is more a matter of wishful thinking?

Where is Ross Perot? With all the talk about train wrecks and the disgust with the Congress right now, doesn't it seem the perfect opportunity for the third party to step up and say what they would do about the current crisis? Perhaps he could call on Jimmy Carter to broker a deal.

Speaking of Carter, why does everyone in the president's staff refer to the problems of the previous 12 years before they took over? As I recall, those years were marked by overall expansion in the economy, an increase in jobs and a lowering of interest rates. Why don't they include the Carter years in their complaints. Don't they remember gas lines and interest rates of 21 percent or did they approve of them?

The president says he is committed to spending money on his priorities. Can we assume that his defense of the excessive travel expenditures of the Energy Secretary, Hazel O'Leary, means that travel is one of his priorities?

Is the president's constant flipping a character flaw or a calculated political move? After all, if you say what you think is popular to each group when you address them, perhaps they will forget that you said something different earlier. That way everyone thinks you are for them. Maybe I'm the only one who just doesn't understand.

## Hoarders And Wasters

How many winter dwellers are still holding on to loaves of unwrapped bread, and have gallons of uncorked milk souring in their refrigerators today? Snow turns everyone into mindless zombies who go out and buy up everything white.

This could be a rational (if selfish) response to a perception of diminishing supply when delivery trucks are delayed, but in most cases it is not. People line up to get baskets full of milk, eggs, bread, and toilet paper, because their panicky neighbors are going to clean out the stores. Hence, long lines, empty shelves, and wasted food.

We won't be silly enough to hope we could ever stop this. As always, the pace of the community will be set by those who are first to become hysterical.

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## CONGRATULATIONS TO WARD BENNETT!

Sherwood On The Shore Ford Mercury's  
"Unsung Hero" 1995



Ward Bennett was selected by his coworkers to receive Sherwood On The Shore Ford Mercury's "Unsung Hero" award for 1995. This annual award signifies outstanding daily performance above and beyond the call of duty. Ward, Sherwood's working shop foreman, is a master in engine repair and has been employed at Sherwood On The Shore since 1988.

Ward and his wife, Michelle, long-time Berlin residents, are proud parents of two children, Dustin and Lauren. Ward is the son of Horace and Ruth Bennett, also of Berlin.

In addition to dealership recognition, Ward has received a plaque to display at home and an engraved, personalized watch. A plaque will also be on display in the Sherwood dealership for all to see.

The "Award-Winning" Team Of Sherwood On The Shore Ford-Mercury Salutes You, Ward, For All Your Efforts.  
Thank You!!!

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## SSU Joins Violence Video Conference

SALISBURY — Noted television journalist Charles Kuralt will host two 90-minute video conferences on the parallel conditions of violence in the United States and developing countries, on Tuesday, Feb. 6, at 1 p.m. and Friday, Feb. 9, at 1 p.m.

The two interactive sessions will be down-linked via satellite transmission and shown at Caruthers Hall Auditorium at Salisbury State University. The video conference will originate at the Center for Public Television at the University of North Carolina at Chapel Hill, which is hosting the event.

Several hundred students, faculty and community members are expected to participate. The first videoconference will kickoff a five-day teach-in exploring the lessons learned from successful development projects around the world that address the problem of violence.

Throughout the week, a variety of guest speakers are scheduled to discuss topics related to the issue of violence.

"The developing world matters to us," said Jay J. Cayner, president of the National Association of Social Workers, "because the future of the United States is intertwined with the futures of other nations."

The nationwide event is sponsored by the Violence and Development Project, a collaboration between the National Association of Social Workers, the Council on Social Work Education and the Benton Foundation. The project is funded in part by the

United States Agency for International Development.

The videoconference is free and open to the public. For more information call Erin Boyles at 546-6384.

## Book Study Series

OCEAN CITY — A book discussion series at the Ocean City Branch of the Worcester County Library, "And Justice For All," will examine what makes people do the right thing, individually and as a group. The series will begin Tuesday, Jan. 23, at 1:30 p.m., at the library on 14th Street and Philadelphia Avenue.

Books to be discussed include *A Time to Kill* by John Grisham, *The Ox-Bow Incident* by Walter Van Tilburg Clark, *In Cold Blood* by Truman Capote, *Inherit the Wind* by Jerome Lawrence and Robert E. Lee, and *Antigone* by Sophocles. Area scholars will introduce each session to provide background on the texts and their times and they will later invite discussion from the group.

Sponsored by the Delaware Library Association with funds from the National Endowment for the Humanities, and coordinated in Worcester County by the library, these programs are free, but advance registration is required. Books are available at the Ocean City Branch. To register, call 289-7297. For more information, call Louise Ash 632-2600.

# Seacrets

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Daily Lunch  
Specials  
\$5.00

11 a.m.-3 p.m.

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**THURSDAY**  
Chicken Chili

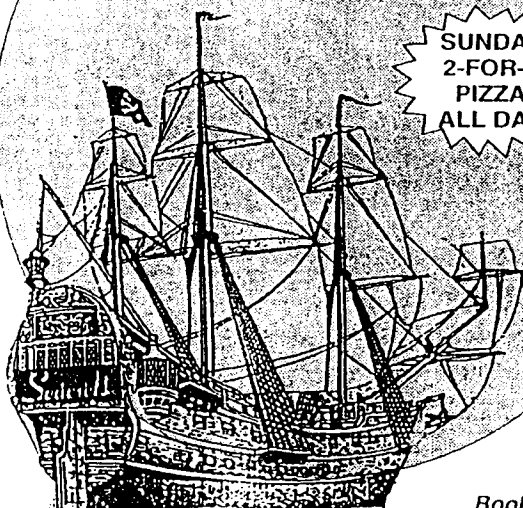
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**SEACRETS TRIAL EXHIBIT 293**

# The Dispatch

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January 5, 1996

Ocean City, Maryland

Priceless

## Shades Of Summer

# Resort Has A 'Gangbuster' Weekend

OCEAN CITY (ZIG/GDF) — In spite of rain and bitter cold temperatures, the resort was overrun by tourists last weekend who came to celebrate the new year at the beach.

Although the figures are not yet available, Martha Clements, director of public relations for Ocean City, said the numbers may be down slightly over previous years, but not by much. She said past figures show the Near Year's weekend supporting 80,000-108,000 visitors.

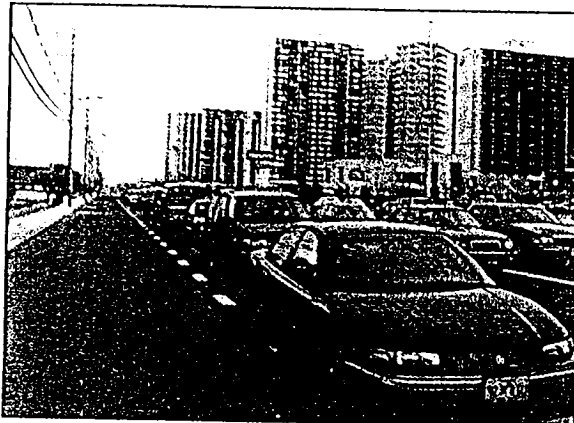
"I think it's one of the most successful times in the winter," Clements said. "The hotels and restaurants go hog wild."

Clements said Fager's Island restaurant, for instance, served about 500 dinners.

"Everyone I know with a hotel that was open was full," she said. "It was gangbusters."

Clements said the first weekend of January typically demonstrates that fans of the resort can't stay away through the entire winter.

Other resort restaurants also



It was shades of summer in Ocean City last weekend, despite rain and cold temperatures, New Year's Eve visitors clogged Coastal Highway.

reported strong showings on New Year's Eve, as people spent the night

welcoming in 1996.

"It was pretty close to last year.

I've been in the business 20 years and this was the best party we ever had," said Jeff Lattinville, general manager of the Ocean Club.

The festivities at the Ocean Club ended around 2:30 a.m., but continued on for another 90 minutes at Duffy's Tavern.

"It's always a big night for us anyway, and this year it was just as big," said Linda Borge, one of the owners of Duffy's Tavern.

The doors were open until 4 a.m. at Captain's Galley II, which served drinks and a buffet to ring in the New Year. Food orders were stopped around 10 p.m. By then at least 700 dinners had been served, said manager Philip Tull.

"It was packed," he said.

Even restaurants that weren't jam packed reported increased business. Brad McCabe, manager of Mulligan's on Rt. 50, said, "It was steady, but it wasn't what I was hoping for." He added, "Despite all that, it ended up being one of our better days of the winter."

# Young Renters Stake Out Territory

OCEAN CITY (GDF) — It has begun.

Although 1996 is only a few days old, and the summer season is quite a few months away, the phones are already ringing at local real estate offices and the Ocean City Chamber of Commerce with questions about seasonal rentals.

"Right after the first of the year the phones go crazy," said Alex FauntLeRoy, executive director for the Ocean City Chamber of Commerce. "My experience is that between Thanksgiving and New Year's it's pretty quiet, but right after the first

of the year it's like turning on a light."

Most of the calls that came in on Tuesday, Jan. 2, at Ocean Realty were about summer rentals, a trend that is expected to continue through March, said assistant manager Lynne VonBretzle.

She predicted this weekend will be a "zoo" as many college and high school students are expected to come down to the resort to look over potential summer housing.

Most of the calls so far, though, have been from people who are looking to bring their families down during the months of July and August, said several real estate representatives.

"Most of the prime weeks are usually gone by May," said Dee Rigsby, O'Connor Piper & Flynn regional director of rentals for Maryland and Delaware.

Her company has been busy since the latter part of December, because it had already mailed out a brochure at the beginning of the month, Rigsby said. Most of the calls have been inquiries about where families can stay for a week or two, she said.

There have been more calls in Delaware about full summer rentals, Rigsby added, noting that there are more private homes available at the resorts in that state.

"Our (calls) started as early as November, and it goes on from there. January is probably our busiest month," said Eva Hitchens, rental manager for Moore, Warfield & Click.

"We had a real good winter," she added.

Almost everyone involved with rentals agrees that it's too early to tell what kind of summer season it will be.

FauntLeRoy said he'd have a better idea at the end of the month, when he receives the final report on how many calls the Chamber received during January. A year ago, a total of 6,800 calls were logged in January, he said, with around 95 percent of them being inquiries about summer rentals.

VonBretzle said she was personally concerned that some of the negative news from the 1995 summer, which included the shooting death of



Rental agents advertise for grads.

Michael Comegys, might negatively impact the resort. However, she said, that does not appear to be the case.

"I don't think we're exclusive for having problems," Rigsby added. "I think people realize that it can happen anywhere in the United States. I don't think the people keep that in their mind year after year."

**De Olde Almanac**  
Mostly cloudy Friday-Monday, colder, with a chance of flurries over the weekend and snow on Monday. Temperatures: Highs in 30s, lows in teens.  
New Mexico became the 47th state on Jan. 6, 1912. First women's golf tournament in Scotland, 1811. "Talk is cheap because supply exceeds demand."

P 43791

O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
Offered by Opposer

PLAINTIFF'S  
EXHIBIT

293

ALL-STATE LEGAL SUPPLY CO.

# EDITORIAL

**Maryland Coast Dispatch**

Richard V. Lohmeyer, Editor and Publisher  
 Stephen Ziegler, Assistant Editor  
 Greg Ford, Sports Editor; Carolyn Sorensen, Community Editor  
 Cindy Ward, Art Director; Christy Brown, Sales Coordinator

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## Reading The Senator's Mail

When most everyone was preparing for the holidays, Maryland Senator Barbara Mikulski made time in her schedule to compose several legislative letters of "outrage." For a peek at the Senator's outgoing mail, see below.

This letter, addressed to the Honorable Ted Stevens, Chairman of the Committee on Governmental Affairs for the Senate, was sent last Thursday.

Dear Mr. Chairman:

I am writing to you concerning the latest shutdown of the Federal government and its impact on our federal employees. This prolonged shutdown is creating financial hardship for over 750,000 employees and their families. They are not responsible for this political mess, but they are being forced to bear the worst of the pain.

In light of this situation, I would request that your committee give immediate consideration to allowing federal employees to automatically use funds in their Thrift Savings Plan as an emergency hardship loan during the period of furlough. If the U.S. Treasury can use these funds to stay afloat during this period, then I am sure you agree that federal employees ought to be able to borrow their own contributions for the same reason.

In the two days following Christmas, my office received over a hundred calls from federal employees who fear they will not be able to pay their monthly mortgage, car payment or other outstanding bills. Many of them have access to emergency loans through their TSP accounts, but they face several hurdles to using that money. First, they must already be in a demonstrated hardship situation, so that rather than helping people avert financial ruin, they must wait until they incur disaster and penalties. Second, many personnel offices are unmanned or understaffed during the furlough, slowing the approval and verification process. Third, emergency loan approvals can take up to eight weeks when everything is running normally.

Federal employees should be eligible for automatic approval and disbursement of loans from their TSP for an amount equal to the difference between the reduced paycheck and their regular take-home pay. In addition, federal employees should be able to continue to take such loans for each pay period affected by a furlough. I would also request that provisions be included that would create automatic repayment to the TSP when the furlough is ended. These provisions will minimize the impact on TSP funds and maximize the help for employees facing serious hardship.

The pronounced lack of concern for the financial crisis these families are facing is outrageous. Every economic statistic shows that federal employees are counting their pennies — and the impact on my state and cities and towns throughout the nation is being felt at cash registers and loan offices. What many people do not realize is that at the affected agencies, employees will find reduced or missing paychecks, whether or not they have been called into duty or sent home.

It is an absolute outrage that our federal employees continue to be denied their full salary, particularly during the holiday season. Taking this small step may help avert financial ruin for many families, and it will reinforce the best American principle of helping those who have taken steps to help themselves by regularly saving through the TSP. It is my hope that your committee will give swift consideration to this proposal.

Thank you for considering this request. I look forward to hearing from you.

Sincerely,  
 Barbara A. Mikulski

The following letter, blasting IRS investigations, was sent a few days prior to the above. It is addressed to the Honorable William V. Roth, Chairman of the Committee on Finance.

Dear Mr. Chairman:

I am outraged that the Internal Revenue Service has for the past two years spent its time and scarce resources investigating veterans service organizations in Maryland. I hope after you review the attached press story (reference to *The Baltimore Sun* Dec. 18, and Dec. 13, issues) you will be as outraged as I

am. Our veterans have served us honorably and well. Veterans organizations continue to serve the nation. I've visited plenty of veterans' posts throughout Maryland, so I know the important role they play in the veterans community. They provide a place for veterans to get together and a place to bring their families for an affordable meal.

With all the tax dodgers who willfully break the law, I don't understand why the IRS is investigating these posts. I am especially dismayed because the actions of the IRS threaten the very existence of many of these posts. The law prevents me from asking the IRS about its investigation into the particular cases described in this story. I also understand that your committee by law cannot interfere in an ongoing investigation.

But surely your committee, in carrying out its oversight duties, can make sure the IRS has its priorities straight. The actions the IRS is taking today in Maryland could affect veterans posts in your state and all across the nation tomorrow.

If there have been honest misunderstandings about what the law requires for veterans posts to maintain their tax exempt status, I hope you will urge the IRS to work cooperatively to help them meet their responsibilities under the law.

The men and women who have fought for our country must be treated with fairness and decency. Of course the law should be respected and enforced, but I seriously question whether bringing the full weight of the IRS down on local veterans groups is a proper allocation of resources.

I look forward to learning what steps the Finance Committee plans to take on this matter.

With kindest regards,  
 Signed,  
 Barbara A. Mikulski

## The Verb To OJ

When an area experiences a terrible crime such as a violent murder, everyone takes an interest even though it's really none of their business. It's a hard concept to accept when you read or hear details of the methodical police work that brought in a suspect. The next inevitable stage is when the media attempts to tell all the pertinent (and salacious) data without trying the suspect in public before a jury is selected. All this works to the bane of prosecutors and defense attorneys alike.

It seems the issue is a private concern between the family of the victim and the suspect. When a man is held in custody over a lengthy period of time, the public expects a trial and has opinions about the expected verdict. It is none of their business when the suspect is suddenly released with a cryptic explanation. Of course if he is deemed innocent, people want to celebrate his freedom, hear his thoughts on his false arrest and his ordeal, and they want to know the police are looking for other suspects.

If no other suspects are being sought, the message reads that they had the right guy but they lost him due to some glitch. Only the attorneys are privy to exactly what is going on, but it's not their interest to tell it, not anyone's business.

## Quotes Of The Week

"At my age I don't even buy long-playing records." County Commissioner Granville Trimper on his lack of long-range political plans.

"Somebody didn't and who is the question?" Franklin Wright, grandfather of Jermaine Wright, regarding the charges of murder that were recently dropped against his grandson.

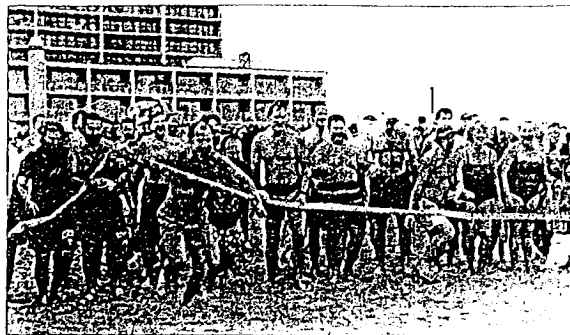
"I was raised by a Jewish matron who kidnapped me from an orphanage. Nobody ever gave me anything. I didn't earn it." Baltimore attorney and Berlin area property owner Bernard Potts who was turned down this week in a county zoning case.

## Letters Welcome

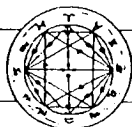
Letters to the editor appear on page 11 of this week's Dispatch. The Maryland Coast Dispatch invites all readers to make their opinions and thoughts known through letters to the editor. Letters must include the writer's name, address and phone number. Priority will be given to letters sent exclusively to The Dispatch. Write to: Letters to the Editor, Maryland Coast Dispatch, P.O. Box 467, Berlin, Md. 21811.



Matthew Turner of the Ocean Pines Police Dept. and Brant Wilson of the Crisfield Police Dept. graduated in the 35th entrance-level class of the Eastern Shore Criminal Justice Academy operated by Wor-Wic Community College.



A group of enthusiastic swimmers broke through the tape on New Year's Day and hit the water as part of the Penguin Swim. The event, which raised money for the Atlantic General Hospital, took place on the beach by the Carousel Hotel. More than \$11,000 is expected to be raised from the swim.



### Your Horoscope

**ARIES** (March 21-April 19): Take advantage of opportunities to get ahead in your career. Follow up on a good idea.

**TAURUS** (April 20-May 20): Expand your awareness through travel or study. A relationship feels right. Go for it!

**GEMINI** (May 21-June 21): Be prepared for the unexpected this week. Lightning strikes and changes your course of action.

**CANCER** (June 22-July 22): Partnerships are highlighted. Come to terms with a loved one who wants out. Make amends.

**LEO** (July 23-Aug. 22): Push for clarity in all your endeavors. Ask for specific instructions with a job assignment.

**VIRGO** (Aug. 23-Sept. 22): Your social life is very active. Get involved in a club and receive group discounts and benefits.

**LIBRA** (Sept. 23-Oct. 23): Get past a manipulative situation and it's smooth sailing. Stand your ground with a family member.

**SCORPIO** (Oct. 24-Nov. 21): Love tugs on your heartstrings. Enjoy playing romantic games with a deserving partner.

**SAGITTARIUS** (Nov. 22-Dec. 21): Make peace on the domestic front. Put time and energy into a home improvement project.

**CAPRICORN** (Dec. 22-Jan. 19): Old debts could come back and haunt you. Deal with them this time around. Pay up!

**AQUARIUS** (Jan. 20-Feb. 18): The sun enters Aquarius and energizes your life. There's never a dull moment. Hang on for the ride.

**PISCES** (Feb. 19-March 20): Communicate is your key word. Put yourself in the middle, sending and receiving correspondence.

Your Family Wishes Charles Ausmus  
A Happy 75th Birthday!  
We Love You Very Much!

From Your Wife Of 51 Years, Norma, Daughters Marlene,  
Carolyn And Nancy, Grandchildren John, Vicki, Marty, Myra,  
Jennifer, Belinda And Sons-In-Law  
Marc, Alex, Bob And Rick,  
And Great-Granddaughter Brenda.



# Seacrets

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Specials  
\$5.00  
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MONDAY  
Beef Ragu

TUESDAY  
Chicken & Dumplings

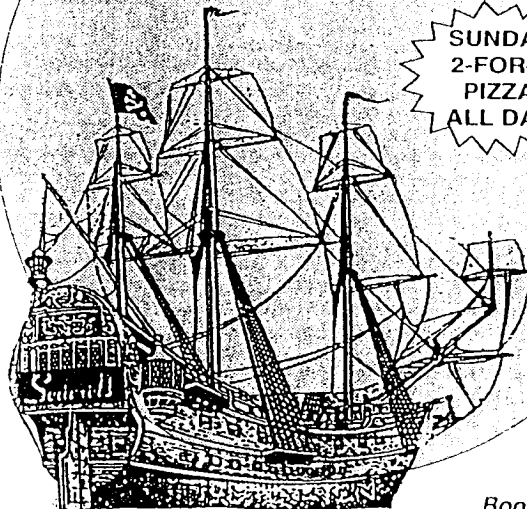
WEDNESDAY  
Roast Pork

THURSDAY  
Chicken Chili

FRIDAY  
Fish & Chips

NEW MENU  
1/2-PRICE DINNERS  
Monday-Thursday  
5 p.m.-10 p.m.

SUNDAY  
2-FOR-1  
PIZZA  
ALL DAY



LIVE BANDS  
10 p.m.-Close  
Friday, Jan. 5  
LUNASEA!!

With The  
"SUBTERRANEANS"

Saturday, Jan. 6  
"CHARLIE DON'T SURF"

Sunday, Jan. 7  
"CHAMELEON"

Tuesday, Jan. 9  
"ORANGE WHIP"

Thursday, Jan. 11  
"BITS-N-PIECES"

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SECRETS TRIAL EXHIBIT 294

**Decorating  
Contest Winners**  
SEE PAGE 3

**Airport War  
Turns Personal**  
SEE PAGE 4

**Ray Smith  
Interview**  
SEE PAGE 6

**Holiday  
Entertainment**  
SEE PAGE 16

# Maryland Coast Dispatch

The Maryland Coast Dispatch (USPS #015125) is an official and legal newspaper for Worcester County. Periodical postage paid at Berlin, Maryland. The Maryland Coast Dispatch is published weekly on Friday mornings, 52 weeks a year. Subscription rates within Worcester County are \$10.50 per year. Outside Worcester County, \$19 per year. POSTMASTER: Please send change of address to Maryland Coast Dispatch, P.O. Box 467, Berlin, Maryland 21811. Maryland Coast Dispatch offices are located at Route 346 and Graham Avenue, Berlin, Maryland.

VOL 2, NO. 52

THE COUNTY NEWSPAPER FOR DECEMBER 26, 1997

25 CENTS

## County Set On \$6.3M Site | Officials Ease 911 Stance

SNOW HILL (JFD) - The Worcester County Commissioners held a public meeting Tuesday night to inform residents of their plans to construct a \$6.3 million three-story edifice on the county-owned property located on the east side of Court Street in Snow Hill.

Generally, the commissioners were in favor of the 56,000-square-foot proposal, but opposition was raised by Commissioner Jeanne Lynch, who feels that the proposed building is much too large a plot of land, saying that it is not aesthetically friendly to the area.

"My concerns in that area are that the building is just much too big for the site and that it will over-power everything in that neighborhood," said Lynch.

Lynch is not a big fan of the proposed site itself, and said that she felt that the building should be located somewhere else in downtown Snow Hill. However, Lynch said she would be willing to go along with that site if certain adjustments were made to the building plans.

"We absolutely, positively need the building, we've got to have the extra space. We need to get a design that doesn't look like a prison. To me that's what that building looks like," said Lynch.

The existing, already over-crowded court house will soon take on more employees as the state-run family court will move into the building.

Clearly expressed at a public hearing on Oct. 14, the general feeling of Snow Hill residents and business owners is that the court house remain in the downtown area. However, not all residents and business owners are thrilled with the proposed location.

Pat Dennis, owner of Dennis Funeral Home, located in the adjacent property on the east side of Court Street, said she is "not happy about it at all."

Dennis expressed concerns saying having a large building at that location will adversely affect her business for multiple reasons, one of which will be the narrowing of Court Street from two lanes to one. She and her attorney, Paul Wilbur, also

said that they have concerns that certain building codes are not being observed by the commissioners.

"I fail to see how the codes in the county and town can apply to some of us individuals and not apply to other people," said Dennis. "I just have a problem with everybody not having to live by the same laws. There's many codes that they're not adhering to."

SNOW HILL (JFD) - Ocean City officials made progress in their quest for changing the 911 answering system for residents of Ocean City this week, as they met with the Worcester County Commissioners, who seemed for the first time willing to seriously consider the full impact of transferring the service.

The commissioners have been vehemently against the idea of a move

for a variety of reasons, saying that it may compromise the financial good of the county and saying that no other county in Maryland has an alternative 911 center.

However, some of their concerns may have been put to rest as Ocean City officials, including Mayor Jim Mathias, Emergency Medical Services Coordinator Clay Stamp and OCPD Chief David Massey, implored the commissioners to review the true facts of the situation.

"It went well. We have presented them with an executive summary with the application and what it would mean and the process to change the service," said Mathias minutes after the meeting. "They're going to review it and they're going to get back to us in a timely fashion, and hopefully talk about the feasibility of making this become a reality by Jan. 1, 1999."

The meeting was informative for most of the commissioners, who were clearly confused by the process of how 911 calls for Ocean City residents were handled by the Snow Hill and Ocean City calls centers. Much of their opposition seemed to lessen once they more clearly understood the relay process.

The process is the 911 calls from Ocean City go directly to the Snow Hill communication center and then the caller is transferred to the Ocean City communication center where the appropriate emergency team is dispatched. Ocean City officials estimate the transfer time to be about 20 seconds of valuable time.

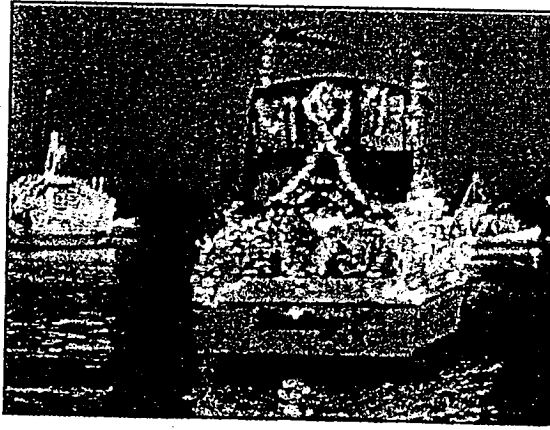
Commission President Granville Trimper expressed his concern for the residents of Ocean City and assured the mayor and his staff that the commissioners will look into the situation thoroughly.

Commissioner Jeanne Lynch said before changing her position on the matter, she would need to see a detailed, formal study completed supporting the claims of the Ocean City officials.

Ocean City resident Margaret Sas read a statement, on behalf of Ocean City residents, saying she would not rest until the service is changed.

Officials from both sides expect a decision to be made within 60 days.

### A Seaside Celebration



In Ocean City, there's always a seaside celebration, regardless of the season. These boaters enjoy the holidays from their favorite spot, while spreading a unique message of good cheer to onlookers.

BERLIN (JSG) - Worcester County State's Attorney Joel Todd confirmed late Tuesday night that Worcester County Deputy Sheriff and Snow Hill Mayor Craig Johnson has been charged with two counts of malfeasance or misconduct in office for his role in crude, local Internet photography.

An investigation by the WCBI found that Johnson had a concrete link with a Berlin-area woman who posed in various sexually explicit positions with one of the

Worcester County Sheriff's Office patrol cars. In addition, the woman went further by urinating on the roof and windshield of the Chevrolet Caprice.

A search warrant was issued late Tuesday night to investigate Johnson's home. The investigation, which included a search and seizure of Johnson's computer, convinced Detective Mike McDermott to proceed with filing a warrant for his arrest. Johnson turned himself in Tuesday.

**LATE NEWS**

PLAINTIFF'S  
EXHIBIT

294  
ALL STATE LEGAL SUPPLY CO

P 43794

O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
Offered by Opposer

# News In Brief

## Free Bus Service New Year's Eve

OCEAN CITY - Free public bus service will be provided on New Year's Eve to all those who will be "ringing in the New Year" within the municipal limits of Ocean City.

The town of Ocean City's Department of Transportation will offer the free bus service from 6 a.m. New Year's Eve, Dec. 31, to 6 a.m. New Year's Day, Jan 1.

This service will be offered on the normal bus route with no "door-to-door" dial-a-ride services as have been offered in the past.

The bus service for New Year's Even will operate as follows: from 6 a.m.-3 p.m. buses will run every 30 minutes; 3 p.m.-6 p.m. every 15 minutes; from 6 p.m.-4 a.m. every 10 minutes; and from 4-6 a.m. every :30 minutes.

## Second Annual Mayor's Open House

OCEAN CITY - Mayor Jim Mathias will hold his 2nd Annual Open House at City Hall from 1-4 p.m. on New Year's Day. The public is invited to attend.

Last year's open house at City Hall was attended by more than 1,000 visitors during the three-hour event. The theme for this year's event is "Community Pride Through Volunteerism." Volunteer groups will be on hand during the event.

The open house will also offer refreshments and entertainment. June Todd's children's choir will perform at 1 p.m., and Myra Wells will perform piano selections in the second floor lobby.

## AGH Auxiliary Holds General Meeting

BERLIN - The Atlantic General Hospital Auxiliary will hold a general membership meeting at the Ocean Pines Community Hall on Jan. 13 at 10 a.m.

All volunteers are encouraged to attend and to meet your new officers.

The guest speaker will be Dr. Eric Bontempo, who just recently joined the AGH medical staff. Bontempo is an orthopedic surgeon who has been deeply involved in sports medicine.

A reminder to all volunteers that membership dues can be paid at this meeting.

Dues must be paid in order to qualify for the awards luncheon in April.

## Senior Bus Passes Available

OCEAN CITY - The Transportation Department will be issuing senior bus passes at the Senior Center on 41st Street the first Wednesday of each month during 1998. Senior bus passes will still be available at City Hall, Monday through Friday from 8:30 a.m.-4:30 p.m.

Senior passes are for residents and/or property owners 60 years of age and over.

A \$3 fee is charged to cover the cost of the pass. Passes obtained now are valid through October 1999.

All first-time bus passes and renewals require proof of property ownership or proof of residency such as an Ocean City tax bill or drivers license with an Ocean City address.

Seniors obtaining a pass for the first time must show proof of age in addition to proof of residency.

## Gas Prices Dip For Holiday Travel

BERLIN (JSG) - Gas prices are almost 13 cents a gallon lower than they were last December, said a report released by AAA this week.

Regular, self-serve unleaded gasoline averaged \$1.30 last December and has dropped to \$1.17 for this month's survey. This price is also 2.8 cents a gallon lower than November's price.

The decrease in gas prices can largely be attributed to a seasonal drop in demand which increases gasoline stocks.

## Local Companies Settle Alleged Violations

BERLIN - The U.S. Environmental Protection Agency announced this week a settlement with Atlantic Aquatics and Atlantic Aquatech Inc. over alleged violations of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).

Under a Dec. 12 consent agreement, the Worcester County-based companies have agreed to pay a \$6,000 penalty in settlement of the allegations.

EPA charges that the companies sold or distributed Chemco Sodium Hypochlorite, a disinfectant, and made claims about the percentage of the product's active ingredient that differed from the registration information provided to EPA.

Pesticide registration requirements are designed to avoid risks to public health and the environment arising from false, misleading or unverifiable claims about pesticides.

# Airport Petition Fight Turns Ugly, Personal

OCEAN CITY (DMS) - The war of words between those for and against establishing a runway protection zone west of the Ocean City Airport became a little hotter this week after City Councilman Vince Gisriel said members of the local Aviation Association have gone well

car, following right on my heels," Gisriel said the unidentified squad member. "She rolls down the window and I leaned in, and he's almost right over my shoulder," Gisriel said. "I turned around and said, 'do you mind if I talk to my wife.'"

Gisriel said the man did back up a few feet, but later overheard him talking on a cellular telephone reporting on the movements of Bonnie Gisriel who, the councilman said is not engaged in distributing the petition or gathering signatures, noting she had earlier been at the post office.

"This guy knew where my wife was then, where she had been earlier, and was reporting it to someone. To me, that's a form of stalking," Gisriel said. "They went from public debate, to a form of harassment, to now, a form a stalking."

"When they are reporting to someone unknown to me, this network known as the Truth Squad, the comings and goings of my wife, then that concerns me."

Gisriel also said the same person later telephoned an unknown party with the license-tag number of a personal friend who stopped to talk to the councilman.

Association spokesman C. Coleman Bunting said Tuesday he could not confirm or deny the incident had taken place as reported by Gisriel, but he is doubtful. "I can no more give credence to this statement than some of his other alleged misrepresentations, such as stating in his Supreme Court case that he is pauper and penniless, when he is employed by the state and gets extra pay as a councilman (and) telling prospective signers of his anti-safety petition that he just wants to take it to the voters, when he knows very well that the city's contract on the property expires Dec. 31, with no time for any referendum. I was out of town Saturday, but I'm sure all of our people were primarily exercising their Constitutional right to free speech in a public place."

Gisriel and others are seeking to put the question of whether the city should accept state and federal grants to buy the property to referendum.

**"This guy knew where my wife was then, where she had been earlier, and was reporting it to someone. To me, that's a form of stalking," Gisriel said.**

beyond what he sees as acceptable behavior in their efforts to counter a petition regarding the Ocean City Airport. The councilman's comments came this week after what he said was a member of the association's so-called "Truth Squad" accosted him and his wife while they were in a local department store last weekend.

Independent reports say the incident took place at the 94th Street Mall last Saturday while Gisriel had taken a break from seeking signatures for a petition that will, if successful, put a hold on the city's plan to buy a 5.8-acre property and clear it of a mobile home park in order to establish a runway protection zone for arriving and departing aircraft.

Aviation Association members recently formed what they are calling a "Truth Squad" to inform voters of viewpoints in opposition to the petition.

In order to do that, truth squad members last week stationed themselves in immediate proximity to those seeking signatures for the petition.

While Gisriel agreed those in opposition to the petition have a right to disseminate information to voters considering signing the petition, he said the tactics of at least one squad member have crossed the line of legitimate discourse into "harassment" and a "form of stalking."

"I went to one of the local department stores to stand outside, where we had prior approval, and was gathering signatures," Gisriel said. "I'm there a little while and one of the apparent members of the so-called Truth Squad shows up with literature."

Gisriel said he and the association member were at the store-front some time before his wife, Bonnie, arrived at the store to deliver lunch to the councilman. "He comes over to the

## THE DISPATCH

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**HAPPY HOUR**  
 4-7 P.M. SUNDAY-FRIDAY  
 1/2-PRICE JERK, RINGS & FRIES

**\$1.00 DRAFTS**  
 Coors Lite, Bud Lite,  
 Miller Lite, Amber  
 Bock, Honey Brown

**\$1.50 DOMESTIC**  
 Bottles/cans

**\$2.25**  
 Imported Beers  
 Bottles/cans

**\$1.50**  
 Wine And  
 Champagne

**\$2.50**  
 WELL DRINKS

**\$2.50**  
 SHOOTERS

**\$1.50**  
 NATURAL LIGHT  
 CANS, ALL DE TIME

**Monday-Friday**  
**\$5 DAILY LUNCH**  
**SPECIALS**

- Monday: Beef Stev
- Tuesday: Chicken & Dumplings
- Wednesday: Roast Pork And Mashed Potatoes
- Thursday: Spaghetti And Meat Sauce
- Friday: Fish & chips

**1/2-PRICE DINNER ENTREES**  
 Sunday-Thursday 5 p.m.-10 p.m.

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**MON., DEC. 29 • DARKSIDE**  
**ONE STEP BEYOND**

**SPORTS**  
 NFL FOOTBALL ON 10 TVS ... SPECIAL  
 GAMES ON DE BIG DISH

**NEXT DARK SIDE**  
 Monday, Dec. 29

**NEXT LUNASEA**  
 Monday, Jan. 12



**FRI & SAT., DEC. 26-27**  
**TOM LARSEN**

**THUR.-SAT., JAN. 1, 2 & 3**  
 Mike Edwards & Black Eyed Susan

**LIVE BANDS 10 P.M.-2 A.M.**

Friday, Dec. 26: Tom Larsen  
 Saturday, Dec. 27: Tom Larsen  
 Sunday, Dec. 28: Power Play  
 Monday, Dec. 29: One Step Beyond  
 Tuesday, Dec. 30: Jah Works  
 Wednesday, Dec. 31: Subterraneans -  
 NEW YEAR'S EVE BASH  
 Thursday, Jan. 1: Mike Edwards & Black Eyed Susan



SEACRETS TRIAL EXHIBIT 295

# Maryland Coast Dispatch

The Maryland Coast Dispatch (USPS #015125) is an official and legal newspaper for Worcester County. Periodical postage paid at Berlin, Maryland. The Maryland Coast Dispatch is published weekly on Friday mornings, 52 weeks a year. Subscription rates within Worcester County are \$10.50 per year. Outside Worcester County, \$19 per year. POSTMASTER: Please send change of address to Maryland Coast Dispatch, P.O. Box 467, Berlin, Maryland 21811. Maryland Coast Dispatch offices are located at Route 346 and Graham Avenue, Berlin, Maryland.

VOL. 2, NO. 51

THE COUNTY NEWSPAPER FOR DECEMBER 19, 1997

25 CENTS

## A CHAT WITH THE JOLLY ONE



Santa Claus, extraordinaire Jim McGinnis, has been spreading holiday cheer and joy for more than 26 years. Above, Santa poses with the adorable Ana Alanis. See page 6 for the complete interview.

## Henry's Hotel Vying For Landmark Status

BY DAVID SUZNAVICK

OCEAN CITY - Elected officials this week enthusiastically passed a resolution supporting the inclusion of one of the city's oldest buildings in the National Register of Historic Places.

By unanimous vote, the City Council passed a resolution in support of the old Henry Hotel, near the corner of South Division Street and Baltimore Avenue, being listed in the register. If state and federal officials agree, the building, now a seasonal rooming house, would become the first such building in the city to be listed as having historical significance.

City officials drew up the resolution after being approached earlier this month by owner Justine Bonner and members of the Worcester County African-American Historical Society.

"This was one of the first establishments in the city to cater to blacks," said Gabriel Purnell, chairman of the historical society. Neither

Purnell or Bonner expressed much knowledge of the building's early years. Although documents indicate the building was erected about 1895, Bonner was unable to say if the first owner was black or what purpose the building served. "We're not sure if it was a rooming house or hotel," she said Wednesday.

But all parties agree that the hotel took its name from Charles and Louisa Henry, who bought the building in 1926 and established a hotel serving a black clientele.

According to Purnell, the downtown area used to support a thriving black community including an ice house, a taxi-cab company and the Henry Hotel. Purnell and Bonner both say the hotel hosted some of the biggest musical luminaries of the first half of the 20th Century, including Cab Calloway, Duke Ellington and Count Basie.

"Where Trimper's Rides is now, there used to be a night club called the Grand Terrace where they would

SEE PAGE 3

## New Resort Post Office Eyed

OCEAN CITY (JSG) - The United States Postal Service has begun a preliminary search for a mid-town office site, which would consolidate the two current operations into one more accommodating, technologically advanced center.

Earlier this month, community contact letters were sent out to Ocean City residents seeking feedback on the pending search for a new, expanded office. Though comments have not yet been returned, Helen Skillman, spokeswoman for the Baltimore District Post Office, confirmed they are looking for a new site, one where services can be offered at a greater convenience.

"At this point, we are very preliminary, but we are out seeking a site where we can build a new post office. This (move) is in order to improve our customer parking and just enhance our services to customers. We want to serve our customers better. What we're looking for in Ocean City is to better serve the community," Skillman said.

The community has until the beginning of January to send their comments and recommendations back to the post office. Skillman anticipates once the letters are returned, the scope will begin to clear. "We will sort of know what they are looking for as far as the service goes," Skillman said.

According to Skillman, the post office is looking for a 4-acre site between 45th Street and 75th Street.

An informed source, who wished to remain anonymous, intimated the 71st Street Flea Market may be that site. However, Skillman could not speak on that possibility.

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## Lawsuit Filed Against City

SNOW HILL (JFD) - The town of Ocean City is being named as defendants in a \$100,000 lawsuit by a Hitchens Road home owner, who claims the town has negligently allowed their property to be damaged by water run-off and transported sediment from a controversial project the council approved in 1978.

According to court records, at the time the property was purchased by the plaintiffs, Meredith and Lucille Dettor of Towson, the dredging project of the Isle of Wight Bay near their property was approved by the town, but the town agreed on a maintenance project that would prevent damage occurring to properties who were affected when the surrounding land was raised due to the dredging, the Dettors claimed.

The Dettors stated, "measures that were taken to protect adjacent

SEE PAGE 3

## LATE NEWS

BERLIN (JSG) - Ocean City Mayor Jim Mathias, Emergency Management Services Coordinator Clay Stamp and the Worcester County Commissioners will meet Tuesday, Dec. 23 to discuss the possibility of instituting a separate, 911 center in the resort.

After months of dawdling, the issue has been finally placed on the county agenda for 1:30 p.m. which has city officials excited and hopeful. Mathias pointed out the key to this process is patience and a positive attitude.

"It's important for me to have the right environment to go down there in. If I get negative, I predetermine the outcome. So, I need to have an objective, willing to work attitude when I go down there and be very open-minded with them," Mathias said. "I feel very confident and optimistic that when we sit down and work through this we will arrive at a mutual decision that will benefit both parties."

Previously, it has been reported

SEE PAGE 3

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ALL STATE LEGAL SUPPLY CO.

O.C. Secrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
Offered by Opposer

# News In Brief

## Crime Victims Fund Created

SNOW HILL (JSG) - After years of planning, the Crime Victims Fund of the Lower Eastern Shore was formed this week to offer assistance to victims of crime in the tri-county area during the upcoming year.

The Crime Victims Fund of the Lower Eastern Shore is a private, local organization invented to help victims of crime in our area. CVF is governed by a board of directors, consisting of concerned citizens and community leaders, committed to providing a source of financial support to individuals victimized by crime. CVF will provide for the cost of initial emergency services of specific types of crime in the tri-county area. There will be no direct cash payments to the victim, only to the service provider. Local community businesses will be the source of services to victims in their area.

CVF will provide emergency services from cash donations solicited from civic organizations, private groups, individuals and special events located on the Lower Shore. "It's people helping people and communities helping communities in a direct and timely manner. Many victims need help right away and don't have the time to wait for bureaucratic procedures to feed hungry kids or repair a broken door or window in the middle of the winter," said Karen Holck, chairperson for CVF.

## Christmas Tree Drop-off Locations

BERLIN - The entire county has been made available to Christmas tree recycling.

The town of Ocean City Recycling Division will provide a Christmas tree drop-off site at the 100th Street Municipal Parking Lot. Trees can be placed at the 100th Street location from Dec. 26-Jan. 25.

Remove all tinsel, ornaments and other non-wooden items. Trees will be taken to the county landfill where they are ground into mulch.

In addition, for residents in southern parts of the county, the Maryland Department of Natural Resources has announced that Pocomoke River State Forest and Park will be accepting live Christmas trees for recycling from Dec. 26-Jan. 11.

Trees may be dropped off from 8 a.m.-4 p.m. daily at the pool parking lot. Trees must be free of decorations.

## Resort Employees Increase Contributions

OCEAN CITY (JSG) - Town employees' annual contributions to the United Way of the Lower Eastern Shore campaign increased by 70 percent this year, to \$11,225 over last year's total of \$6,600.

"I am very proud to report this increase in giving to the United Way of the Lower Eastern Shore," said City Manager Dennis Dare. "The growth in employee participation has been exceptional."

## Cathell Named To State's Highest Court

BERLIN - Gov. Parris N. Glendening named longtime state Judge Dale R. Cathell of Worcester County to Maryland's highest court this week, replacing Judge Robert L. Karwacki, who retired in August.

With his elevation to the Court of Appeals, Cathell, 60, will have served on all four levels of the state's judiciary. Since 1989, he has been a judge on the Court of Special Appeals. Before that, he spent almost 10 years on the district and circuit benches.

## Bozman Preview of 1998

BERLIN (JFD) - After a year of having a number of bills successfully passed, Del. Bennett Bozman, D-38, said he does not have a great deal of proposed legislation for 1998, but he is ready to fight for the issues he expects to surface.

One bill that Bozman is proposing is a bill that will require all medical facilities to have hand rails in their elevators for the elderly.

"I don't think it's a problem in this county, because most of our elevators are modern here, but in a lot of places where there's medical centers, people get on these elevators where there's no hand rail inside to hold on to," said Bozman. "These elderly people, when they accelerate and are going six or seven stories it almost pulls them to the floor."

Bozman is also looking to extend the credit bureau law for alcohol retailers that buy beverages from wholesalers. The present law gives retailers credit with wholesalers so that they do not have to pay cash for every transaction they make. According to Bozman, the county used to be cash-only, but the credit bureau law was passed on basically a trial period. The trial period is due to come up at the end of the year and Bozman is looking to extend it indefinitely.

"It seems like both sides support it," said Bozman.

Bozman will also run hot and cold with Bally's at Ocean Downs as he is going to back legislation that would allow the harness track to receive thoroughbred simulcasting signals, a move that will please Ocean Downs officials. However, Bozman is vehemently opposed to the idea of casino-type gambling in the state, much to the chagrin of the same officials.

# OCPD Wins "Class A" Award

OCEAN CITY (DMS) - City Police Chief David Massey put in an appearance before the city council this week to tell elected officials about two awards for excellence his department has recently received from state and federal officials.

"We received an award from the Governor's Crime Prevention," Massey said. "It's a Class A award. It's the top award you can receive for an agency."

Massey said the award came in recognition of several crime prevention programs the department has instituted in recent years. "The award is for overall excellence in some of the programs that we do, such as RAAM, Neighborhood Watch and some of our other neighborhood interaction programs," Massey said.

Massey's RAAM, or Reducing Alcohol Availability to Minors, has been widely praised and is credited with reducing crime, accidents and calls for other types of city services since it began two years ago.

The RAAM program encompasses alcohol enforcement and interdiction methods by police, as well as educating bar owners, innkeepers and landlords on how to set and enforce firm rules regarding alcohol posses-

sion and consumption by minors. Massey has also sent his officers to high schools throughout the region, in the off-season, to warn students about the city's zero-tolerance of alcohol consumption by underage drinkers. That program, in conjunction with the city's renewed emphasis on code enforcement programs has been credited with precipitating a significant decrease in serious crime in the resort.

Massey also announced an award from federal law enforcement officials. "The second thing we received was an award from the U. S. Department of Justice, U.S. Attorney's Office for the District of Maryland, Lynn Battaglia," Massey said.

That award came in recognition of the Citizens Police Academy. That program, begun in 1994, is comprised of 10-week classes which educate citizens in workings of the criminal justice system. According to Police Community Services Coordinator Barry Neeb, the program is run twice per year and has recently been expanded to include what he termed "post-graduate classes" covering subjects such as arson investigation and domestic violence. Neeb said the program has graduated some 175 citizens since its inception.

# Frantic Holidays Expected For Area Post Offices

OCEAN CITY (JFD) - The post office is gearing up for one of its busiest days on Monday, as thousands of last minute Christmas cards and packages are expected to flood local branches.

According to Richard Yoskey, customer service supervisor for the Ocean City Post Office, the holiday season for the post office begins immediately after Thanksgiving, but there has only been a few really heavy days of mail since that time. However, over the weekend, people will be using the post office's express mail service in a last ditch attempt to get there, cards and gifts to their destination before Christmas.

"As far as employing any extra staff, we're just about normal, like we would be in the summer," said Yoskey. "But next week will be the heavy week. We'll have a large influx of packages and I anticipate a lot of express mail on Monday."

The Ocean City post office has only extended employment to one extra person during the Christmas season this year, but that has been the practice in recent years.

Yoskey said the volume of mail in Ocean City has remained constant the last couple of years, but he has seen an increase in volume of packages this year. Nationally, total mail volume is expected to increase 3.3 percent, with package volume jumping 10 percent.

"We do delivery on Christmas Day. We do express mail Christmas Day, and if we have any fruit or priorities (mail) we'll try to get those out. We definitely deliver express mail 365 days a year," said Yoskey.

Perhaps an even more taxing time on the postal workers is prior to their Christmas season because corporate mailings, such as catalogs, are sent so that customers can start making their wish list in plenty of time for Santa.

"The biggest influx of Christmas catalogs is right around August, September and October."

So the catalogs and bulk mailings are down a little bit right now, because everybody is getting ready for Christmas. Right now our biggest thing is Christmas cards," Yoskey said.

## THE DISPATCH

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**HAPPY HOLIDAYS**

**SEACRETS TRIAL EXHIBIT 296**

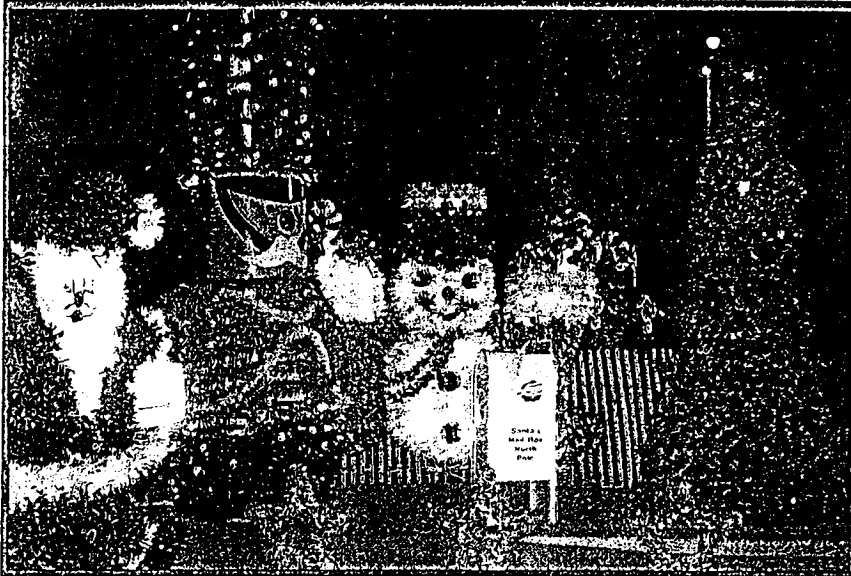
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VOL. 2, NO. 50

THE COUNTY NEWSPAPER FOR DECEMBER 12, 1997

25 CENTS



Ocean City's Winterfest of Lights have been more popular than ever this year, boasting an increase of 8 percent over last year's figures.

## Separate Election Doubtful

OCEAN CITY (DMS) — With the proposed \$1.2 million recreational facility now benched pending voter approval, Council President Rick Meehan said this week that, even if the project does get through referendum, it may be more than a year before the city returns to the bond market to fund the project.

Funding for the controversial building was put on hold this week, just one day before the city was due to sell bonds which would have funded the project, after voters petitioned city elected officials to delay the sale until after voters approve the project at the ballot box. Funding for the building was scheduled to be part of an \$18.4 million bond issue this week. But with the petition validated by the elections board, city officials were forced to reduce the amount of the sale until voters decide if the facility should be built.

While that decision could come in either a special election or during the next scheduled general election in October, Meehan said the council has not yet decided which course of action to pursue.

Privately, however, some council members say they would like to resolve the matter as soon as possible. "I guess I'm leaning toward an early election, unless someone changes my mind," Councilman Lee Duggan said this week. That sentiment was echoed by Councilman Buck Mann, who said he too is looking for a special election. "That's what the people said they want," Mann said. "They want to have an election to decide this."

Councilwoman Nancy Howard  
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## Tighter Drunk Laws Sought

BERLIN (JFD) — A campaign has been launched and is gaining support from various state and civic organizations as well as local government officials, such as State Del. Bennett Bozman D-38 and State Sen. J. Lowell Stoltzfus D-38, to lower the legal limit for alcohol intoxication from the present 10 blood-alcohol concentration (BAC) level to .08 BAC.

Pattiva McKean, director of the regional safe community center, located at Salisbury State University, said that the effort to lower the legal limit is gaining support from organizations such as Mothers Against Drunk Driving, the National Highway Traffic Safety Association and the Maryland State Highway Administration.

The current BAC limit for operating a motor vehicle in the state of Maryland is .10 of a percent. According to McKean, it takes about three to four beers or three shots of 80-proof liquor to reach a BAC of .10. Studies from the NHTSA indicate that .08 BAC laws save lives, and that if instituted, this law could save up to 50-60 lives in Maryland per year.

According to McKean, 15 states already have and uphold a .08 BAC law, including Alabama, California, Florida, Hawaii, Idaho, Illinois, Kansas, Maine, New Hampshire, New Mexico, North Carolina, Oregon, Utah, Vermont and Virginia.

Susan Edkins, public policy liaison for M.A.D.D., said the bill her organization is proposing has gained the support of over 82 sponsors from the State Senate and the House.

According to Edkins, for the bill to made into a law 72 members of the House and 24 senators would have to sign on and already 27 have said that they would commit, including Stoltzfus.

Stoltzfus admitted he more than likely would become active in supporting a bill that would lower the limit, but would not make a decision as to how active he would become until later. However, he considers drinking and driving to be a serious problem. "I certainly support the idea, and I would vote for a .08. How active I'm going to get in co sponsoring it, I don't know yet. I've got a lot on my plate, but it's a very important bill," Stoltzfus said.

Local support is also coming from

Bozman, who favors lowering the limit to .08, but conceded he would have to read the entire bill before he would sign it. "I always read the bill before I sign on to any bill," said Bozman.

"I support the concept. But what I feel in this country is we ought to standardize it through every state. In some states it is .08, and as a matter of fact, a significant amount of states have that. Some have got it higher than .1. I really think we ought to standardize it so everyone knows that they're playing in the same ball game."

The Maryland State Police also seemed to favor the more stringent limits. "Anything that would support people not drinking and driving, we would support," said Pete Peringer, spokesperson of the Maryland State Police.



P 43800

PLAINTIFF'S  
EXHIBIT

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ALL STATE LEGAL SUPPLY CO.

O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
Offered by Opposer

# News In Brief

## Below-Average Hurricane Activity Predicted

BERLIN (JSG) - This year's record El Nino is expected to dissipate before the most active part of the 1998 hurricane season, but other global climate factors, according to world-renown hurricane expert William Gray, could produce slightly below-average hurricane activity.

In the premier forecast issued for the 1998 hurricane season, Gray and his colleagues predict nine tropical storms will form in the Atlantic Basin between June 1-Nov. 30.

From those storms, five hurricanes will evolve and two will further develop into intense hurricanes with sustained winds of 111 mph or greater.

On average nine tropical storms, six hurricanes and two intense hurricanes forms annually.

The team's 1998 forecast was released on the heels of a hurricane season in which activity was flattened by the strongest El Nino on record. "Even though El Nino negatively influenced our 1997 hurricane forecast, it is our belief that this event will die before or shortly after the 1998 hurricane season begins," Gray said.

"The most difficult aspect of the 1998 forecast is to determine residual effects from El Nino will have any impact on overall hurricane activity. We will have to wait and see."

## Berlin Parade Trophy Winners

BERLIN (JSG) - The 27th Annual Christmas parade attracted over 4,000 people to Main Street last week.

A total of 94 groups participated in the parade, which was sponsored by the Berlin Lions Club with the cooperation of the Berlin Volunteer Fire Company.

Judging the units were local dignitaries: Berlin Mayor Rex Hailey; Ocean City Council President Rick Meehan; Ocean Pines Association President Dick Brady; and Worcester County Board of Education members Sara Thompson and Rick Ropp.

First place trophy winners were: Snow Hill High School, Marching Bands; Ocean City Elementary School, School Sponsored Floats; Stevenson United Methodist Church, Youth Sponsored Floats; Refreshing Fountain Ministries, Adult Sponsored Floats; Ocean City Volunteer Fire Company, Fire Companies; Trimper Rides of Ocean City, Commercial Units; Brownie Troop No. 608, Youth Marching Units; Ocean City Police Honor Guard, Adult Marching Units; Ocean City Shrine Club, Vehicles or Vehicle Clubs; United Tour Riders Club, Motorcycles or Motorcycle Clubs; Wheels of Yesteryear, Antique Cars or Antique Car Clubs; Stephen Decatur High School Navy Junior ROTC, ROTC Marching Units; and Chestnut Ridge Farm, Equestrian Units.

## Middle School Students Learn Local History

IRONSHIRE (JSG) - More than 50 Berlin Middle School students spent over an hour last week along U.S. 113, learning about local history and archeological sites.

During the preliminary planning process to widen U.S. 113, State Highway Administration officials discovered Ironshire and 38 other archeological sites in the area. SHA is studying the site to determine what information can be uncovered about the history or prehistory of the area.

Artifacts from an 18th century residence as well as 6,000-year-old prehistoric items used for hunting trips and grinding stones used to process nuts, seeds and other plant food have been discovered.

The students observed excavations and examined artifacts recovered from the site and discussed the implications of the findings as they relate to local history, prehistory and the road construction project.

## Federal Emergency Funds Awarded

BERLIN (JSG) - Worcester, Somerset and Wicomico counties were recently notified they would be receiving funds for emergency food, shelter and utilities.

Worcester County received \$36,295, Somerset was granted \$15,917 and Wicomico will receive \$27,413 in set-aside funds.

## Bozman Named Subcommittee Chair

BERLIN - House Speaker Casper R. Taylor announced this week the appointment of Delegate Bennett Bozman, D-Worcester, as chair of the Tax and Revenues Subcommittee of the Ways and Means Committee.

"I am delighted that the Speaker has confidence in me to do the job. I am looking forward to a busy and productive session," Bozman, who has been a member of the House of Delegates since 1991, said.

Bozman has served as a member of the Joint Committee on Federal Relations and as Deputy Majority Whip. From 1978-1990, he was a Worcester County Commissioner.

# Manklin Greens Scope Clears

BERLIN (JFD) - Mark Cropper, attorney for Balfour Real Estate Group, was all smiles after Tuesday night's public hearing at the Stephen Decatur Middle School, at which the developer sought the approval of the Worcester County Commissioners for a proposed development near the South Gate of Ocean Pines that would include town houses, condominiums, a senior living center and some small commercial development.

This was the second public hearing for the Manklin Greens development. At the first public hearing, the commissioners approved the plans, however, due to changes from the first phase of the project to the second phase some changes did occur in the plans that worried the commissioners. The commissioners then decided that it was in the best interest of the surrounding community to call a second public hearing to inform residents of the changes.

To avoid a second public hearing, Balfour made some efforts to meet the desires of the Ocean Pines Homeowners Association, such as limiting the uses of the commercial-zoned property.

The association and Balfour actually seemed to be on the same page, but the commissioners wanted to

ensure that residents knew exactly what was happening before construction began.

A relatively well-behaved crowd of about 300 Ocean Pines residents attended the public hearing, at which Balfour officials claimed they had the right to develop that property and would abide by many of the desires of the residents, the association and the commissioners.

Cropper said he was very pleased with how the public hearing went, and said he was not surprised by the turn-out or the general response by the commissioners.

Generally, the commissioners stated they felt that Balfour has a right to develop that property but must do so in a responsible manner that coincides with the wishes of the local population. However, the commissioners stated that they did not want to make a decision until they have time to do a final evaluation of the plans.

"We will look at all the facts and figures before a decision is made, along with traffic studies and a number of other things. I hope that you'll realize that we'll try to be as fair as we can to the developer and to you people because I think we have a responsibility to do that," said Commissioner Jim Barrett.

## What They Said ...



Ed Melone: Said that Balfour Attorney Mark Cropper was being "arrogant" when he stated that Balfour had a legal right to pursue their plans.



Tom Hemmick: "Manklin Creek, as you know, is a pristine area and a cradle for marine life. If there's ever a time we should be aware of preserving marine life, it is now."



Frank Dickson: Stated, "When I asked my real estate agent, last Spring, if they were going to build over there, she said 'Never,' or 'They can't.' ...My question is what is my view going to be like? How high are these buildings going to be?"



Dorothy Neubrand: "We have our little Shangri-La, there, in Manklin Creek. We watched bald eagles, red-tail hawks, all the ducks. It's really pristine, and it's one of the best-kept secrets, I think, in Ocean Pines. All of our friends come down and look at our house and say they never knew anything like that existed."

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**NEXT DARK SIDE**  
 Monday, Dec. 29

**NEXT LUNASEA**  
 Monday, Jan. 12



SATURDAY, DEC. 20  
**THE HAZE**



SAT. DEC. 13 • LUNASEA  
**SUBTERRANEANS**

**LIVE BANDS 10 P.M.-2 A.M.**

Friday, Dec. 12: The Benjamins  
 Saturday, Dec. 13: Subterraneans  
 Sunday, Dec. 14: Power Play  
 Tuesday, Dec. 16: Subterraneans  
 Thursday, Dec. 18: One Step Beyond



SEACRETS TRIAL EXHIBIT 297

# Maryland Coast Dispatch

The Maryland Coast Dispatch (USPS #015125) is an official and legal newspaper for Worcester County. Periodical postage paid at Berlin, Maryland. The Maryland Coast Dispatch is published weekly on Friday mornings, 52 weeks a year. Subscription rates within Worcester County are \$10.50 per year. Outside Worcester County, \$18 per year. POSTMASTER: Please send change of address to Maryland Coast Dispatch, P.O. Box 467, Berlin, Maryland 21811. Maryland Coast Dispatch offices are located at Route 346 and Graham Avenue, Berlin, Maryland.

VOL. 2, NO. 49

THE COUNTY NEWSPAPER FOR DECEMBER 5, 1997

25 CENTS

## Powell Center Launches New Era

OCEAN CITY (JSG) - This week-end's official grand opening of the \$29 million Roland E. Powell Convention Center will mark the start of a new epoch, one with a viable economic base and a year-round season, for the resort, county and state.

Built largely to boost regional convention and group tour business, the new convention center, aptly named after long-time Ocean City Mayor Roland "Fish" Powell, is destined to become a major attraction along the East Coast.

Michael Noah, executive director of the convention center and tourism, noted the versatility and the originality of the center as keys to drawing regional conventions.

"It's another jewel in the crown of Ocean City. This is truly unique. There is nothing quite like this facility. This can not only house conventions, but has the capability to do entertainment and social events," Noah said.

The economic impact of this modern edifice is predicted to be enormous. By the year 2000, the projected annual net economic impact of the expansion is \$72.5 million in expenditures, \$42.9 million in household earnings and creation of more than 2,000 new jobs. Furthermore, the expanded convention center will provide in excess of \$8.8 million in direct tax revenues to the state.

Noah advised caution with these estimates. "These are conservative numbers. So far, we've met all the projections the facility was touted to achieve," Noah said. "Within the first 18 months, we already increased the business by 50 percent. We've already had a major economic impact of over \$78.79 million. I think we've hit all the target points."

Not a complacent town, Ocean City already has plans to expand even further, adding 30,000 square feet in the "not too distant" future, according to Noah.

The public is invited to attend the

**Bally's At Ocean Downs Interview**  
SEE PAGE 6

**"It's another jewel in the crown of Ocean City."**

grand-opening celebration on Sunday. The ribbon-cutting ceremony will begin at 1 p.m. Music will be performed by the Ocean City Elementary Chorale Group accompanied by the Salisbury Symphony

### Safe Driving Costs Up



Under state law, travelers must use their headlights at all times on Routes 113 and 90. As a result, auto parts dealers are reporting an increase in both headlight and battery sales.

BERLIN (JFD) - The state legislature helped out local auto parts dealers this year when they passed the law requiring motorists to use headlights permanently on Routes 113 and 90 in Worcester County.

Ocean Pines Big A, located on Route 589, reported a 6-percent increase in headlight sales this year, and Mike Bullis, general manager of parts, attributes much of the increase to the law passed back in May.

Not only have headlight sales increased, but in response to the law, the store has begun to change their inventory to accommodate motorists' new needs.

"We now carry the Daytime Running Light. What it does, is when you turn on your ignition, it will automatically turn your headlights on, but make them burn at an 80 percent level," Bullis said. "This saves the bulbs during the daytime, so you're not burning at 100 percent, so it saves the life of the bulbs."

When the ignition is turned off, the headlights go off, but when the headlights are turned on at night, they override the system and burn at the normal, 100-percent rate. According to Bullis, the device takes only about a 30 minutes to install at a total cost of \$99.

Bullis said the county purchased 260 of these devices from his store to ensure that county vehicles were observing the law, and to combat the problem of leaving headlights on during the day, thus killing the lights and the batteries.

"I recommend them because you're talking about the fine. If you forget to turn them on, you get a fine. They basically pay for themselves right there if you get caught without your lights on," said Bullis.

Jazz Quintet.

Following the ribbon cutting, the convention center will hold an open house from 2-5 p.m. Exhibits featuring attractions of Ocean City and the state of Maryland will be on display throughout the convention center. Exhibits will include displays from the Baltimore Orioles; the Delmarva Shorebirds; Winterfest; Winefest; Sunfest; Springfest; Arts Atlantica; and a display from the Ward Foundation presenting "Fowl, Feathers & Friends," among other displays.

Entertainment will also fill the convention center during the afternoon. Performances have been scheduled with Shore Jazz; the Mid-Atlantic Symphony; Tim Hofman on piano; Russ Perkins Jazz; the Phillips Ragtime Band; DJ Dave Lemon; and for children clowns and a magician will stroll throughout the facility.

The expansion and renovation of the Roland E. Powell Convention Center offers a state-of-the-art facility more than twice the size of the original convention center.

The new facility has been enhanced by an additional 80,000 square feet of space that includes exhibit halls, meeting rooms, a multi-purpose banquet/general session area and it will soon offer a full-service kitchen that will be able to serve groups of 2,500-plus.

The first floor of the new building features an exhibit hall with column-less, 33-foot ceilings and telescoping seating for meetings, concerts and trade shows.

On the day of the open house, the new exhibit halls will hold equipment on display from the Ocean City Volunteer Fire Company, the Ocean City Police Department and the Ocean City EMS.

The Granville Trimper exhibit hall on the first floor of the original convention center has been renovated to provide an additional 18,000 square feet of exhibit space.

**Mann Charges Dismissed**  
SEE PAGE 4

P 43803

PLAINTIFF'S EXHIBIT

297

ALL STATE LEGAL SUPPLY CO

O.C. Secrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
Offered by Opposer

## Jamestown Property Becomes Park

OCEAN CITY (DMS) — The city council this week voted to rescind its offer to sell a Jamestown Road property to the highest bidder. While plans are not yet finalized, councilmembers said they want the property to be incorporated into the city's inventory of parks and intend to ask citizens' help in beautifying the grassy strip.

The council's decision came after the sole bidder, a joint-venture between the Balmoral Condominium Owners Association and restaurant-owner Steve Pappas, disintegrated and Balmoral backed away from the deal.

The council's move to reject the group's bid and return the property to the city inventory likely closes the book on a long and rancorous dispute between residents of the area who opposed the city's plan to sell the property in order to reduce its financial liability and raise revenue.

City officials came under heavy criticism from Jamestown Road homeowners earlier this year after they advertised the strip of the land for sale.

Opponents of the sale told the council the property, measuring some 30 by 490 feet, is the only open space left in their neighborhood and frequently used by area residents for crabbing, fishing and to exercise their dogs.

That opposition became stiffer after nearby homeowners learned that Pappas, owner of the popular Green Turtle restaurant and bar, had offered the only bid on the property and planned to use it to add parking spaces to the small strip of stores where his shop is located.

Homeowners opposed Pappas' buying the property because of what they said was a long-standing problem with patrons of the bar making noise and engaging in other inappropriate behavior on and around the property. Opponents of the sale expressed concern that Pappas' ownership of the property could serve to exacerbate those problems.

Seeking to reach a compromise, Pappas persuaded condo association officers to form a joint venture to buy the property but, in association members rejected that plan when it came up for a vote last month.

The city's plan to sell the property faced additional opposition in the form of at least two petitions, according to Doris Crabtree, who was among the most outspoken homeowners opposing the sale. Crabtree said she gathered 122 signatures from homeowners in the neighborhood who opposed the sale while another petition, circulated at the Fountainhead Condominium, garnered still others.

"We've gone around the entire neighborhood and we can't find one person who's in favor of the sale of the park," Crabtree told the council, "and it's just been the easiest thing to do. To get people to go along with not destroying the park."

Council President Rick Meehan expressed disappointment the two sides could not reach an agreement to buy the property. "I think it's a shame, because I really think we had a good plan ... and I think there would have been a lot of money and time and effort spent, by both parties, to make that a better area," he said.

## Ocean Downs Appeals Simulcast Vote

BERLIN (JFD) — After having their application for thoroughbred simulcasting rejected by the Maryland Racing Commission weeks ago, Bally's at Ocean Downs filed their appeal Tuesday in the Worcester County court system.

Dennis Dowd, president of the track, thought that a local court may be more sympathetic to their cause, saying that he feels that the law is clearly on the track's side.

"A decision from an administrative agency goes to the courts in the county where the business is," said Dowd. "I think there's logic to that because in this county they appreci-

ate the importance of our business. I think we'll do better, and we're appealing it because I think the law is clearly on our side."

Dowd, who had practiced law for over 18 years, said that, when Ocean Downs, a harness track, asked to buy signals directly from thoroughbred tracks, it was a move that had never been done before, but it was a legitimate request.

In Maryland, the racing commission's policy is to only allow harness tracks to buy harness signals and thoroughbred tracks to buy thoroughbred signals. "It's only policy; it's not law," Dowd said.

## Commissioners Delay 911 Meeting

OCEAN CITY (JFD) — The waiting game continues for Mayor Jim Mathias and concerned Ocean City residents, as the Worcester County Commissioners are apparently putting the issue of transferring responsibility of 911 calls, originating from Ocean City, from the Snow Hill call center to the Ocean City Communications Center, on the back burner.

At last Tuesday's County Commissioner meeting Jim Barrett, vice president of the commission, asked the commissioners to make time for the long-overdue meeting. However, according to Gerry Mason, chief

administrative officer, the commissioners' schedule is booked for the rest of this year and plans for a meeting have not yet even been scheduled for next year.

According to the mayor, there was little or no contact between the two parties regarding the issue until about three weeks ago when Mathias again spoke to Barrett and reiterated his request. The meeting will give both sides an opportunity to make their views clear regarding the details surrounding the issue.

"I called Vice President Jim SEE PAGE 7



Mayor Jim Mathias congratulates Pfc. Todd Wood, second from left, and seasonal police officer Jon Keifer, second from right, after they were recognized by the Lower Shore Chapter of Mothers Against Drunk Driving for their work in drunk driving enforcement. Wood led all officers in DWI arrests, and Keifer was top among seasonal officers and fourth overall during the summer months. Also pictured is Lt. Kevin Kirstein.

## DWI Case Dropped, Mann Walks

SNOW HILL (DMS) — A refusal to submit to sobriety tests and a recent visit to a dentist helped Ocean City councilman Walter "Buck" Mann to avoid prosecution on drunken driving charges Tuesday after Worcester County States' Attorney Joel Todd told a circuit court judge there was not enough evidence to obtain a conviction and asked that the charges be dropped.

Todd told the court, however, he still believes police had "probable cause" to arrest Mann on Driving Under the Influence and Driving While Intoxicated last March 21.

The request brings to a close what some say was a misunderstanding that culminated with the councilman's arrest by state police.

According to court documents and an eyewitness, Mann was charged after police were called to a home on Golf Course Road in West Ocean City to investigate an unknown problem.

"The police were not looking for a drunk driver when they encountered Mr. Mann," Todd said. "They were responding to a call for the report of a prowler, or somebody in the area that didn't seem to belong there. And they found Mr. Mann in the back yard" of a home at the corner of Golf Course Road and Charles Street.

Todd said they were called to the home by a seasonal police officer, whom he identified as Sam Villani III, son of city Fire Marshal Sam Villani. According to court documents, Villani saw Mann backing out of the driveway, then stop and run into the back yard of the home, which is occupied by his mother, Jennifer Morris.

Although Morris declined to comment for this story, she had been subpoenaed to testify for the councilman and had said earlier she does

not believe Mann was drunk when he was arrested.

"So when the state police came, they found Mr. Mann in the back yard," Todd said. "Now, when they encountered Mr. Mann, they allegedly detected an odor of alcohol on his breath. And he had, slurred speech, thick tongue, or something like that. He had problems speaking clearly."

Mann refused to submit to either field sobriety tests or a test to determine blood alcohol content and that, Todd said, ultimately was a factor in Todd's decision not to prosecute that case.

That lack of definitive proof, combined with testimony from a dentist that Mann had recently been fitted with a new dental plate that could explain his slurred speech. "I couldn't negate that," Todd said. "The doctor was prepared to testify to that effect. Which leaves me with an odor of alcohol..."



Doris Ordakowski, of Berlin, recently won an authentic hand-crafted Buck's County clock, valued at more than \$500. Ordakowski's name was drawn from over 100 entrants during the recent Buck's County celebration at the Route 50 Casual Designs location.

### THE DISPATCH

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**TUESDAY, DEC. 9**  
**ONE STEP BEYOND**

**SPORTS**  
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 GAMES ON DE BIG DISH

**NEXT DARK SIDE**  
 Monday, Dec. 29

**NEXT LUNASEA**  
 Saturday, Dec. 13



**SATURDAY, DEC. 13 LUNASEA**  
**SUBTERRANEANS**



**FRIDAY, DEC. 5**  
**BLISS**

**LIVE BANDS 10 P.M.-2 A.M.**

Friday, Dec. 5: Bliss  
 Saturday, Dec. 6: Soul Patch  
 Sunday, Dec. 7: Diamond Alley  
 Tuesday, Dec. 9: One Step Beyond  
 Thursday, Dec. 11: The Benjamins

**SECRETS TRIAL EXHIBIT 298**

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VOL. 3, NO. 4

THE COUNTY NEWSPAPER FOR JANUARY 23, 1998

25 CENTS

## MD 589 Now No. 1 Priority

SNOW HILL (JFD) - The Worcester County Commissioners are in the process of scheduling a public hearing regarding improvements to MD 589, a project first proposed years ago but is again gaining support by local residents and officials.

Once schedules are coordinated between all affected agencies the hearing will take place, at which, a preliminary plan for the road's future modifications will be presented.

According to Ed Tudor, director of planning, permits and inspection for Worcester County, the 4.7-mile stretch of road will be in dire need of improvements within the next few years as traffic volume is likely to continue to increase.

"The State Highway Administration, in cooperation with the county, worked on a proposed expansion plan for MD 589. The plan was to protect additional right of way that the SHA, in the future, would need to expand MD 589," said Tudor.

Protection of the MD 589 corridor is already a policy of the planning

SEE PAGE 4

## \$28.5M To 113



Gov. Parris Glendening talks with fifth-grader Amanda Aversa on the dualization of Route 113 during a meeting this week at the Showell Volunteer Fire Department.

DETAILS, PAGE 7

## Gisriel Eyes Higher Court

OCEAN CITY (DMS) - Seemingly undaunted by the Jan. 12 U.S. Supreme Court rejection of his appeal for review of an earlier court battle to validate the 1993 petition, Councilman Vince Gisriel began soliciting contributions to muster a legal challenge to the city's rejection of his most recent airport petition.

Gisriel and others who he declined to identify recently circulated to halt the city's purchase of a West Ocean City mobile home park to convert into a runway protection zone. Proponents of the petition claim the purchase would be the first step in expanding the facility to allow more, heavier aircraft.

In a letter to local news media, Gisriel told readers he's seeking contributions to help pay fees for outstanding costs of the 1993 court case as well as "the pending circuit appeal of the rejection of the most recent petition to referendum regarding the mobile home park acquisition."

While council members ridiculed that idea and ultimately rejected his

SEE PAGE 4

## Lighthouse Sound Seals Deal, Golf Course Construction Near

OCEAN CITY (JSG) - Although an architect search has not yet been finalized, the groundbreaking of a golf course at Lighthouse Sound may begin as early as this spring.

Kim Ruark and Ryan Crandell, of Ruark Golf Properties, announced late yesterday their company has contracted the Lighthouse Sound property across the bay from Ocean City.

Crandell intimated the architect search has been narrowed down to two nationally known groups.

"Both of the two finalists are extremely excited about the property and both assured us that a Top 100 type golf course can be built on this spectacular site," Crandell said.

Ruark said they intend to create an exclusive community of approximately 80 building lots all with wonderful views of the bay and marsh as well as the Ocean City skyline.

According to Ruark, it will undoubtedly be the Ocean City area's premier address. Ruark added interest is already brisk and lot reservations are currently available.

## Pines May Get Post Office

SNOW HILL (JFD) - The movement to bring a post office to Ocean Pines seemed to gain serious momentum at Tuesday's Worcester County Commissioners meeting, as the commissioners, citizens and other interested parties met with postal officials and gave them a quick but in-depth education on the postal needs of the Berlin and Ocean Pines areas.

The commissioners collectively told postal officials they felt both Ocean Pines and Berlin need their own post offices to adequately meet the needs of the residents.

Bill Ridenour, manager of postal operations for the Baltimore area, told those in attendance the reason the service wants to expand the Berlin Post Office is because within the next five years the post office will be outgrown, based on projected population statistics for Berlin.

This came as no surprise to any-

body, especially locals who have seen the startling growth over the past decade or so.

The process began with a meeting between postal officials and Berlin Mayor Rex Hailey back on Oct. 20. At that time, postal officials felt the proposed new postal facility should be located in the downtown area. Upon hearing this, Ocean Pines residents felt they had been overlooked and formed a committee, headed by Ocean Pines resident Jim Coyne, to encourage the postal service to bring a new post office closer to the Pines.

Coyne, who was present at the meeting, has maintained it's unfair to expect nearly 9,000 year-round Ocean Pines residents to drive to Berlin for simple postal services, while the small town of Berlin has an office right downtown.

Commissioner Jim Barrett ad-

SEE PAGE 3

O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
Offered by Opposer

PLAINTIFF'S  
EXHIBIT

298

ALL STATE LEGAL SUPPLY CO.

P 43806

## News In Brief

### Voters To Have Final Word

SNOW HILL - The town will hold a special election within the next month to decide whether or not to dismiss Snow Hill Mayor Craig Johnson from public office.

A petition to force Johnson's recall election was found to have 340 acceptable signatures, 80 more than needed to take it to public forum.

As of deadline, the petitioners were unsure of an exact date for the election. However, many of the organizers are concerned it may take place after Johnson's Feb. 6 court date, which was recently moved forward three weeks to accommodate a visiting judge.

Johnson is accused of arranging for his patrol car, while a deputy sheriff with the Worcester County Sheriff's Office, to be used in a pornographic photo shoot. He is being charged with two counts of malfeasance while in office. The counts are separate, one while as mayor and the other as a deputy sheriff.

### Downtown Fire Deemed Accidental

OCEAN CITY (JSG) - The N. Division Street fire, which disrupted traffic flow for more than an hour Tuesday night, was a result of combustible materials being too close to a wall-mounted gas heater. The cause of the fire was immediately classified as accident, according to the Ocean City Fire Marshal.

The fire started in the kitchen and spread throughout the kitchen area. The Ocean City Volunteer Fire Company's quick response contained the fire to the kitchen, which suffered fire and heavy smoke damage. The remainder of the unit sustained smoke damage.

There were no serious injuries reported in the blaze.

### County Landfill Honored

NEWARK - Worcester County's landfill has been awarded the project of the year award from the Engineering Society of Baltimore.

The county's central landfill off Route 113 opened seven years ago, and a second dumping site was added last October.

The landfill is the first in Maryland to recirculate landfill leachate through a treatment system.

This system was incorporated as the first dumping site was capped last fall.

The society has invited County Public Works Director John Tustin and Landfill Superintendent George Dix to a Feb. 27 dinner in Baltimore to accept the award.

### County Receives Money To Lessen Race Gap

BERLIN - The state announced recently it will be giving a \$250,000 grant to three Worcester County Schools to improve the achievement of African-American students.

The three schools are Buckingham Elementary, Berlin Intermediate and Stephen Decatur Middle School.

The grant, provided by Maryland's Project Outreach program, will allow the county to hire two resource teachers to provide assistance in the schools. In addition, two community centers, which will be set up in area churches, will be established to provide a place for help after school.

### Health Dept. Accepting Mini Grant Applications

BERLIN - The Worcester County Health Department is now accepting mini-grant applications from Worcester County community-based organizations, groups and neighborhood associations that are involved in alcohol, tobacco and other drug abuse prevention, violence prevention, tobacco control and cessation, and/or HIV/AIDS programs.

Grant applications should include the program's purpose and brief description, a short summary of past experience and knowledge of prevention strategies, proposed activities, an itemized budget and an evaluation plan.

All grant applications must have non-profit status.

Mini grant funds are intended for supplemental use only and should not be used for salaries with the exception of HIV/AIDS program funding which will allow for salary expenditures. Mini grant awards typically range between approximately \$250-\$2,000 each. All grants will be made by March 5.

### Rural Areas Set To Receive Federal Cash

BERLIN - The U.S. Department of Agriculture Rural Development announced this week it has \$4.7 million available in Maryland and Delaware for day care centers, health clinics, police and fire protection, ambulances, hospitals and other community facilities.

USDA Rural Development allocated \$2,075,000 for communities in Delaware and \$2,663,000 in Maryland.

Loans can be made to rural communities of up to 50,000 in population and grants can go to towns of up to 25,000 people.

Funds can also head to non-profit organizations who in turn provide public services.

## Supreme Court Denies Bid

OCEAN CITY (DMS) - The U.S. Supreme Court this week turned down an appeal from Councilman Vince Gisriel asking the court to review lower court rulings that denied a 1993 petition which would have allowed city residents to vote on a zoning ordinance.

Gisriel fought the ordinance, which allows developers to erect structures that are not in compliance with the height and density zoning requirements or the surrounding properties, arguing that it would cause overcrowding. The ordinance has been in effect since it was passed nearly five years ago.

In a letter to local news media, Gisriel expressed disappointment in the outcome and said the ruling effectively ends his four-year battle

to put the issue to referendum. Gisriel, who was not then a council member, took the issue to court after the town board of elections rejected his petition because, the board said, it was 31 names short of the required 20 percent of the total number of registered voters in the city.

Gisriel argued the number of signatures gathered would have met the minimum required number if the city had purged its voter rolls of those who were no longer eligible to vote in city elections.

Both sides agreed at that time that the rolls did include the names of people who had moved out of the area, and even some who had died, but the city argued that Gisriel's challenge of the rolls came after the deadline had passed.

## MD 589

FROM PAGE 1

and zoning board, which has recognized that improvements to the road would be inevitable, and any development too close to the road would be a detriment for future expansion. Affected government agencies are looking to protect a 100-foot-wide corridor for the entire length of the road.

"Improvements would not necessarily mean complete dualization. There could be turn lanes or other things. They (SHA) showed, on some maps that they developed, what right of way they foresaw they needed to make improvements on MD 589," said Tudor.

Initially, the plan took a back seat

to other projects, but earlier this year planners for the county revitalized the efforts and are looking for the commissioners to make the protection of the right of way for the state road law.

"The plan says that we should plan to keep structures out of that area," said Tudor.

Residents in the area are being asked for their insight for the improvements.

"A couple years ago we put together a task force made up of some county officials, state officials and residents of the 589 area to come up with what we thought 589 ought to look like. It was a consensus of that task force that we ought to preserve a 100-foot corridor through there. Right now we only own 60-foot of right of way," said Donnie Drewer, district engineer for SHA.

## Court

FROM PAGE 1

petition for insufficient signatures, the claims of the petitioners may have taken on added weight after the publication of a Capital Improvement Plan drawn up by Public Works Director Hal Adkins showing a time table for lengthening a runway and adding commuter air service.

Adkins later denied the timetable constituted an approved plan. He said it was drawn up as a guide for a soon-to-be contracted airport consulting firm, so they could be informed of the issues already discussed by the previous city councils.

In telephone conversations this week, Gisriel said the leadership favoring the petition have not yet made a decision on whether to proceed to legal action.

While intimating he had no fur-

ther discussions with city officials since his request for a formal hearing was turned down Jan. 7, Gisriel said this week he believes he has exhausted every administrative avenue of appeal. Individual council members have said privately they do not favor a hearing and that Gisriel has already been giving one appeal opportunity. In the Jan. 7 letter, which came from City Solicitor Guy Ayres, Gisriel was reportedly informed the city charter does not compel the council to hold a hearing if members are not disposed to schedule one.

Gisriel has argued, however, he cannot fathom how the council can either deny petitioners an appeal hearing or say they've already had one opportunity.

Ayres and some council members have intimated that if Gisriel and supporters seek legal action to resolve the issue, the city will contest even more names than the nine they have thus far disallowed.

## THE DISPATCH

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 HAPPY HOUR 4 P.M. 'TIL  
 1/2-PRICE DINNER ENTREES  
 5 P.M.-10 P.M.  
 2-FOR-1 PIZZA  
 1/2-PRICE JERK RINGS,  
 FRIES, NACHOS  
 \$1.50 NATURAL LIGHT, \$1.00 DRAFTS,  
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 GAME ON 10 TVs  
 & BIG SCREEN

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**HAPPY HOUR**  
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 NFL FOOTBALL ON 10 TVs ... SPECIAL  
 GAMES ON DE BIG DISH  
**NEXT DARK SIDE**  
 Wednesday, Jan. 28  
**NEXT LUNASEA**  
 Wednesday, Feb. 11



FRIDAY-SATURDAY, JAN. 23-24  
**THE HAZE**

LIVE BANDS 10 P.M.-2 A.M.  
 Friday & Saturday, Jan. 23-24: The Haze  
 Sunday, Jan. 25: Soul Patch - Super  
 Bowl Party  
 Tuesday, Jan. 27: Subterraneans  
 Wednesday, Jan. 28: Dark Side - One Step  
 Beyond  
 Thursday, Jan. 29: Right On



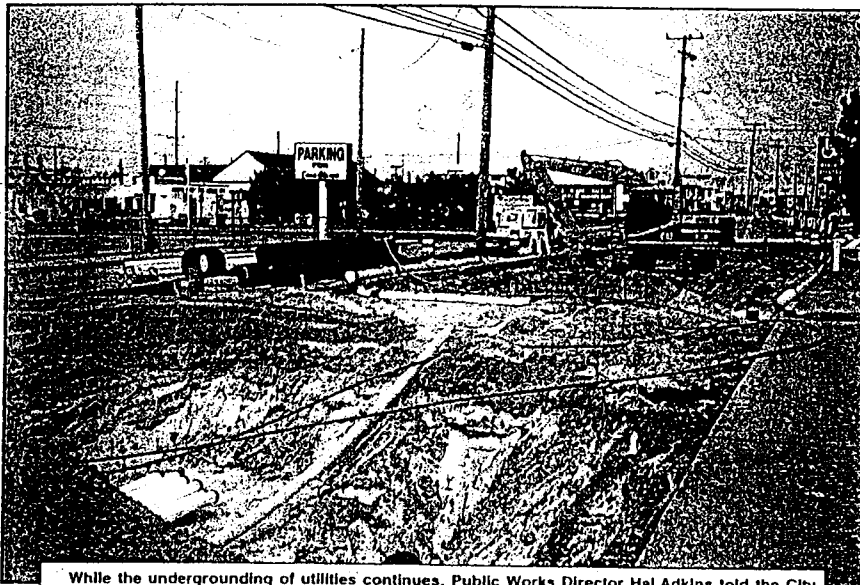
SEACRETS TRIAL EXHIBIT 299

# Maryland Coast Dispatch

The Maryland Coast Dispatch (USPS #015125) is an official and legal newspaper for Worcester County. Periodical postage paid at Berlin, Maryland. The Maryland Coast Dispatch is published weekly on Friday mornings, 52 weeks a year. Subscription rates within Worcester County are \$10.50 per year. Outside Worcester County, \$19 per year. POSTMASTER: Please send change of address to Maryland Coast Dispatch, P.O. Box 467, Berlin, Maryland 21811. Maryland Coast Dispatch offices are located at Route 346 and Graham Avenue, Berlin, Maryland

VOL. 3, NO. 3 THE COUNTY NEWSPAPER FOR JANUARY 16, 1998 25 CENTS

## Baltimore Avenue Renovation Peaks



While the undergrounding of utilities continues, Public Works Director Hal Adkins told the City Council this week the \$6.3 million project to improve Baltimore Avenue will not be completed till late May.

*"It's going to get busy. It's not busy yet."*

OCEAN CITY (DMS) - Appearing before the City Council this week, Public Works Director Hal Adkins told elected officials much of the undergrounding of utilities in the Baltimore Avenue improvement project is on schedule and is expected to be complete by May.

Once complete, the Baltimore Avenue corridor will sport new water mains, storm drains and sewers as well as gas mains, underground electrical lines and cable television lines.

The only utility lines that will not be replaced in the current phase of construction are the smaller power lines for the ornamental street light, Adkins said. Those lines will be installed during the next phase.

But even as Adkins was updating the council, crews were preparing to shift the pace into warp drive. Workers were due to begin work on 16th Street that will allow Bell Atlantic crews to begin installing cable.

"For those of you who have been out there and think it's busy now - uh uh. It's going to get busy. It's not busy yet," Adkins said.

If circumstances continue to favor Adkins' schedule, crews will complete the majority of work by the last week of March, although the conversion and reconfiguration of the Baltimore Avenue traffic pattern is not expected to be completed before the Easter holiday. Paving of the side streets is not expected to be completed before late May.

"I wish it was earlier, but it's not going to happen," Adkins told officials. "This thing is pushing us to the limit."

Residents and businesses in the area will get a brief respite from the barricades and construction crews this summer, but Adkins warned the council the next phase, set to begin in October, will be much more disruptive.

"It's basically the removal of the surface of the entire area," Adkins said. Crews will remove and replace sidewalks, install a traffic island, a sprinkler system and fresh landscaping.

### Council Doubles Parking Lot Fee

OCEAN CITY (DMS) - City officials may find themselves faced with a redefinition of the term "prime parking spots" next season, after the council moved this week to double the price of parking in city-owned lots.

The move came as no surprise as the council has been considering the increase for some time.

It was about a year ago the council voted to double parking fees at the Inlet, the city's largest and most desirable lot for beachgoers and Boardwalk cruisers. The council took the action after City Manager Dennis Dare advised council members the increase could curtail some of the

SEE PAGE 2

### Record Bankrupt Year

BERLIN (JSG) - Continuing a trend found in recent years, bankruptcies in Worcester County jumped 16 percent, to 153 in 1997.

During the 1990s, the number of filings reported have ballooned as the stigma attached to bankruptcy has all but diminished. Many people in financial trouble now are willing to seek shelter as a first option rather than a last resort.

According to Vicki Harper, a system data analyst for the U.S. Bankruptcy Court in Maryland, of the 153 filings reported, 129 were chapter seven, or liquidation, closing business by collecting assets and settling all debts.

There were 17 chapter 13 filings, adjustment of debts of an individual with regular income, and seven chapter 11 filings, reorganization.

COUNTY BANKRUPTCY FILINGS		
	1996	1997
January	5	6
February	10	14
March	13	15
April	15	17
May	13	15
June	12	14
July	11	13
August	10	12
September	9	11
October	8	10
November	7	9
December	15	13
<b>Total</b>	<b>132</b>	<b>153</b>

PLAINTIFF'S EXHIBIT

299

ALL STATE LEGAL SUPPLY CO

O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
Offered by Opposer

P 43809

# News In Brief

## County To Discuss Post Office Location

SNOW HILL - Representatives from the U.S. Postal Service and the Worcester County Commissioners will talk about the need for a new post office in the northern section of the county and look at possible locations for the new facility at an informational meeting on Tuesday, Jan. 20.

Joe O'Connor, real estate specialist for the U.S. Postal Service, and Bill Ridenour, manager of post office operations for the Baltimore region, will represent the postal service. The discussion will involve plans for the new facility and a tentative schedule for construction. At a later date, a public hearing will be held to accept public comment. No decision will be made before the public hearing.

## Berlin Skate Park Committee To Meet

BERLIN - Jane Harrington, chairperson of the Berlin Skatepark Committee, has announced a meeting on Wednesday, Jan. 21, at 7 p.m. in the conference room of the Berlin Town Hall. The general public and interested parties are invited to attend.

The objective of the committee is to have a skatepark built in the Berlin/North Worcester County area. The park will feature both beginner and more advanced skater courses. The park could be an outdoor or indoor facility or a combination of both. There will be a review of plans and accomplishments to date. Plans to make a presentation to both the town council and the Worcester County Commissioners will be discussed. For more information or to volunteer help, contact Harrington at 410-213-2704 or Jim McGinniss at 410-629-1416.

## Herring Landing Meeting Set

OCEAN CITY - The West Ocean City Association and the Worcester County Commissioners office are co-sponsoring a public information meeting at the Ocean City Elementary School to unveil the plans for the new 50-acre park adjacent to the Herring Landing Development off Keyser Point Road.

A landscape architect and an environmental consultant will be on hand to describe the plans for the massive recreation park to take public comment on its implementation. The public is encouraged to attend.

## Powell Center Expects Packed House

OCEAN CITY - The Roland E. Powell Convention Center will be the place to be this weekend as three large shows will flood its halls.

The 13th Annual Nautical & Wildlife Art Festival will feature 100 of the nation's finest nautical and wildlife painters, carvers, sculptors, model shipbuilders and photographers displaying original and limited editions. Well-known, local artist George Zaiser will be one of the many talented artists on hand. Show hours are 10 a.m.-6 p.m. on Saturday and 10 a.m.-5 p.m. on Sunday. Admission is \$4 for adults, \$3 for AARP members and students age 13-17, and \$1 for children under-12.

Admission to the nautical festival also gains visitors entry to the 11th Annual North American Craft Show, which will feature more than 200 artists and crafters from up and down the East Coast displaying high-quality, hand-made items. The show also will have continuous entertainment, food and a valuable door prize. Hours are 10 a.m.-6 p.m. on Saturday and 10 a.m.-5 p.m. on Sunday.

If golf is on your mind, plan a visit to the 5th Annual Golf Expo. In addition to the latest in golf equipment, there will be seminars, demonstrations, travel information, door prizes and many more ways to improve your game from tee to green. Show hours are 10 a.m.-6 p.m. Saturday and Sunday. Admission is \$5, and children under-12 are admitted free.

## Cosby Likely Next Planning, Zoning Leader

BERLIN (JFD) - A new appointment to the Berlin Planning and Zoning Committee will likely be made at the next Berlin Town Council meeting, as present member Bill Waters is stepping down.

At Monday night's meeting, Mayor Rex Hailey and the council announced that Waters replacement will likely be Pete Cosby who has expressed an interest in filling the void.

Waters had been ill, according to the council, and his term was up at the end of December. Hailey said that the town appreciates Waters' years of service. "He's a great guy and we're going to miss him on that board," said Hailey.

## Revenue Eyed By Leasing Town Towers

BERLIN (JFD) - The town announced this week it's in the process of developing a policy of requirements for cellular towers and microwave dishes, so that it can lease property to companies who would like to construct those structures in Berlin.

According to Andy Fulghum, town administrator, the town could generate anywhere from \$400-\$2,000 per site when renting spaces that would be desirable to cellular communications companies.

Sites such as the tops of water towers and high poles are often used by cellular companies to install cellular antennas for communication purposes.

# County, Berlin Agitated Over Personal Agenda Debate

BERLIN (JFD) - Two members of the Worcester County Commissioners are coming under fire from members of the Berlin Town Council who claimed that those commissioners allowed their personal agendas to influence the way they voted regarding the Briddletown Water Transfer.

Members of the council criticized Commissioners James Purnell and James Barrett for doing nothing to dispel misinformation regarding the transfer, a move the council claims would be a "win-win" situation for all involved.

Members of the council said the commissioners should have dispelled false rumors regarding financial and annexation aspects of the proposed project but may have only perpetuated them.

"I thought it was wrong for them to use their position as county commissioners to make the personal comments that they made - two of them, and it was Mr. Barrett and Mr. Purnell - because they both had a vested interest. Mr. Purnell lives in the area, and Mr. Barrett because he's so anti-annexation," said Berlin Councilmember Paula Lynch. "I



"There has never been any intention to annex Briddletown. It would not be economically sensible because we'd have to provide sewer and there's no way we could do that," said Berlin Council member Paula Lynch.

fused the issue. "By omission or commission they certainly led those residents to believe that there was some question of annexation and that Berlin has some sort of ulterior motive in trying to promote this

**"I don't really think they trust the town of Berlin," said Barrett. "They're scared to death they're going to be pulled into an annexation type-of-thing."**

went up to Mr. Purnell and I asked him, 'Who are you here representing? Are you representing the citizens of Worcester County or yourself?' He said, 'I'm representing both.' I don't believe you can do that."

The council felt residents were fearful about being annexed by Berlin and having to pay a \$10,000 hook-up fee. Council members have been very vocal, since the project was proposed, in saying it would not annex the Briddletown residents even if they requested it. Also, according to Don Ward, head of the town's utility commission, there would be no hook-up fee for residents.

"There has never been any intention to annex Briddletown. It would not be economically sensible because we'd have to provide sewer and there's no way we could do that," said Lynch.

Lynch claimed the commissioner tied the annexation of Route 346 to the Briddletown residents and con-

water system for those few citizens. There was no ulterior motive," said Lynch. "Those two county commissioners muddled the waters up so badly, that the facts didn't seem to mean much."

Purnell is irate over the criticism he has received, saying that he abstained from the vote as a commissioner, but he has a right to speak his mind as a citizen.

According to Purnell, Briddletown residents thought he was the one who was originally trying to transfer the service and contacted him. He claimed he did not want it from the beginning and the residents wanted him to call a meeting, which he did to discuss the facts of the issue.

"I wanted them to know that I as a county commissioner did not go to the Town of Berlin and look into the possibility of bringing the water into Briddletown," said Purnell. "What I did was bring them up to date as to how this thing got started, and then I let them know where I stood as a

SEE PAGE 12

## THE DISPATCH

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**SUPER BOWL PARTY**

SUNDAY, JAN. 25

HAPPY HOUR 4 P.M.-7 P.M.

1/2-PRICE DINNER ENTREES  
5 P.M.-10 P.M.

2-FOR-1 PIZZA

1/2-PRICE JERK, RINGS,  
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\$5 DAILY LUNCH  
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4-7 p.m. Sunday-Friday

1/2-PRICE  
DINNER ENTREES  
Sunday-Thursday 5 p.m.-10 p.m.

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**THE HAZE**

**SPORTS**  
NFL FOOTBALL ON 10 TVS ... SPECIAL  
GAMES ON DE BIG DISH

**NEXT DARK SIDE**  
Wednesday, Jan. 28

**NEXT LUNASEA**  
Wednesday, Feb. 11



FRIDAY-SATURDAY, JAN. 16-17  
**BLISS**

THURSDAY, JAN. 22  
**ONE STEP BEYOND**

LIVE BANDS 10 P.M.-2 A.M.

Friday, Jan. 16: Bliss  
Saturday, Jan. 17: Bliss  
Sunday, Jan. 18: Tom Larsen  
Tuesday, Jan. 20: Subterraneans  
Thursday, Jan. 22: One Step Beyond

**SEACRETS TRIAL EXHIBIT 300**

**BERLIN (JSG)** - A report released this week indicates county land owners will soon face an increase in their property taxes, as property values are expected to climb 2 percent over each of the next three years.

The average annual increase eyed for the county is slightly higher than the statewide mark of 1.1 percent, and Gary Flater, supervisor of assessments for the Worcester County Department of Assessments and Taxation, said the difference explains the county's anticipated growth. "It means that we're growing

# Property Tax Hike Near

faster than the state as an average," Flater said. "Northern Worcester County is the fastest-growing area on the Eastern Shore. I think that's the primary reason for the increase."

Reassessment notices, which were mailed out this week to approximately 17,000 residents, reflect the real estate market where value appreciation for

the typical property has shown slight growth in recent years.

Flater cautioned the significance of the boost indicating it's a slower growth than reported in the past, when on average a 6 percent increase was considered a reasonable figure for growth in real estate.

Flater added the county has not approached that mark in

recent years.

However, the 2-percent increase does indicate substantial growth. "It represents continued growth in the northern area, centered around Ocean Pines," Flater said.

State law requires that one-third of the properties in Maryland be revalued each year. According to Flater, the department abided by state law this year by reassessing the northern portion of Worcester County - Berlin, Bishopville, Ocean Pines, West Ocean City and the South Point area.

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VOL. 3, NO. 2

THE COUNTY NEWSPAPER FOR JANUARY 9, 1998

25 CENTS

# Berlin Electric Service Assured

**BERLIN (JFD)** - The national movement to deregulate power companies is being met with open arms by Berlin even though the town's ability to supply its customers with electricity will soon be in competition, at least theoretically, with every other power company across the country.

According to Don Ward, utility manager, Berlin's package of prices and service will outdo virtually any package town residents will be offered once deregulation fully materializes, largely because the town's power company is not a money-making operation.

The deregulation of power companies is being pushed, largely, by heavy users of electricity, such as major multi-national corporations. These heavy users feel they can purchase electricity less expensively if they can shop for their electricity.

Presently, power companies have protected areas where they can provide electricity to their customers on a retail level. The wholesale aspect of selling electricity to providers has already been deregulated with companies being able to purchase electricity from a variety of other electric generators.

"The main thing that is going to be deregulated is the electric supply, where people purchase their electricity," said Jay Mason, spokesperson for Delmarva Power. "The distribution system, most likely, will remain

**"We probably will not be the lowest-priced electricity in the country, but I know one thing, we'll be the best buy they've ever gotten because of reliability, service and billing."**

regulated. The thing that the customer will have a choice about is who they're going to buy their power from.

"So let's say Montgomery Ward and Sears and Wal-Mart are all sell-

ing electricity. And the customer decides to buy their electricity from Montgomery Ward. The electricity will still be delivered to that customer's business or home through someone's distribution system, whe-

ther, it's Delmarva or Choptank, or Berlin. Each utility would charge Montgomery Ward for using our delivery line," Mason said.

Berlin is one of only five municipalities in Maryland to have its own power company. However, it purchases 95 percent of its electricity from Delmarva Power, according to Ward. Purchasing power from another source is done for two reasons. One is that the present power station is not capable of providing electricity for the entire town. And the second reason is the electricity purchased is cheaper than what it costs Berlin to produce it.

The 5 percent of the power that Berlin produces saves the town an estimated \$60,000 a month. The total power that it produces and purchases is distributed by Berlin's electric company to residents in its serving area, which is exclusive to the town.

After deregulation is complete, which will not occur until after the millennium, customers will have the option to look elsewhere for lower prices, but according to Ward residents will be hard-pressed to find a better deal.

"My concern is that the retail deregulation is going to hurt the small residential, low income, middle-income customer who only uses a small amount of electricity a month because no one is going to be looking

SEE PAGE 2

# City Sinks Gisriel Ship

BY DAVID SUZNAVICK

**OCEAN CITY** - Councilman Vince Gisriel said this week he will not immediately pursue a circuit court appeal to overturn the City Council's rejection of a petition seeking a referendum on the buyout of a West Ocean City mobile home park in order to establish a runway protection zone for the airport.

"We're going to continue to pursue our appeal rights under the [city] charter," Gisriel said after meeting with supporters Tuesday night. Gisriel said the decision not to pursue the issue in court was reached after petition proponents determined the city charter affords petitioners an appeal process before seeking a legal remedy. "My feeling is that if we went to court, a judge would remand it back to the council for a hearing," he said.

In furtherance of that appeal, Gis-

riel said he delivered a letter to City Solicitor Guy Ayres, Wednesday, asking for a formal hearing on the matter before the City Council. Copies of the letter also have been delivered to the council members, he said.

Although the council has already rejected one request for an appeal, Gisriel said he thinks the council is obligated to vote on whether a formal hearing should be scheduled, something which he said has not been done.

Council President Rick Meehan said the council has already rejected one request for an appeal and he is unsure if a vote is even necessary. Meehan did say, however, Ayres has already advised the council it is under no obligation to hear an appeal on the issue.

But even if the council does ultimately agree to vote on granting an appeal hearing, Gisriel's supporters

SEE PAGE 4

**ADKINS REBUTTAL**

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**JOEL TODD INTERVIEW**

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**PLAINTIFF'S EXHIBIT**

300

ALL STATE LEGAL SUPPLY CO

*O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.*  
Opposition No. 91190886  
Offered by Opposer

# News In Brief

## Bridgetown Stays In County Hands

BERLIN (JFD) - The county will remain in control of the Bridgetown service area, as residents of the area overwhelmingly voted not to transfer the service to the town of Berlin, even though officials claim the transfer would be best for all parties involved.

Forty-eight ballots were sent to the residents of the area, of which 28 were returned, with only four votes in favor of the transfer. There were 13 votes against the transfer and 11 votes were considered to be invalid, but the Worcester County Commissioners reported at least eight of the invalid votes were against the transfer.

The Dec. 9 public hearing clearly showed the rate-payers of the area were not in favor of the transfer, even though, according to Andy Fulghum, town administrator, their rates would decrease and the water quality would improve. Fulghum felt the main reason residents were not receptive to the proposed change was because they were confusing the transfer with annexation, something that is not in the town's plans.

The present system is expensive to run and the residents do not have meters but pay a bulk rate. "It's a shame because all of the funding was in place," said Fulghum. The required funding for the transfer from the MDE was contingent upon the support of the affected residents.

## Mathias To Speak At Chamber Luncheon

OCEAN CITY - Mayor Jim Mathias will be the guest speaker at a luncheon, hosted by the Ocean City Chamber of Commerce, to be held at the Holiday Inn on Tuesday, Jan. 13 at 11:30 a.m.

Mathias will preview the upcoming Maryland legislative session and its potential impact on our resort community. Pending legislation concerning gambling, beach replenishment and highway/bridge projects are just a few of the items Mathias is expected to address.

Cost of the luncheon is \$10. Reservations are required.

## Coast Guard Auxiliary Elects Leaders

OCEAN CITY - U.S. Coast Guard Auxiliary Flotilla 12-05 of Ocean City recently elected its two highest-ranking officials. Ernest J. Blazer, of Keenwick, Del., has been elected commander, and William C. Pokorny, of West Ocean City, has been named flotilla vice commander.

Blazer, a veteran member of the auxiliary, has served previously as a flotilla commander and as captain of Auxiliary Division 12. Pokorny has served as vice flotilla commander in the past.

## Winterfest To Light Up January Weekends

OCEAN CITY - The resort's 5th Annual Winterfest of Lights will continue on weekends through the month of January, featuring luminous displays all around town and activities the entire family can enjoy.

Since mid-November, thousands have visited the resort to enjoy the view of more than 800,000 twinkling, glittering lights covering hundreds of animated and stationary displays. From the Inlet at the southern end of town up to Northside Park, elaborate displays light up Ocean City's winter night sky.

Winterfest Express rides are \$2 for ages over 12, \$1 for ages 6-12 and free for children under the age of five. Train rides start at 5:30 p.m. and the last ride departs at 9:30 p.m. on Fridays, Saturdays and Sundays through January.

## Gilchrest: No Premium Raise For Seniors

BERLIN - Rep. Wayne T. Gilchrest recently signaled his opposition to a proposed premium increase by BlueCross/BlueShield of Maryland (BCBSMD), which would raise rates by up to \$75 a month for rural seniors enrolled in the Medi-Care First program.

In a letter to BCBSMD's president, Gilchrest wrote, "I understand your need to maximize profits, however, I urge you to reconsider this proposed premium increase. While I believe BlueCross/BlueShield is committed to serving all seniors in Maryland, I am afraid that such a steep increase may drive many seniors out of the program and reduce their access to adequate health care."

## Bozman To Speak At Women's Club Meeting

OCEAN CITY - The United Democratic Women's Club of Maryland is having an eastern district luncheon on Saturday, Jan. 17 at the Princess Royale Hotel at noon. The guest speaker will be Del. Bennett Bozman, D-38. There will be lunch served, and the cost is \$15.

## State Reports Low Highway Deaths

BERLIN - Maryland State Police Superintendent Colonel David B. Mitchell announced this week 1997 may prove to be one of the lowest years of recorded highway fatalities in Maryland in three decades.

Preliminary figures for 1997 show that 591 people died on Maryland roadways in traffic crashes, as compared to 615 for 1996 which was the lowest number of highway deaths since 1964. These numbers are expected to change somewhat until the end of January, when the final fatality figure becomes official.

# WHAT THEY SAID ...



"I'm really not in favor of turning our council chambers into a courtroom, with interrogations and cross examinations."  
COUNCIL PRESIDENT  
RICK MEEHAN



"I supported him to begin with. I would certainly support giving him a hearing."  
COUNCILMAN  
JIM HALL



"We've bent over backwards for Vince's even following some signatures that under state guidelines should have been thrown out. He's just going to be satisfied."  
COUNCILMAN BUCK MANN



"There comes a time when you just have to quit and move on. I know how he feels. I've been beat many times in the years I've sat on the council."  
COUNCILMAN LEE DUGGAN

### FROM PAGE 1

are expected to gain little except perhaps as a delaying tactic, as support, among council members, appears to be thin.

"I'm really not in favor of turning our council chambers into a courtroom, with interrogations and cross-examinations," Meehan said. "I think the proper place for that would be in the court."

Councilman Lee Duggan agreed, saying that while he had not yet seen Gisriel's letter, he was not inclined to carry the issue any further. "I think it's fine to disagree, but Vince just doesn't know when to quit," he said. "There comes a time when you just have to quit and move on. ... I know how he feels. I've been beat many times in the years that I've sat [on the council]. But if we go into this every time we disagree, we'd never get anything done."

Councilman Buck Mann said he too is not inclined to allow a hearing. "I think we've gone as far as we can go with this," he said. "We've bent over backwards for Vince, even allowing some signatures that, under state guidelines, should have

been thrown out. He's just not going to be satisfied."

Saying she has not yet read Gisriel's letter, Councilwoman Nancy Howard said she has not yet reached a decision on the issue and is only likely to do so after consulting with the city solicitor.

Gisriel left open the possibility that the issue could wind up in circuit court if the council declines to hold a hearing, however. With that possibility looming over the heads of councilors up for re-election, Gisriel could see a softening of opposition in that a court battle may linger long into this year's election season, offering an irritating reminder to those voters who signed the petition.

That point has not escaped all the council members.

Although not up for re-election, Councilman Jim Hall said he will support Gisriel's effort to get a hearing. "I supported him to begin with," Hall said Wednesday. "I would certainly support giving him a hearing." Hall said he too questions the criteria by which the elections board rejected some signatures and would like to see those questions resolved.

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**HAPPY HOUR**  
 4-7 P.M. SUNDAY-FRIDAY  
 1/2-PRICE JERK RINGS & FRIES

**\$1.00 DRAFTS**  
 Coors Lite, Bud Lite,  
 Miller Lite, Amber,  
 Beck, Honey Brown

**\$1.50 DOMESTIC**  
 Bottles/Cans

**\$2.25**  
 Imported Beers  
 Bottles/Cans

**\$1.50**  
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 Champagne

**\$2.50**  
 WELL DRINKS

**\$2.50**  
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**\$5 DAILY LUNCH**  
**SPECIALS**

Monday: Beer Steer  
 Tuesday: Chicken & Dumplings  
 Wednesday: Roast Pork And  
 Mashed Potatoes  
 Thursday: Spaghetti And Meat Sauce  
 Friday: Fish & Chips

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**DINNER ENTREES**  
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**ON SUNDAY**

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FRIDAY-SATURDAY, JAN. 9-10  
**POWER PLAY**



SUNDAY, JAN. 11  
**SOUL PATCH**

**SPORTS**  
 NFL FOOTBALL ON 10 TVS ... SPECIAL  
 GAMES ON DE BIG DISH

**NEXT LUNASEA**  
 Monday, Jan. 12

**NEXT DARK SIDE**  
 Wednesday, Jan. 28



LUNASEA MONDAY JAN. 12  
**SUBTERRANEANS**

**LIVE BANDS 10 P.M.-2 A.M.**

Friday, Jan. 9: Power Play  
 Saturday, Jan. 10: Power Play  
 Sunday, Jan. 11: Soul Patch  
 Monday, Jan. 12: Subterraneans  
 Tuesday, Jan. 13: One Step Beyond  
 Thursday, Jan. 15: Full Effect



SECRETS TRIAL EXHIBIT 301

# Maryland Coast Dispatch

The Maryland Coast Dispatch (USPS #015125) is an official and legal newspaper for Worcester County. Periodical postage paid at Berlin, Maryland. The Maryland Coast Dispatch is published weekly on Friday mornings, 52 weeks a year. Subscription rates within Worcester County are \$10.50 per year. Outside Worcester County, \$19 per year. POSTMASTER: Please send change of address to Maryland Coast Dispatch, P.O. Box 467, Berlin, Maryland 21811. Maryland Coast Dispatch offices are located at Route 346 and Graham Avenue, Berlin, Maryland.

VOL. 3, NO. 1 THE COUNTY NEWSPAPER FOR JANUARY 2, 1998 25 CENTS



**AIRPORT  
EXPANSION  
GOALS**

PAGE  
2

A Capital Improvement and Operations Plan, leaked from city offices last week, reveals a five-year expansion formula for the Ocean City Municipal Airport.

## Local Government Prepared Y2K Glitch No Problem

BERLIN (JFD) - The year 2000, or Y2K, computer glitch is still two years away, but local governmental agencies are starting to think about how they can be ready to prevent and handle some of the problems that are likely to occur.

Y2K is a problem only computer experts can fully understand, but its effects will impact virtually everyone. In fact, society is already being affected because governmental agencies are beginning to allocate money in their budgets to hire high-priced consultants to remedy the situation.

The glitch is a result of computer programming, or coding, that has designated the year by only using its last two digits. Because of this, computer programs that rely on time will be adversely affected.

The problem originated in the '60s

and '70s when saving data was much more expensive than it is today. A megabyte of memory cost tens of thousands of dollars. In order to conserve resources, programmers simply coded the year in two digits rather than four, assuming that the first two digits would be 19. This coding system was perpetuated when newer programs were developed and were made compatible with existing ones.

Nearly every program will be adversely affected, but it is difficult to determine how extreme the effects will be in each program. Local government is now in the process of investigating which programs need to be brought up to speed. However, they are not yet able to assess the cost of updating their computer systems.

SEE PAGE 10

## Resort Expands TV Ads

OCEAN CITY (JFD) - While not increasing their advertising budget for the upcoming year, the resort has changed their television advertising strategy by lengthening the commercial from ten seconds to 30 seconds.

According to Mike Noah, director of tourism for Ocean City, the purpose of changing the commercial is to showcase Ocean City's primary amenities, in hopes of lengthening the prime vacation season.

"Our advertising in the past has basically been reminder advertising. Don't forget to make your reservations for Ocean City. That's the basis of the 10-second ad," said Noah. "This year it's a 30-second ad, which introduces more of what there is to do in Ocean City."

That advertisement will go to the resort's major area of dominant influence, which is the Baltimore-Washington corridor, southern Pennsylvania, New Jersey, Philadelphia and parts of New York. Of those markets, the two primary markets are the Baltimore-Washington corridor and the southern Pennsyl-

vania markets, accounting for about 80 percent of the advertising budget.

The budget, according to Noah, "hasn't changed one penny from last year," hovering right around \$1 million. Of that, \$700,000 is allocated for television expenses and the rest is for print advertising. The new television commercial, which was shot in September, cost the town nearly \$160,000 and is scheduled to begin running in mid-January through April.

"The commercial basically, covers all aspects of what Ocean City is. Whether it's golf, fishing, outdoor sports, restaurants, music. It's all incorporated into one commercial," said Noah. "We're focusing on a higher-end demographic than in the past, because we're targeting upscale markets in southern Pennsylvania, southern New Jersey, and some of New York. They have a little more money and they're not afraid to spend it. We're in competition in trying to drive that market to Ocean City rather than going over our

SEE PAGE 10



LAND BUYOUT PETITION FAILS

TRAILER PARK  
RESIDENTS  
DOOMED

PAGE  
3

The 42 residents in this mobile home park, located across Route 611 from the airport, are facing eviction, as Ocean City Councilman Vince Gisriel's petition to take the proposed land buyout to referendum fell short by 11 signatures.

**PLAINTIFF'S  
EXHIBIT**  
301  
ALL-STATE LEGAL SUPPLY CO.

P 43815

O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.  
 Opposition No. 91190886  
 Offered by Opposer

# 1997: A Year Of Tragedy, Politics

**BERLIN (JSG)** - Attempts to determine the importance of a year in a simple word or two typically fail. However, this is not the case for 1997. It clearly was a year full of both tragedy and politics.

The following is a spread devoted to the news that grabbed headlines in 1997:

## Route 113 Dualization Becomes a Reality

**BERLIN** - It took years of lobbying and 71 deaths, but Route 113 will become four lanes.

C.R.A.S.H. members and local government officials finally caught the ear of the big wigs in Annapolis, as all affected government agencies signed off on the full dualization plan of the road in a Sept. 18 meeting in Washington D.C.

The plan, which will cost at least \$120 million, will dualize approximately 23 1/2 miles of road stretching from the Delaware line to Snow Hill. The next hurdle the project must clear is finding the money to build the new road.

Prior to that meeting, an emotional public hearing at Stephen Decatur High School took place in June, at which family members of victims who died on the road spoke out in favor of the proposal, moving officials to take action.

## Pfiesteria Breaks Out On Pocomoke, Watermen Lose Shirts

**POCOMOKE** - In what resulted in substantial losses to area watermen, the Pocomoke River faced its toughest summer ever, battling a toxic organism called pfiesteria piscicida.

Pfiesteria resulted in a growing number of fish with gaping, ulcerous sores making the river unsafe for even humans. As a result, the river was closed sealing the season for the watermen.

Once the summer weather subsided, the disease dissipated, but noted scientists are predicted the microbe to surface come spring.

In order to hamper its return, government agencies have pointed their fingers toward the poultry industry. It appears these farmers will be facing some new legislation in 1998.

## Resort Only Swallows Coke, May Pay In Higher Court

**OCEAN CITY** - The Ocean City Mayor and Council decided in April to make Coca-Cola the official soft drink of the town, dismissing a contract arrangement with Fantasma Productions Inc., who was working on a similar deal with Pepsi at the time. The deal, worth \$1 million, gave Coke exclusive pouring rights at all city-sponsored events.

Overall, the City Council was just ecstatic over the deal, but Councilman Vince Gisriel felt otherwise, complaining the city has entered into the business of "restricting free

trade."

As a result of the city's vote, Fantasma filed, in October, a lawsuit for \$750,000 in damages stemming from a breach of contract. The Coke deal is seen as an illegal cessation of the Ocean City/Fantasma sponsorship agreement. 1998 will only tell.

## Bally's Seals Ocean Oval Deal

**BERLIN** - After months of overcoming bureaucratic hurdles, Bally's Maryland Inc. finally took control of Ocean Downs on May 28. Live racing first took place Fourth of July weekend.

Though shortened due to the buy-out delays, Bally's at Ocean Downs experienced their best summer ever, eclipsing all their past records.

## Weather Sparks Terrific Season

**OCEAN CITY** - By most accounts, Ocean City businesses experienced a tremendous summer as record crowds flocked to the beach for an unbelievably beautiful season.

More than 4 million visitors from all over the East Coast found the weather in Ocean City excellent. As a matter of fact, there was only one weekend which could be called a washout.

Furthermore, the resort went unscathed through the peak hurricane season, which was a spectacular story in itself.

## Drunk Diver Takes Innocent Life

**OCEAN CITY** - A Wall, N.J., man was killed July 27 in a drunk driving accident when a car, driven by Robert Bartlett, Fairfax, Va., struck Michael Ketchum, 28, severing both his legs and killing him on impact.

Ketchum and his 26-year-old brother were crossing Philadelphia Avenue at Talbot Street when Bartlett's Chevy Blazer crashed in to Ketchum sending him approximately 300 feet in the air.

After the collision, Bartlett lost control of his Blazer as it drove across a curb, striking a fire hydrant and utility pole, before stopping on the back of a pick-up at the Oceanic Motel. Minutes later, Ocean City police found Bartlett hiding underneath a downtown pier.

Officials estimated the vehicle was traveling at least 70 miles per hour.

## \$18.4M Bond Controversy

**OCEAN CITY** - Thanks to two petition drives, Councilman Vince Gisriel removed two controversial issues from the \$18.4 million bond.

Deleted from the bond, which will fund the Boardwalk renovation, the undergrounding of utilities on Baltimore Avenue, and a host of smaller city projects, were the proposed recreational bubble and then a move to replace it with a hard-structure building at Northside Park.

The bubble was spiked by the City Council amid bitter debate from the business community. The council decided in its place to fund, through the bond, a hard-structure, recreational building at Northside Park.

Gisriel, citing a substantial lack of planning on Recreation Director Tom Perlozzo's part, began a petition to take the issue to referendum and was successful achieving the 1,169 signatures needed.

## Powell Exits Retired Life To Seek State Senate Seat

**OCEAN CITY** - Former Mayor Roland Powell shocked the area in August announcing his intentions to run for a state senate seat against Republican J. Lowell Stoltzfus for the 38th District, which includes Worcester, Somerset and part of Wicomico counties.

## Tour Plane Crashes, Kills Two Tourists, Pilot

**OCEAN CITY** - A local airplane tour business closed its doors this summer after one of its planes crashed into the ocean off the 94th Street beach, killing three.

This was the second crash for Ocean Aerial last summer and the fifth since 1983.

The pilot, Florida-native John McLaughlin, two Pennsylvania passengers, Crystal Blankenbiller, 25, and Judy Leshner, 25, were all killed in the crash.

No word has been released if the business will return next summer for business.

## County Office Building Will Expand In Snow Hill

**SNOW HILL** - After listening to the pleas of Snow Hill residents and business owners to have county employees remain downtown, the Worcester County Commissioners decided to not only construct a new \$6.5 million office building for government employees in the town limits, but they decided to attach it to the present site at the court house.

The people of Snow Hill can be credited with keeping the proposed building within town limits because of their active participation at the Oct. 13 public hearing.

Outcry from the public over rumors the commissioners were planning to move the building out on to county property on U.S. 113 seemed to startle the commissioners, who ultimately made their decision based on the wishes of the people of the town.

## Resort 911 Center Nears Fruition

**OCEAN CITY** - It took nearly the entire year, but Mayor Jim Mathias and his staff from Ocean City, finally had their meeting with the Worcester County Commissioners regarding improvements to 911 service in Ocean City.

The Dec. 23 meeting was an eye-opener for the commissioners as Ocean City officials educated them on how the 911 system worked for Ocean City and how that system could be improved.

The commissioners showed some degree of opposition to moving the answering point of Ocean City emergency calls from the Snow Hill call center to Ocean City's, but said they might be willing to go ahead with a formal study to see how much time the move would save. Ocean City officials estimate the amount of time saved at nearly 22 seconds per call.

## \$29M Powell Center Opens With Great Expectations

**OCEAN CITY** - December's grand opening of the \$29 million Roland E. Powell Convention Center marked the beginning of a new era for the area.

By the year 2000, the projected annual net economic impact of the expansion is \$72.5 million in expenditures, \$42.9 million in household earnings and creation of more than 2,000 new jobs. Furthermore, the expanded convention center will provide in excess of \$8.8 million in direct tax revenues to the state.

## Snow Hill Mayor Linked To Internet Pornography

**SNOW HILL** - Mayor Craig Johnson, who on Dec. 16 resigned from his job as a Worcester County deputy sheriff, was arrested in December for allegedly allowing his squad car to be used in sexually explicit photographs displayed on an Internet Web site.

Worcester State's Attorney Joel Todd charged Johnson, 41, with two misdemeanor counts of misconduct in office as mayor and deputy.

In his first term as mayor, Johnson has been urged to resign by many officials and residents, but no word of his resignation has been received.

## Airport Land Buyout Halted

**OCEAN CITY** - The Ocean City Mayor and Council agreed in a 5-2

SEE PAGE 31

## THE DISPATCH

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**\$2.50**  
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 CANS, ALL DE TIME

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- Tuesday: Chicken & Dumplings
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- Thursday: Spaghetti And Meat Sauce
- Friday: Fish & chips

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**D.J. BATMAN**

THURSDAY, JAN. 8  
**ONE STEP BEYOND**

**SPORTS**  
 NFL FOOTBALL ON 10 TVS ... SPECIAL  
 GAMES ON DE BIG DISH

**NEXT LUNASEA**  
 Monday, Jan. 12

**NEXT DARK SIDE**  
 Wednesday, Jan. 28



THURSDAY-SATURDAY, JAN. 1-3  
**MIKE EDWARDS & BLACK-EYED SUSAN**

**LIVE BANDS 10 P.M.-2 A.M.**

Friday-Saturday, Jan. 2-3: Mike Edwards & Black-Eyed Susan  
 Sunday, Jan. 4: D.J. Batman  
 Tuesday, Jan. 6: Subterraneans  
 Thursday, Jan. 8: One Step Beyond



SEACRETS TRIAL EXHIBIT 302

Sexual Assault Cases Rock County Courts ... Pages 6-7

Worcester 2000 Committee Chair Interview ... Page 10

# The Dispatch

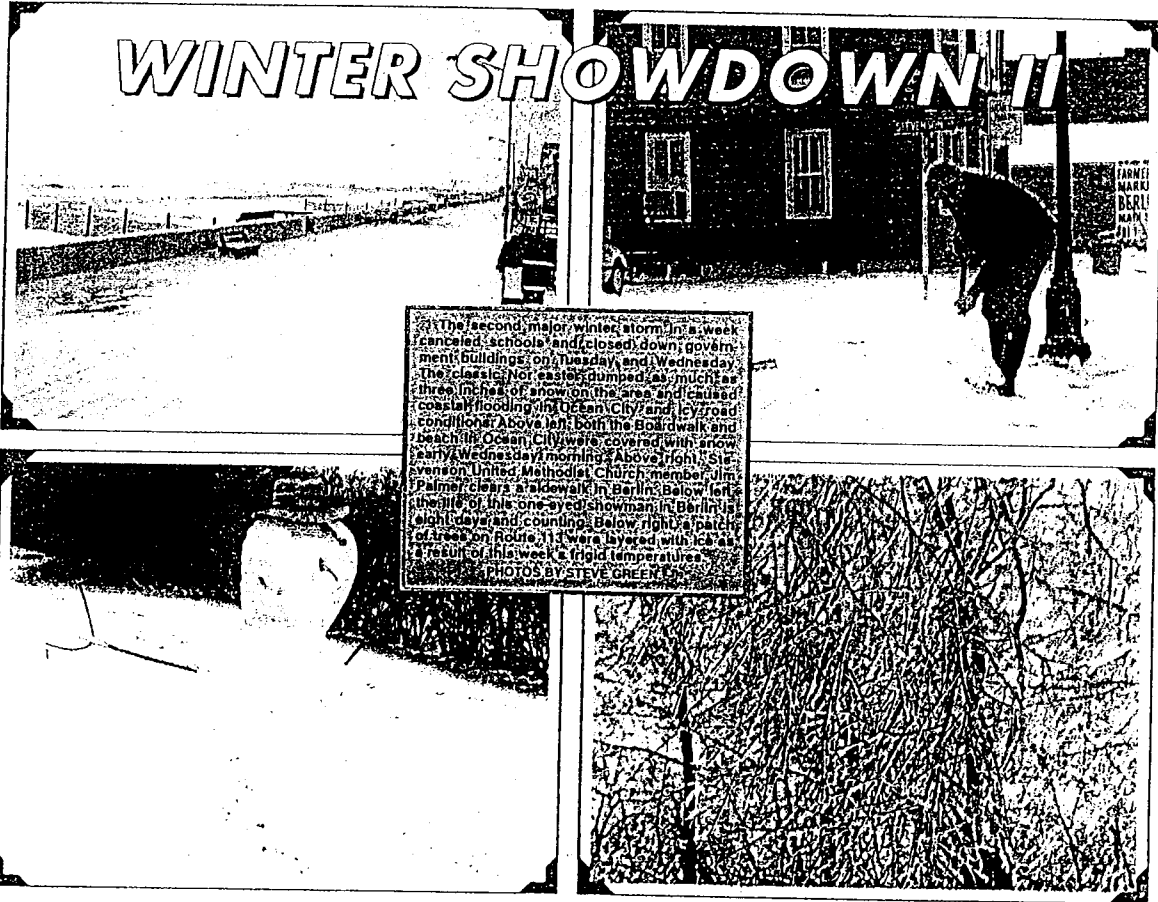
"We Have Met The Enemy, And He Is Us." Pojo

JANUARY 28, 2000

OCEAN CITY, MARYLAND

PRICELESS

## WINTER SHOWDOWN II



The second major winter storm canceled schools and closed down government buildings on Tuesday and Wednesday. The classic Nor'easter dumped as much as three inches of snow on the area, which caused coastal flooding in Ocean City and a poor condition. Above left: Both the Boardwalk and beach in Ocean City were covered in snow early Wednesday morning. Above right: Stinson United Methodist Church pastor, Jim Palmer, clears a sidewalk in Berlin. Below left: The sign for the one-year-old Berlin Inn is high in the wind. Below right: A patch of snow on a road is layered with ice. Photos by Steve Green.

### FEATURE PAGES

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O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.  
 Opposition No. 91190886  
 Offered by Opposer

**PLAINTIFF'S EXHIBIT**  
 302  
 ALL STATE LEGAL SUPPLY CO

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# EDITORIAL

## Can The Madness Be Stopped?

In recent weeks, our pages have been filled with accounts of numerous sexual assaults around the northern Worcester County area. After reading some of the details of the incidents, most of which were withheld from publication in the interest of good taste, it's easy to simply cringe in disgust and horror at the actions of the alleged perpetrators. After all, many of the acts discovered in court records shine the light on perhaps the darkest aspect of human nature.

Take the case of the Ocean Pines man who sexually violated her teenage daughter seemingly because of a dissatisfactory grade she received in a high school course.

Another example came just two weeks ago when a man was arrested and charged with 31 counts of sex offenses and child abuse on his young son in Berlin. These and others are despicable acts of violence and jeopardize the safety of one of our most sacred covenants between caretaker and child.

As repugnant as the thought of an adult having sexual relations with an offspring or any other minor for that matter is to most, there are some who not only find it acceptable but also appealing.

What can be done? Is there a way to stop this sort of activity from happening again? If there is, it hasn't been discovered yet. Counseling helps on occasion and psychological evaluations often discover something in the perpetrator's past that makes his acts somewhat understandable. However, one of the easiest ways to curb these types of revolting incidents is to make the crime punishable by serious time.

Last week, state prosecutors dropped various assault and sex offense charges against a man who kidnapped a 14-year-old boy in West Ocean City in 1999. While the child was restrained to a chair, the man committed various sexual acts on the boy. While the statute called for a possible 20-year sentence, the state only asked for a sentence of 10 years because it wanted to save the victim further humiliation in court. The kicker is the man was on probation for identical charges for another incident in Delaware.

Clearly, the system is not working the way it should. It failed that 14-year-old. It failed in its duty to protect innocent children from these disturbed individuals. As a result, the teen was raped of the innocence all youngsters should be able to enjoy, and it's simply not right.

Prosecutors can obviously only seek what the statute allows in individual cases, but in some instances the maximum penalty and no less must be the goal. While these pedophiles are jailed and no longer a menace to society, perhaps then psychological evaluations can be performed in order for the experts to determine why these people do what they do. They can't be allowed back on the streets after serving their sentence only to commit the same crime again.

The public should not have to become accustomed to reading accounts in this publication and others of children being sexually assaulted by their guardians or strangers.

However, when these types of unfortunate incidents do take place, the public should at least be able to assume the severity of the punishment will fit the heinousness of the crime.

### To Our Readers ...

*The Dispatch* welcomes any and all letters from our readers. All letters are encouraged typed and we reserve the right to edit each letter for accuracy, clarity and space restraints. Letters should include writer's name, address and day telephone number. Letters can be mailed to *The Dispatch*, PO Box 467, Berlin, Md. 21811; faxed to 410-641-0966, or email to [dspatch1@intercom.net](mailto:dspatch1@intercom.net).

### THE GIST

Pedophile crimes are some of the most disturbing cases in courts today, and the only way to ensure similar incidents don't occur repeatedly is to hand down serious punishments.



## LETTERS TO THE EDITOR

### SHA Thanks Motorists

Editor:

On behalf of all the state and contracted employees of the State Highway Administration in District 1, I would like to take this opportunity to thank the motoring public for your cooperation and courtesy during our area's recent series of snowstorms. You made it possible for us to respond immediately to the work of snow removal by minimizing your travel during the most severe weather and giving our highway crews the room to clear your state-owned highways in Dorchester, Somerset, Wicomico and Worcester counties.

If anyone has experienced problems with our efforts in cleaning any state highways, such as mail boxes that have been damaged or displaced, please call the SHA Maintenance Shop in your county and it will be our pleasure to repair or replace any

mailboxes damaged due to our operations as soon as possible. The maintenance shop number is: Worcester, 410-632-0511; Wicomico, 410-543-6710; Somerset, 410-651-1333; and Dorchester, 410-228-4977.

Donnie L. Drewer  
Salisbury

(The writer is the State Highway Administration District 1 Engineer.)

### Bottom Line Is They Patronize

Editor:

This is in response to the letter by Al Wendling, who, along with his wife, profess to be the self-appointed representatives of those businesses located near Fisher's, Thrasher's and Dolle's on the Boardwalk. Wendling is all bent out of shape because apparently there are those who enter his establishment with a box of popcorn even though there is a sign

SEE NEXT PAGE.

## THE DISPATCH

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- THURSDAY: Chicken Chili
- FRIDAY: Fish & Chips

**HAPPY HOUR 4-7 P.M.  
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SATURDAY, FEB. 5 10 P.M.  
SOUL AFFAIR**



**THURSDAY, FEB. 3  
POWER PLAY**



**TUESDAY, FEB. 1  
ONE STEP BEYOND**

**LIVE BANDS 10 P.M.-2 A.M.**

**Friday, Jan. 28: Jr. Cline & Recliners  
Saturday, Jan. 29: Jr. Cline & Recliners  
Sunday, Jan. 30: Jr. Cline & Recliners  
Tuesday, Feb. 1: One Step Beyond  
Thursday, Feb. 3: Power Play**

I n t e r n e t  
I n f o r m a t i o n  
a n d  
T r a d i n g



**SEACRETS TRIAL EXHIBIT 303**

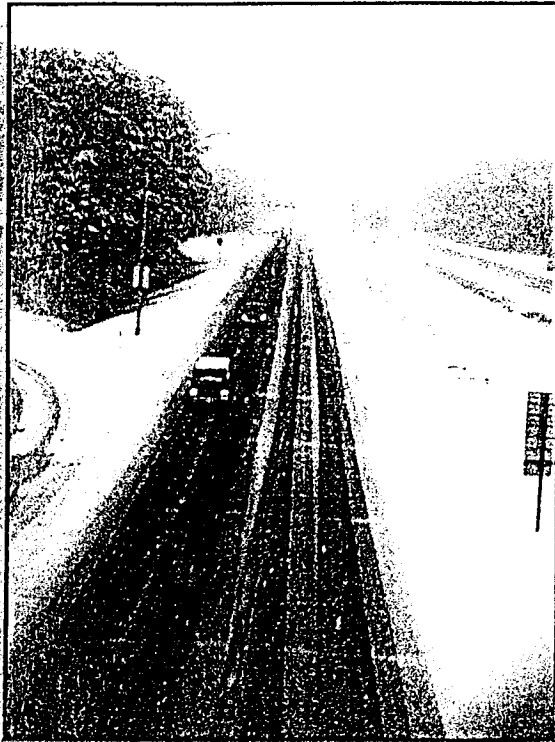
# The Dispatch

"We Have Met The Enemy, And He Is Us." Pogo

JANUARY 21, 2000

OCEAN CITY, MARYLAND

PRICELESS



Highway crews plowed continually through Wednesday night and into Thursday afternoon, winning the battle with three inches of clogging snow.



Light winds and softly falling snow, combined with a mild 30-degree temperature, proved irresistible to Berlin snowbirds.

## First Snowfall Gently Blankets Coast

Starting late Wednesday night and falling through to Thursday afternoon, Worcester County's first snowstorm of the year proved to be a gentle one actually welcomed by many residents. The snow measured three inches in depth. Highway crews had little trouble keeping the major highways open to traffic. For more snow pictures, see page 11.

## Bias Charged In County 2000 Survey

Committee members call for removal of the survey in which they state they had "no involvement in preparing." Letter takes issue with renters vs. residents, plus the exclusion of questions of economic impact. Carolyn Cummins, planning commissioner, calls attacks on survey "premature." See story, page 5.

*O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.*  
Opposition No. 91190886  
Offered by Opposer



P 43821

# EDITORIAL

## Education Divides Candidates

Although education long has been the responsibility of state and local governments – and rightly so – the issue has become a prime topic of contention in the presidential debates.

GOP front-runner Gov. George W. Bush emphasizes that, during his tenure in office, minority students in Texas have made considerable progress in closing the academic achievement gap. As president, Bush would give schools that receive federal funds for disadvantaged kids three years to shape up. Under his proposal, failure to improve would prompt Washington to provide parents with vouchers worth \$1,500 (the approximate average per-pupil federal expenditure, plus state matching funds). They could use that money to send their children to public or private schools of their choice.

Bush's tough approach does not include dismantling the elephantine Education Department, the bane of conservatives for two decades. Rather, Bush would have the Education Department provide numerous financial incentives to improve student performance. He also would give states greater latitude in spending federal funds.

Sen. John McCain, R-Ariz., trumpets the virtues of competition and holding staff and students strictly accountable for their performance. He would go one step further by enlisting a pool of military and other retirees to tutor students in English, math and science. He favors merit pay and strict competency tests for teachers. Those who cannot cut it in the classroom, he believes, should be cashiered.

Vice President Al Gore has produced a prototypical Democratic proposal that would cost \$115 billion over 10 years. His grandiose plan, which would swell the Education Department's budget by one-third, flows from the flawed premise that the federal government alone can fix underperforming schools. It brims with buzz phrases about closing failing schools and reorganizing them under dynamic leadership, complete with financial inducements.

Gore's empathy for children trapped in woeful schools does not include allowing them to escape, via vouchers, to private schools. Such choice, he maintains, would erode the financial foundation of public schools. Not surprisingly, however, Gore's four children attended private schools.

Democratic challenger Bill Bradley would give vouchers a limited try. The former New Jersey senator supports parental choice only for poor children who are stuck in subpar schools. His modest freedom-of-choice advocacy places him in the cross-hairs of the teachers' unions, which view vouchers as a sinister plot to undermine public education.

This isn't to suggest the National Education Association or the American Federation of Teachers would refuse to back Bradley where he the Democratic nominee. They could not abide the GOP alternatives of Bush or McCain, both of whom believe in bearing down on incompetent teachers and pushing other reforms that are anathema to teachers' unions.

*Reprinted from Copley News Service*



for most of the event's exhibits and entertainment. This committee helped me do what I thought was the impossible. The gym was transformed into a festive room with twinkling lights in the ceiling, carpeting covering the concrete floor and many decorative amenities.

All of the above could not have been accomplished without the total support and hard work of my co-chair, Donna Greenwood, and the committee. I commend them for their commitment and enthusiasm. The co-chair and committee members include: Donna Greenwood, Toni Wagner, Carroll Wagner, Jan Rice, Gerty Apple, Jody Falter, Joe Hall, Leah Leiberman, Jacob Leiberman, Marion Ammerman, Joe Mitre-cic, Marge Rozankowski, John Rozankowski, Gabby Mancini, Betty Heckman, Amy Rothermel, Bob Giv-arz, Tom Collins and Merry Rohrer. Additionally, thank you to those volunteers who also helped. They include Ron Rice, Fran Kennedy, Dolores Cockrell, Susan Childs and Vicki Barrett. My sincere thanks to all.

*Patricia Moran, Chair  
Mayor and City Council's  
2000 Open House*

### Insider Admirer

Editor:  
I am writing finally just to let you know how much I have always enjoyed "Insider." He is so totally politically incorrect that he is

refreshing. I don't always agree with what he writes but greatly appreciate his candor. Will continue to look forward to his page.

*Betty Lee Seiland  
Berlin*

### The Great Migration Of The 1990s and Worcester 2000

Editor:  
A modern-day Paul Revere might belatedly shout, "They are coming ... NO, they are here!" as he awakens to the fact that Worcester County has been newly discovered and settled by a flood of newcomers from far away urban-suburban communities. Month after month, they have motored in quietly, settling in permanently to already-owned seasonal homes or buying or building one of the nearly 6,000 new dwellings built in Worcester County since 1990 – they are our newest residents, more than 12,000 strong!

The Worcester County 1990 population of 35,023 has been projected to grow to 47,200 in the year 2000. Think of it this way: If this is the case, the average rate of increase over the past 10 years will have been about 1,200 new residents per year, or 100 per month. Can this really be happening? Yes! This dramatic change – Worcester population up by more than one-third in the decade just closed – is confirmed by the rush of new home construction, the rapid-

SEE NEXT PAGE

## LETTERS TO THE EDITOR

### Mayor's Open House

Editor:  
I would like to thank the committee and volunteers who all helped to make the Mayor and City Council's Open House on New Year's Day 2000 a tremendous success. Approximately 2,500 guests patiently stood in line to visit the mayor and his family and council members. They also enjoyed music, displays and refreshments.

Since the Open House was part of Ocean City's official 40-Day Millennium Celebration, we started plan-

ning last spring in order to make this event very special. Our plans included a variety of continuous music, "old-timer" story tellers entertaining in the mayor's office, old videos, pictorial displays of Ocean City's past and present, and a treasure chest filled with memorabilia. We also planned to have refreshments, for which 31 restaurants donated a variety of delicious foods.

In November we learned we would not be able to use the Mayor and City Council's Chambers but would have to use the old school gym

## THE DISPATCH

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**SUNDAY, JAN. 23**  
**JAH WORKS**



**TUESDAY, JAN. 25**  
**ONE STEP BEYOND**

**SPORTS ON 10 TVS**  
 SPECIAL GAMES  
 ON DE BIG DISH

**Next DARK SIDE PARTY**  
**SATURDAY, FEB. 5 10 P.M.**  
**SOUL AFFAIR**



**FRIDAY, JAN. 21**  
**POWER PLAY**

**LIVE BANDS 10 P.M.-2 A.M.**

Friday, Jan. 21: Power Play  
 Saturday, Jan. 22: Soul Affair  
 Sunday, Jan. 23: Jah Works  
 Tuesday, Jan. 25: One Step Beyond  
 Thursday, Jan. 27: UUU

**SEACRETS TRIAL EXHIBIT 304**

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# The Dispatch

*"We Have Met The Enemy, And He Is Us." Page*

JANUARY 14, 2000      OCEAN CITY, MARYLAND      PRICELESS

## Tragic Accident Leaves Community Mourning

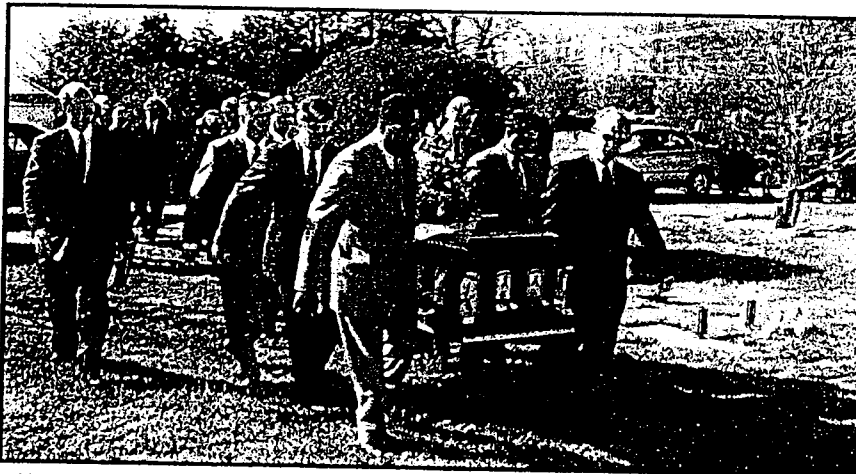
### Beloved Pines Resident Killed On Deadly Road

BY JAMES CROWLEY  
STAFF WRITER

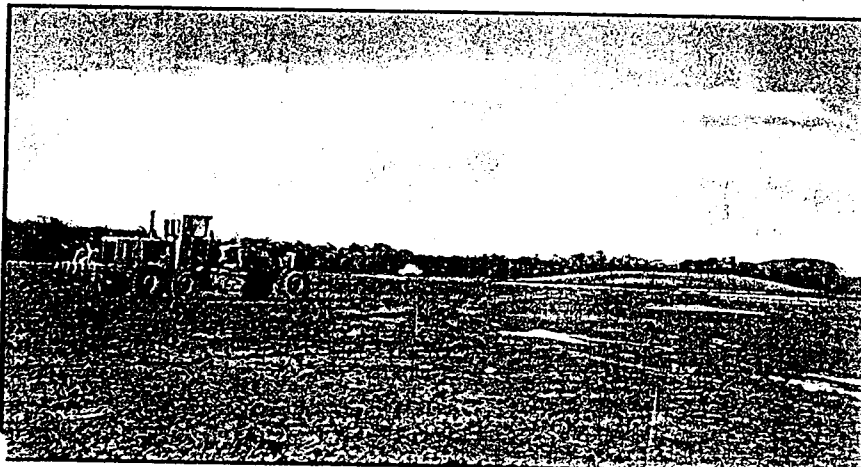
BERLIN - The initial investigation into the death of an Ocean Pines woman killed in an automobile accident on Route 113 last weekend could be finished in two weeks, according to the case's chief investigating officer.

Maryland State Police Cpl. Krah Plunkert, an accident reconstruction specialist, said he is currently gathering physical evidence surrounding the fatal crash and is preparing to submit a full report to the county State's Attorney's Office. Plunkert intimated the report usually takes 100-200 hours to complete.

SEE PAGE 12



More than 600 friends and family members attended Judith Simmons' funeral on Tuesday. Simmons was killed in an accident on the corner of Route 113 and Friendship Road last weekend. Above, family and friends carry her casket to her final resting site at Sunset Memorial Park.



Though crews were missing in action on Tuesday, State Highway Administration officials expect the dualization of Route 113 between Routes 50 and 589 to be complete by spring. Meanwhile, the number of deaths on the single-laned road has ballooned to more than 80.

### Death Sparks Concerns Over Project Progress

BY JAMES CROWLEY  
STAFF WRITER

BERLIN - Days after claiming its latest victim, focus has again been fixed on the road morbidly dubbed "Killer Highway" by county residents.

Last Friday, 61-year-old Judith Gurine Simmons was killed near the Friendship Road intersection of Route 113 after her car was struck by a driver charged with driving while intoxicated.

While isolated accidents can happen anywhere at any given time, last week's tragedy added to a lengthy history of fatal accidents along the

SEE PAGE 13

P 43824

*O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.*  
Opposition No. 91190886  
Offered by Opposer

**PLAINTIFF'S EXHIBIT**

304

ALL-STATE LEGAL SUPPLY CO

# EDITORIAL

## Speed Up 113's Snail Pace

At a meeting last week with US Sen. Barbara Mikulski, Worcester County Commission President Jeanne Lynch asked the senator for federal funding assistance to help expedite the completion of the county's massive Route 113 dualization project. "This is something we really need help with. It's a major safety concern," Lynch said.

After last weekend's horrifying accident on Route 113, the discourse seems even more appropriate today. Only hours after her husband passed away at Atlantic General Hospital from respiratory illness, Judith Simmons was driving north on Route 113 near Friendship Road likely contemplating her new life as a widow. However, her thoughts were cut tragically short, as a van driven by a reported intoxicated driver crossed the center line, killing the Ocean Pines resident.

While the terrible circumstances surrounding her death make the heart ache, it only justifies the importance of the dualization project and the need to speed up the construction. Simmons was killed along a portion of Route 113 that is included in the first phase of construction. If she was driving on the new four-laned divided highway, there is little doubt she would still be at Showell Elementary School today resuming her daily duties. This accident was easily avoidable as well as preventable.

It's been more than two years since funds were designated to deal with the killer highway and what little work has been done has progressed at a snail's pace. The slow movement of the project makes us wonder would the same-sized project have been completed by now if its home was on the western shore? Why on sunny Tuesday afternoon was there not one construction worker on the entire site? Did the governor reassign SHA workers to take care of more important projects elsewhere? Is the lack of activity due to the fact the Eastern Shore yields little political power?

SHA officials report the first phase of the project from just north of Route 50 to Route 589 will be completed by spring. This is hard to believe, considering the appearance of the project this week. State officials need to get crews back on the roadway as soon as possible. Finishing it needs to be made a top priority, instead of a back-burner issue. If they need a reason, just ask the friends and family of Judith Simmons.

### THE GIST

As it stands today, Route 113 is still a perilous highway for motorists, as state officials continue to dawdle over the completion of the dualization project.

## LETTERS TO THE EDITOR

### County Must Revisit Monitoring Plans

Editor:

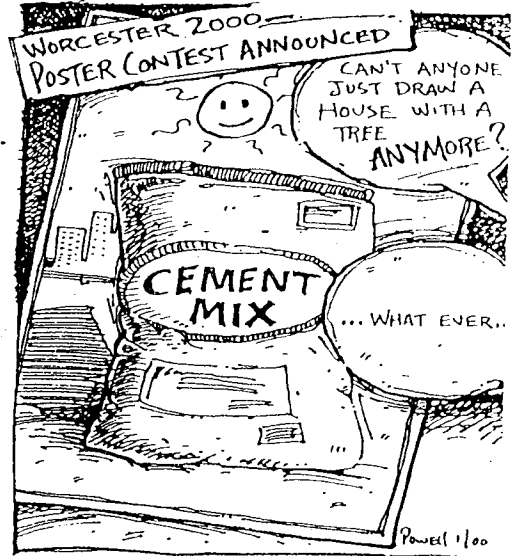
I am very disappointed the Worcester County Commissioners rejected the initiatives to monitor growth and development in its entirety. It should have been retained and revised as necessary by the Worcester 2000 Steering Committee, County Departments of Planning and Development Review and Permitting.

The access management and environmental impact are my concerns. Storm water retention ponds should be required to keep polluted water from going into streams, canals, bays, etc. Limited access and service

roads parallel to routes 50 and 113 should be required for safety and the expediting of through traffic.

Existing shrubbery and trees should be maintained and others planted as necessary for screening. If improvements are not done in a pleasing fashion, the public will tend not to patronize the establishments.

I watched the construction of Maryland Route 2, (Ritchie Hwy) from the Baltimore City line to Annapolis in the 1930's. It was the first dual lane highway in the state of Maryland and very beautiful. The road had a speed limit of 55 mph. in most areas and carried much traffic, most of which was going to the



## QUOTES OF THE WEEK

"Good thing we didn't sell the parking meters." Ocean City Eng Terry McGean after a round of higher-than-expected bidding for Inlet parking lot reconfiguration.

"Did you dig your money out of your back yard for?" Commissioner Louise Gulyas asked Commissioner Virgil Shockl last week's meeting.

"No, but I had my gun loaded the entire time." Shockley replied

Eastern Shore. When the northern end of the highway became too congested, the state built Route 100 to relieve Ritchie Hwy. and Route 177 (Mountain Rd.). When the remainder of Ritchie Hwy. became congested, the state built Route I-97. This resulted in the majority of the traffic going to the Eastern Shore, bypassing the Ritchie Hwy. merchants.

If Routes 50 and 113 are not controlled properly, the state may find it necessary to build bypass roads, leaving many commercial establishments to die on the vine.

We should not forget the probable loss of life, due to serious accidents, that could occur on a dangerous highway.

Victor D. Beard  
Berlin

### New Humane Society Group Confusing Dog Editor:

I have noticed in recent issues of the local weekly papers a ring to the Friends of the I Society. The ad is solicitations for the benefit of our animals while not specifying how they intend to use the donations. I am sure this is a very cause, but it's creating a since donations usually made to the Humane Society are by being made to the Friends of the Humane Society.

I am relatively certain to believe their donations are for caring for the animals at the on a day-to-day basis and to

SEE NEXT PAGE

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ON DE BIG DISH**

**Next LUNASEA  
THURSDAY, JAN. 20  
FUZZY BUNNY SLIPPERS**



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FUZZY BUNNY SLIPPERS**

**LIVE BANDS 10 P.M.-2 A.M.**

Friday, Jan. 14: Bliss  
Saturday, Jan. 15: Turnstyles  
Sunday, Jan. 16: Project 67  
Tuesday, Jan. 18: One Step Beyond  
Thursday, Jan. 20: "Lunasea"  
Fuzzy Bunny Slippers



**FRIDAY, JAN. 14  
BLISS**



**SEACRETS TRIAL EXHIBIT 305**

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# Maryland Coast Dispatch

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VOL. 5, NO. 1      THE COUNTY NEWSPAPER FOR JANUARY 7, 2000      25 CENTS

## Investigators Raid LCB Headquarters

**BY BENJAMIN MOOK**  
STAFF WRITER

**SNOW HILL** - The head of the Liquor Control Board for Worcester County (LCB) and another senior ranking official were barred from the organization's headquarters this week, while investigators searched through records and interviewed employees.

LCB Administrator Lacey Murray and Administrative Assistant Linda Donaway were told by investigators on Monday they were not to be present until the probe was completed Wednesday at 1 p.m.

"The investigators asked that they not be there while they were doing the investigation," Liquor Control Board member Michael Ward said. "The Liquor Board didn't ask them to leave for any rea-

son."

Another member of the Liquor Control Board, former Ocean City Mayor Roland E. Powell, also confirmed the pair were asked not to be present while the investigation ensued.

"I guess the investigators just wanted to look around and maybe talk to some of the employees, without them [Murray and Donaway] being present," Powell said.

On Monday, Donaway was asked to leave the building around noon, while Murray was out sick that day and was notified of the decision at home. When reached for comment on Wednesday, Donaway said she had no idea why she was asked to leave the premises. "I don't know what's going on," Donaway said. "I just have no comment at this time."

Donaway was reportedly back at  
**SEE PAGE 10**

## Holiday Sales Start 2000 On Right Track

**OCEAN CITY (JSG)** - Reports from the local hospitality industry this week indicate the nearly 100,000 people celebrating the new year in the resort area spent big bucks during their stay, invigorating the typically slow seasonal economy.

Ocean City Media Services Manager Donna Abbott reported the town's extensive celebration last weekend attracted a record crowd to Maryland's only seaside resort, surpassing the record set last year by more than 10,000.

Pennsylvania resident Janet Wiltam, who stayed three nights in the Sheraton Fontainebleau Hotel last weekend, said her family had been planning to spend the holiday in Ocean City since September.

"We were coming here for the New Year's festivities we read about. We made our accommodations months

ago, but this beautiful weather just makes it extra special," Wiltam said.

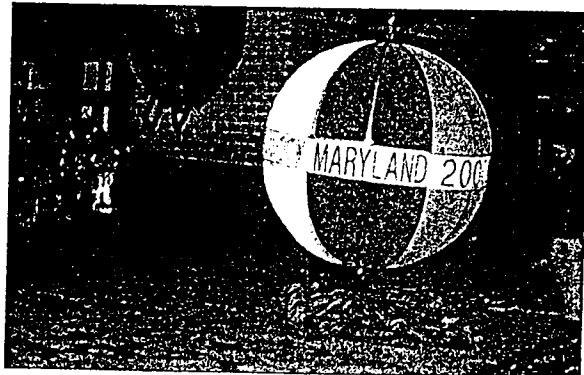
Due to unseasonably mild temperatures throughout the weekend, Wiltam said her and six members of her family came to the Boardwalk on Saturday around noon and stayed through the evening's fireworks display.

"It's just been a perfect weekend. Everything has worked out great for us," she said.

Dr. Lenny Berger, owner of the Sheraton, Ocean Club and Gateway Hotel, couldn't have been more pleased with the weekend. He said all his planned New Year's Eve festivities were booked months ago and went on without a hitch.

"We were sold out months in advance. On New Year's Eve, we had 1,000 people at our parties at this

**SEE PAGE 16**



"Countdown to the New Millennium" co-producer Bob Rothermel and a crowd of approximately 7,000 watch as the beach ball drop signifies the arrival of the year 2000 in Ocean City last weekend.  
*Photo by George Leshel III*

### School Board Vote This Fall

By Slim Margin, Petitioners Put Issue Before County Citizens ... Page 3

### Atlantic General Back In Black

Hospital Ends Century With Second Straight Profitable Year ... Page 5

**PLAINTIFF'S EXHIBIT**

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ALL STATE LEGAL SUPPLY CO

P 43827

*O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.*  
Opposition No. 91190886  
Offered by Opposer

# EDITORIAL

## Year-Round Resort Attainable

The latest example of how far Ocean City has come over the last 10 years in achieving its goal of becoming a prosperous, year-round resort was last weekend, as approximately 100,000 people selected Maryland's only oceanfront resort as their destination for New Year's 2000.

How to attract business to Ocean City during the shoulder months first became a major issue in the 1980s. It was talked about previously, but the tools were not in place to achieve it realistically. It was in the mid-80s when the key piece of the puzzle - the expansion of the inadequate convention center - was first discussed. That dream was capped in 1997 when the glamorous Roland E. Powell Convention Center was completed and opened to the public. The center has done wonders in sustaining business in the resort well into the winter months, but it hasn't been extremely successful in luring families to the area.

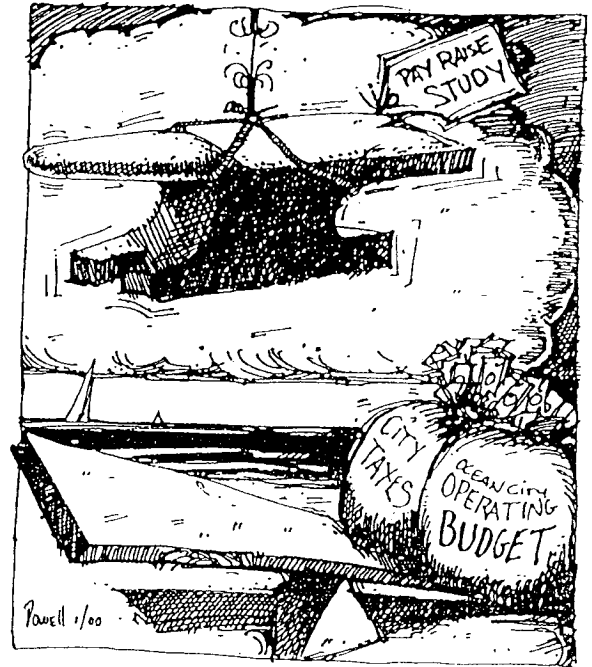
Officials may have stumbled upon something special last weekend with the New Year's holiday. They learned once again families actually have aspirations of visiting Ocean City in the dead of winter. While January is typically the slowest

time of the year for almost any East Coast resort, Ocean City was jamming. Many of the town's largest hotels were booked solid weeks in advance, and nearly every restaurant offering New Year's Eve seatings were full. With visitors enjoying candy popcorn and ice cream cones, the Boardwalk looked and felt like a late spring or early fall weekend.

While the town certainly can't bank on similar weekend weather on every New Year's, there's reason for local businesses to be excited. For years, there's been nothing to bring the families down to Ocean City in the winter months with the exception of Winterfest of Lights. The town may have found a solution in New Year's. The idea to offer a series of events to help the town celebrate the turn of the century worked to near perfection. Its success was seen up and down the Boardwalk and Coastal Highway, in hotel parking lots and in restaurant seats. Next year when the actual third millennium officially arrives, the town would be wise to offer an even more elaborate schedule of events for tourists and locals. If we learned anything from the first weekend of 2000, it was if we give people a reason to come to Ocean City, they will come in droves no matter what time of year.

### THE GIST

Ocean City discovered last weekend people will visit the beach no matter what the season as long as there's a reason to come.



another young thing into the oval office. I personally feel defiled by this bawdy performance by all three branches of the government.

Ms. Linda Tripp's future is very much in doubt. If she is not prosecuted her legal expenses will suffocate her, but her actions would, I hope, be admired by our founding fathers.

Stand up and be heard, you may be next. The lives of your children and grandchildren are in jeopardy. Each year hundreds and thousands of new laws are passed taking away your freedoms while protecting your elected officials and the bureaucracy.

Keep this in mind during the next series of elections. If honesty, morality and decency are not demanded of politicians, as well as self, we will need and will have a third party led by the man who came out of Nazareth 2000 years ago. No one else will be able to save this once great nation.

A happy and safe holiday to all.  
Frank Hafelc  
Ocean City

### New Animal Control Law Leaves Dogs With The Bite

Editor:  
For 20 years I have been hoping

that Worcester County would pass a leash law with some "teeth" in it.

Finally, the Commission, on Nov 2, passed a "new" leash law which pleased me until I found out that except for some more expensive fines, it is the same old law. It seems that dogs do not have to be leashed "if it is under voice control". I assume that means the owner just has to be able to yell at it.

I like to walk on the road where reside but never had the courage to walk the last 1/2 mile due to dog problems. Dogs have chased me up on my pump house, my auto hood and fences. I wish the Commissioners would walk in my shoes then after scraping off the bottoms of their shoes, tell me they have passed a leash law with some bite. It looks as if the dogs still have all the bite.

Ward Baker  
Newport

### Protecting Animal Rights Is No Longer A Dream

Editor:  
I've noticed animal protection issues have been featured in the news more and more frequently. Th

SEE NEXT PAGE

## LETTERS TO THE EDITOR

### In Next Election, Demand That Leaders Have Certain Qualities

Editor:  
After a laborious day, as most retirees are subjected to, I decided to stop by a local watering hole for a glass of beer.

As I sat down I happened to prostitute myself by watching a network newscast reference the lowest prosecutorial endeavor to crucify a young woman (as payback) for having more guts, morality, patriotism and respect for the office of the President than most of the media, 80 percent of the citizenry and all but 7 percent of our elected officials as well as

none of the Clinton administration.

I overheard a young lady sitting at the bar with a male companion. When a clip showing Ms. Tripp leaving the courthouse, she made this comment "I'll dance the entire time she is being led to jail". Her companion agreed. This Joan of Arc was almost successful in bringing down the most corrupt, immoral, anti-American administration and government in the 200-plus years of the founding of the Republic. A government that would run a close second to the reign of Nero.

The word has come down from on High "Crucify her" and the Howard County Judiciary cried "Hail Caesar, away with her" and Caesar invited

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HARVEY & WALLBANGERS

LIVE BANDS 10 P.M.-2 A.M.

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Saturday, Jan. 8: Harvey & Wallbangers  
Sunday, Jan. 9: 40 Lb. Head  
Tuesday, Jan. 11: Crush  
Thursday, Jan. 13: UUU



FRIDAY, JAN. 14  
BLISS

SEACRETS TRIAL EXHIBIT 306

# The Dispatch

"We Have Met The Enemy, And He Is Us." Pope

JANUARY 26, 2001

OCEAN CITY, MARYLAND

PRICELESS

## Brutal Winter Weather Reflected In Higher Heating Bills

BY BENJAMIN L. MOOK  
ASSOCIATE EDITOR

OCEAN CITY — One of the coldest starts to a winter in many decades has left local residents with heating bills staggeringly higher than what they were last year.

High commodity prices for natural resources like propane and natural gases, as well as heating oil, coupled with increased usage have heating bills often two or three times what they were last winter. The previous few years were marked by mild winters and cheaper prices for gas and oil suppliers. Unfortunately, this winter's cold has raised demand for heating products and the high cost of the product has left suppliers with few options but to pass the increased cost along.

"It has been tough this winter," Eastern Shore Gas General Manager Steve Ashcraft said. "We've had a lot of high bill complaints. It's bad for my customers, but this is something I have no control over."

Propane gas is usually collected as a by-product of the crude oil refining process, while natural

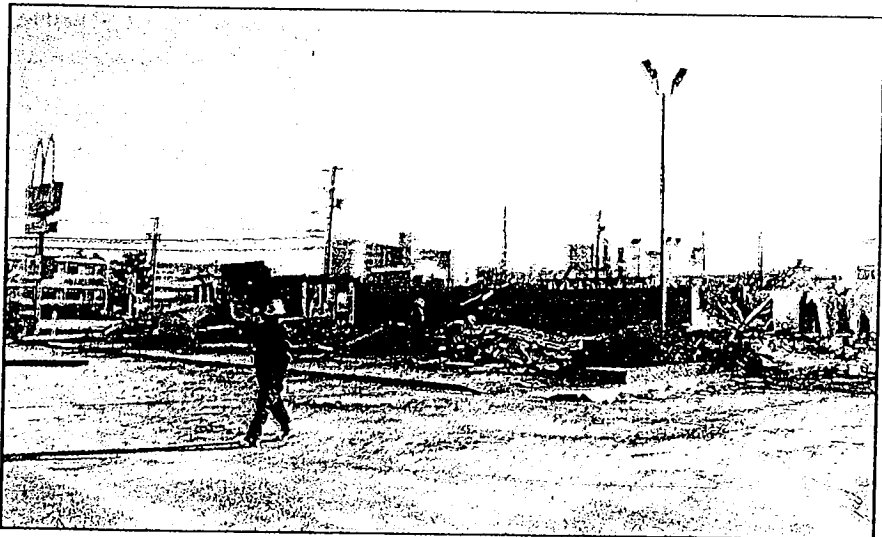
SEE PAGE 17

## Penney Saved

SALISBURY — J.C. Penney of Salisbury will not be among the 44 Penney stores scheduled for closing in the near future.

According to a company report, none of the Penney stores on the Delmarva Peninsula are among the targeted closings.

Although closing 44 of its stores, J.C. Penney will continue to open new outlets in promising locations, a company spokesman said.



## Looking To The Past

The McDonald's restaurant at 33rd Street will be looking to the past for the design cues of its new building. The restaurant will be modeled after the McDonald's of the 1950s. Above, work started this week with the razing of the existing building.

Photo by George Leavel III

# Wyatt Waives Preliminary Trial

## Hearing Case Goes To Circuit Court

BY BENJAMIN L. MOOK  
ASSOCIATE EDITOR

SNOW HILL — The Whaleville man charged with assaulting an Ocean City police officer, who eventually shot him three times, waived his right to a preliminary hearing yesterday.

Jassac Maurice Wyatt, 29, of 7867 Duncan Crossing, Whaleville, was shot three times on Coastal Highway last month after reportedly assaulting OCPD PFC Jennifer E. Smith. Wyatt was arrested and charged with the first- and second-degree assault.

Wyatt's preliminary hearing was

yesterday in Snow Hill District Court. Wyatt waived the preliminary hearing, which moves the case to Circuit Court.

Preliminary hearings are held to determine whether or not there is probable cause the defendant could have committed the crimes charged. Wyatt will still have the option to select a jury trial when the case is heard in Circuit Court.

The incident occurred last month at 34th Street when, according to police and eyewitness reports, Wyatt flagged Smith down. Reportedly, Wyatt told Smith he wanted to be committed to a mental health facility over the holiday weekend.

Smith then started to call for backup and to relay Wyatt's identification information. Police believe it was at this point that Wyatt struck Smith in the face as she was using her radio. Wyatt then allegedly con-

tinued attacking Smith as she gave ground under the assault. While she never lost consciousness, she was eventually knocked down.

Wyatt is believed to have continued attacking Smith as she was on the ground. She was able to free her service pistol and fired three shots into Wyatt.

Both Smith and Wyatt were hospitalized for the injuries they sustained. The bullets struck Wyatt in the abdomen and arm. Smith suffered a fractured orbital cavity and a crushed sinus cavity.

Smith, a six-year veteran of the OCPD, was cleared last week of any wrongdoing involving the shooting. The Worcester County Bureau of Investigation conducted the month-long investigation of the shooting.

As of press time, a court date had not been set yet for the Circuit Court trial.

PLAINTIFF'S  
EXHIBIT

306  
ALL-STATE LEGAL SUPPLY CO

P 43830

O.C. Secrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
Offered by Opposer

# EDITORIAL

## WHAT OTHERS ARE SAYING

### Searching For A Lost Art

Editor:

We moved from Pennsylvania to Ocean City in October. We have attempted to do business with a number of stores, businesses, and services since we arrived. The results, with very few exceptions, have been very disappointing. Some examples of the type of service we have experienced are:

Sales Clerks at clothing store talking to each other and paying little or no attention to the customers;

A Sales Person at a Kitchen Specialty Store was talking on the phone to a friend. She never spoke once to her customers while running the cash register, but continued to talk on the phone;

I had established an appointment at an Auto Care Center for a Maryland Auto Inspection. I arrived at the Center for my appointment to find that the inspector had taken a few days off to go hunting. No one called to cancel or attempt to reschedule an appointment;

We had attempted to purchase an appliance and installation through a local Utility company. A Sales Person was to follow up with us to show us the selection, and arrange installation. No one followed up. We called this Utility several times and finally wrote a letter to their Parent Company. They had to be forced to perform; and

We purchased several pieces of furniture from a local Furniture Company. After a few weeks, we called to ask if they had received a delivery date from the Manufacturer. No one called back;

That is a sample of our experiences. Needless to say, we don't expect to do business with these companies in the future. Also, from now on, we do not intend to accept poor Customer Service. It is our money that is being spent, and we intend to use it to recognize those companies that work for our business and satisfaction.

We strongly recommend that everyone not accept poor service. If we allow the standard of service to sink, it will only continue to sink. In this time of so much news about voting, we recommend that we all vote with our dollars for those companies who know the value of a customer's business.

Jim and Betsy Lennon  
Ocean City

## LETTERS TO THE EDITOR

### In Support Of HB 99

Editor:

Last year as the Maryland Coastal Bays Program Comprehensive Conservation Management Plan was being finalized, Assateague Coastal Trust advocated for the implementation of an interim buffer regulation that would give needed protection to water quality while Worcester County developed a buffer plan more specific to site conditions in the coastal bays. This "added insurance" in Worcester County's period of intense growth and development, however, was NOT included in the plan. Every month that passes without adequate buffer regulations fur-

ther compromises the health of the coastal bays.

The Assateague Coastal Trust supports House Bill 99 to include the coastal bays under Maryland's Critical Area Law. Given that to date, Worcester County has not shown significant progress in completing a strong watershed plan to protect the water quality of Maryland's coastal bays, we believe this is an appropriate measure. Shoreline protections have been guaranteed in nearly every other area of Maryland (including the two-thirds or Worcester County in the Chesapeake Bay watershed) for the last 17 years through the Critical Area Law.

## QUOTES OF THE WEEK

"Pray for warmer weather and be as conservative as you can with your gas appliances." Eastern Shore Gas General Manager Steve Ashcraft's advice for beating high fuel costs this winter.

"There will be applications for development of the flood plains than Worcester County has seen in the last decade. The lights will burn late in Snow Hill." Assateague Coastal Trust President Tom Patton on why HB 99 should be passed.

"Every Rite-Aid in America can get together and aggregate to get their power rates down. Any large corporation can do that, but private citizens cannot." Berlin Mayor Rex Hailey on why Senate Bill 77 should be supported.

"If a child is sick, he or she should just stay home." Worcester County Health Officer Debbie Goeller's advice on how best to prevent viral outbreaks at schools.

Whether or not legislative etiquette was followed - the fact remains that the coastal bays very much need protection from runoff and pollution that result from disturbances on lands adjacent to waterways.

The coastal bays belong to all citizens of Maryland and deserve every protection that can be made available.

Phyllis Koenings  
(Writer is the executive director of Assateague Coastal Trust.)

ing 90% of the funding from different sources. These are our taxpayers funds too. Equally disturbing to me is where are the state officials who should be reviewing such an exorbitant increase, particularly since the state will have to absorb the greater amount of the costs?

Vincent dePaul Gisriel, J  
Ocean City Councilman

### Use Caution On Boating Study

Editor:

I just received the Maryland Coastal Bays Program's boating study. I urge all boaters to fill it out giving careful thought to what future ramifications your answer may have on our freedoms we no longer enjoy in these wonderful bays. Maryland Coastal Bays is a wonderful organization, our first line of defense against the "Long Islandization" (if I may coin a term) of our area. I grew up on Long Island in the 50's and I witnessed what happens when the society is not organized against sprawl and unlimited population growth. When I was a little boy, my friends and I used to throw dirt bombs at the dozer and excavator operators who were tearing up our woods and hunting grounds to make room for houses.

This was long before Greenpeace and the politically correct environmental extremism that's fashionable today. I remember saying to my grandfather that there is no need for me to be alive if there is no woods.

SEE NEXT PAGE

### Councilman Concerned Over Project's Cost

Editor:

The Park and Ride project in West Ocean City was supposed to cost a total of \$2.8 million. When the Mayor and City Council received the staff report on the construction bids, we learned that it will now cost a total of \$5.2 million, an increase of 85% over the original estimate. Construction costs alone are more than double initial projections. Part of this is because the scope of the project has expanded without ever being discussed by the City Council.

In spite of the huge increase, the Council majority, supported by the Mayor, voted to accept the construction bid and proceed with the work. The council voted 5 to 1 with virtually no debate or dialogue. I had hoped to revisit the feasibility of the project before voting on the matter. It never ceases to amaze me how elected officials are so eager to spend your tax dollars.

The State of Maryland is provid-

## THE DISPATCH

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Richard V. Lohmeyer, Publisher

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FRIDAY-SATURDAY, JAN. 26-27  
**WALLBANGERS**



THURSDAY, FEB. 8  
**ROCKETS**  
 VIP CARD EXCHANGE

**SUPER BOWL PARTY**  
 SUNDAY, JAN. 28  
**JAH WORKS**



THURSDAY, FEB. 1  
**VIRGINIA COALITION**



SUNDAY, JAN. 28  
**JAH WORKS**

**LIVE BANDS**  
 10 P.M.-2 A.M.

Friday, Jan. 26: Wallbangers  
 Saturday, Jan. 27: Wallbangers  
 Sunday, Jan. 28: Jah Works  
 Tuesday, Jan. 30: Seamrippers  
 Thursday, Feb. 1: Virginia Coalition



**SEACRETS TRIAL EXHIBIT 307**

# The Dispatch

"We Have Met The Enemy, And He Is Us." Page

JANUARY 19, 2001

OCEAN CITY, MARYLAND

PRICELESS

## County Slow To Respond To Lead Paint Crackdown

BY BENJAMIN L. MOOK  
ASSOCIATE EDITOR

OCEAN CITY - A state program to register rental homes built prior to 1950 has had lackluster results in Worcester County, despite the looming threat of fines and civil litigation if these properties contain lead paint.

The statewide deadline to have all rental properties built before 1950 comply with new stricter guidelines regarding lead paint is Feb. 24. In the past, lead poisoning inspections and fines have been complaint driven. According to the Maryland Department of the Environment (MDE), over one million pre-school age children nationally have dangerously high levels of lead in their blood.

MDE estimates 95 percent of homes built before 1950 contain some amount of lead paint. Lead paint, whether eaten when it chips off or breathed in while in dust form, causes a number of health concerns. Children are most at risk and can suffer from slowed development, learning disabilities and can even lead to later behavioral problems.

MDE spokesman Richard McIntire said the state has a program in place requiring the registration of homes built before 1950, unless they could be certified as lead-free. McIntire said the goal was to completely eradicate lead poisoning in the state.

Lead poisoning is something that is totally preventable, McIntire said.

The head of the Department of Housing and Community Development said the program has been hailed by state envi-

SEE PAGE 27

## Watershed Bill Worries County

BY STEVE GREEN  
MANAGING EDITOR

BERLIN - A bill before state legislators proposing to create a coastal bays critical areas protection program, which seeks to guard against water pollution and protect natural habitat along land immediately surrounding designated waterways, met a wealth of local resistance this week.

House Bill 99, introduced by Delegates Dan K. Morhaim of Baltimore County and Michael H. Weir of Baltimore and Harford counties last Friday, seeks to essentially create a program for the coastal bays watershed identical to the 17-year-old Chesapeake Bay Critical Areas Protection Program.

The immediate 1,000 feet surrounding the Chesapeake Bay and its tributaries, aptly called the "critical area," is deemed the most important land to control regarding water purity. When approved in 1984, the bill required the 16 counties and 44 municipalities bordering the Chesapeake Bay to adopt a land use and resource management program to mitigate the problems associated with water pollution and loss of natural habitat, while also accommodating the individual jurisdiction's growth and development.

The program also calls for a 100-foot buffer, requiring the establishment of natural vegetation landward from the edge of tidal wetlands or the mean high water line. Currently, Worcester has a 50-foot setback with a 25-foot vegetated buffer, but state environmental officials have urged the county to increase it to 100 feet for the last couple years.

If approved by the General Assembly, the legislation would establish by Oct. 1 a critical areas program for the coastal bays watershed. It had its first reading on Jan. 12 and is now being reviewed by the House of Delegates' Environmental Matters sub-committee.

While the ground breaking program has been hailed by state envi-

SEE PAGE 24



P 43833

## Improving Water Flow

Construction on Philadelphia Avenue continued in Ocean City this week. The project includes installing new median strips, pedestrian crosswalks, larger water mains and overhead lighting from 26th Street south to 9th Street and new water mains and sewer lines from 9th Street south to 1st Street. Above, two unidentified workers flush out a new water main near 2nd Street last Friday.

Photo by Steve Green

## Officer Cleared In Shooting

BY STEVE GREEN  
MANAGING EDITOR

BERLIN - The Ocean City police officer who fired three shots at a Whaleyville man last month was officially cleared of any wrong doing yesterday.

Pfc. Jennifer Smith, a six-year veteran of the Ocean City Police Department, shot and wounded Jassac Maurice Wyatt, 29, of Whaleyville, on Thursday, Dec. 21, after he repeatedly assaulted her near 34th Street. Wyatt was charged with first- and second-degree assault and remains in the Worcester County Detention Center.

A near month long investigation into the shooting by the Worcester County Bureau of Investigation (WCB) was closed yesterday, and

Smith was found to have acted in self-defense. State's Attorney Joel Todd confirmed yesterday no criminal charges will be sought against the officer, who suffered a fractured orbital cavity and a crushed sinus cavity during the incident.

According to the WCB investigation, Wyatt was a mentally disturbed individual with a history of paranoid schizophrenic episodes. He had reportedly talked about committing suicide just hours before the violent attack on Smith.

During Smith's initial contact with Wyatt, he indicated he was sick and needed to be committed to a hospital for treatment. Smith reported by requested assistance and was then violently attacked by Wyatt. The assault continued until Smith shot the man.

PLAINTIFF'S  
EXHIBIT  
307  
ALL STATE LEGAL SUPPLY CO

O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
Offered by Opposer

# EDITORIAL

## Forge Ahead With Small Classes

To its credit, the Worcester County Board of Education has long held a goal of reducing average classroom sizes in Worcester County public schools. While it's a difficult goal to achieve due to the sweeping trend of teacher shortages and the limited funding for new teacher positions, the county has nonetheless made it a top priority. Considering the importance of more teacher-student interaction and the obvious benefits that come from small class sizes, the county should continue to seek its commendable goal of smaller classes.

The problem is year-after-year the county is penalized by the state because its average classroom sizes don't jive with a state construction formula, which says to be generally eligible for construction funding average classroom sizes must exceed 25 students per classroom. Currently, in Worcester, the average class size ranges between 20-25 students at the elementary school level, 23 in middle school and 25 in high school. Though officials would prefer to see these numbers even lower, the school system bases its staffing requirements on these averages. This is laudable, considering the problems many school systems with large classroom sizes are having across the state.

If the county didn't continually seek smaller teacher-to-student ratios, the high level of education in Worcester County would take a serious hit. This is why the county must not be deterred by the state's reluctance to fund repeated requests for reimbursement money from the 1996 Stephen Decatur Middle School project and to initiate planning efforts at the dilapidated Ocean City Elementary School. Under its current governor, the state has pledged to achieve smaller class sizes across the state. Yet, Worcester's repeated funding requests are consistently denied by the state because it strives to achieve smaller classes in its schools. Superintendent of Schools Dr. Jon Andes said last week, "Worcester County has a tradition of believing smaller class sizes are beneficial to student learning." We shouldn't be punished for that.

The relationship between small class sizes and student achievement is extraordinary. Regardless of whether the state sees fit to allocate necessary funding, the county must continue pushing for smaller class sizes. It's the only way to ensure local students receive the tutelage they deserve and have come to expect from the public school system.

## LETTERS TO THE EDITOR

### Planning Commission Erred

Editor:

The hotel that has just been approved by the Planning Commission to be built at the Fager's Island Complex is an abomination. The complex in question already is woefully short on parking as it exists now. The previous expansion of the restaurant facility should have been denied for a lack of adequate parking too. Now a hotel will be located on some of that inadequate parking area and more vehicles brought into the sight that is undersized and overdeveloped.

Fager's customers' vehicles spill out into the surrounding areas, both public and private. Cars now have to illegally park on 56th Street and walk a half mile to the facility during the summer months. The land-

scape has been raped, vegetation uprooted and wildlife displaced as this terrible project commences. John Fager says this will be good for Ocean City. What he really means is it will be good for his pocketbook. The village idiot could figure out that this project is a bad idea.

I strongly suggest that the Planning Commission hold its decision in abeyance until the summer months. Then go to the Fager's complex and take a look at the mess that is already in place at the facility. Also, there is absolutely no way the Ocean City Fire Department will be able to access the proposed hotel in the summer through the maze of congestion and illegally parked vehicles, unless it has a truck that can levitate. Good luck on that one!

I will no longer patronize Fager's

### QUOTES OF THE WEEK

"The price of democracy is never cheap." Ocean City Councilman Vince Gisriel announcing he would be spending the weekend collecting petition signatures in the expected cold and rains.

"I'm not sure 'Gisrielism' is democracy." Ocean City Council President Rick Meehan in reply.

"That type of resolution is touchy-feely and gives you a warm and fuzzy feeling all over, but it has no legal import whatsoever." Ocean City Solicitor Guy Ayres on an amendment promising Comcast would retain the TCI's current workforce.

"You're getting so green you're going to end up sprouting like a Chia pet." Ocean City Councilwoman Erin Fitzsimmons commenting on Public Works Director Hal Adkins' environmentally-friendly stormwater plan for the new park and ride.

"Couldn't it be pumped up there to build up that beach?" Commissioner Louise Gulyas on using dredge material from the Sinepuxent Bay to restore Assateague Island.

"We need to send the message that this will not be tolerated." Commissioner Virgil Shockey on establishing substantial fines for piercing minors.

"They have to register." Alvin Bowles, the program manager for MDE's Lead Poisoning Prevention Program, on the more than 900 rental homes that have failed to comply with new state guidelines.

"How can you even consider this?" Ocean Pines resident Ed Becker expressing concerns with a proposal to sell the community's bayfront parking lot in Ocean City.

Island because our natural resources, wildlife, public safety and general community well being are far more important to me than John Fager stuffing his pockets. I hope you will join me in not patronizing this business anymore.

Bill Watson  
Ocean City

### Thanks For Continued Support

Editor:

As we reflect on the positive events that shaped the year 2000 in Ocean City, we cannot help but remember the tragedies that unfolded throughout the year as well. Ocean City is a remarkable town and much credit goes to the people who work very hard to maintain the family atmosphere and preserve the community spirit that has evolved. Considerable time and money is spent to improve the town's infrastructure and continue the prosper-

ity from which we have all benefited from in different ways. The fact is, Ocean City, very much like anytown in America, has many faces. Public safety has always been the priority of the Mayor and City Council and that is evidenced through the service the police, fire and medical services provide. However, danger is always lurking around the corner and when we live in a town like Ocean City, we tend to let our guard down and develop the mindset that it cannot happen here. The painful reality is, that it can and it has.

Just weeks ago we read that an Ocean City police officer was brutally attacked and forced to fire her weapon on a subject to save her own life. In seconds an incident that was routine rapidly changed from calm to chaos. We could have just as easily been reading about a slain police officer who was killed by a psychologically unstable subject and another

SEE NEXT PAGE

## THE DISPATCH

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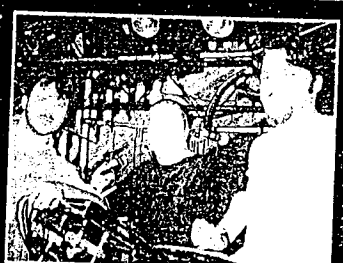
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TUESDAY, JAN. 23  
**ONE STEP BEYOND**

Next  
**DARK SIDE PARTY**  
 THURSDAY, JAN 25  
 UUU  
 VIP CARD EXCHANGE



THURSDAY, JAN. 25  
 UUU

Next  
**LUNASEA**  
 THURSDAY, FEB. 8  
 ROCKETS  
 VIP CARD EXCHANGE

**LIVE BANDS**  
 10 P.M.-2 A.M.

Friday, Jan. 19: Full Effect  
 Saturday, Jan. 20: Full Effect  
 Sunday, Jan. 21: Turnstyles  
 Tuesday, Jan. 23: One Step Beyond  
 Thursday, Jan. 25: UUU

SECRETS TRIAL EXHIBIT 308

# The Disbaton

Let's Hear For The Enemy, And He'll Be The Boss

PRICELESS  
OCEAN CITY, MARYLAND  
JANUARY 12, 2001



## Saluting The Firemen

Local elected and appointed officials were among the nearly 400 people in attendance at last weekend's annual Ocean City Volunteer Fire Company's awards banquet. Numerous people were recognized including Angelo M. Villani, who received a bronze firefighter's axe for his 30 years of service to the company and community. Pictured, above from left, are Past President John Paul Adkins, Villani, Ocean City Mayor Jim Mathias, Delegate Bennett Bozman and Fire Chief Phillip S. Simpson. At right, Maryland State Firemen's Association President Roger A. Steger Sr. congratulates newly sworn OCVFC President James L. Jester. See page 19 for more award presentations. Photos by Steve Green



## Piercing Goes To County Tuesday

BY SHAWN J. SOPER  
STAFF WRITER

**SNOW HILL** - The controversial body-piercing issue will move from Ocean City to Snow Hill next week when the County Commissioners get a first look at draft legislation to regulate the notorious industry.

In an 11th-hour decision last month, Ocean City officials allowed a draft bill to expire that would have effectively banned body piercing in the resort.

The legislation would have added body piercing to the town's existing tattoo ordinance, requiring a physician or osteopath be present in the shops where the piercings take place.

Instead, resort officials deferred to a task force request to allow the

county to regulate the industry. The move shifts the focus on the issue from Ocean City to Worcester County.

"I'm glad they gave us a crack at it. By us taking the lead on this issue, people may view Snow Hill as a neutral site, a change of venue, as it were," Commissioner Virgil Shockley said.

Despite the fact all of the 20-plus piercing shops in the county are in Ocean City, the commissioners generally agree it's time for the county to weigh in on the issue.

"It is a county issue. We need to address what's happening in Ocean City, but we also have to be proactive and have a plan in place when it comes across that bridge," Commission President Sonny Bloxon said.

Shockley said body piercing would eventually have become a county issue whether Ocean City handled it or not.

"If Ocean City passed its legislation and chased body piercing out of town, it would have become a county issue anyway," Shockley said.

Commissioner Jeanne Lynch said it's a public health issue and should be regulated by the county.

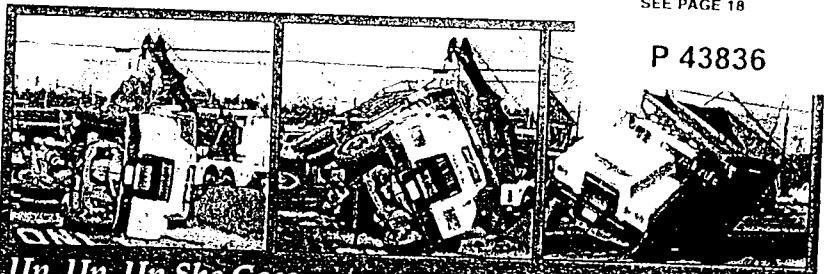
"We have a responsibility at this level to make sure it is safe and that minors are protected," she said.

Commissioner Louise Gulyas, whose district includes Ocean City, agreed body piercing is a county issue.

"Our Board of Health is in SEE PAGE 18

Changes Made To Help Revive Resort's Beach Stand Industry SEE PAGE 3

Parking Garage A Hot Topic At Open House In Annapolis SEE PAGE 4



P 43836

### Up, Up, Up She Goes

Two motorists were hospitalized in serious condition yesterday morning when a dumptruck overturned, colliding with a Ford Escort at the intersection of Routes 50 and 707. Excessive speed is believed to be the cause of the accident, which blocked traffic for more than an hour. Above, two tow trucks work to tip over the dumptruck.

PLAINTIFF'S EXHIBIT

308

ALL STATE LEGAL SUPPLY CO

O.C. Secrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
Offered by Opposer

# EDITORIAL

## Report Accentuates Corridor Work

The results of a new report highlighting the undeniable link between sprawl and highway construction should come as no surprise. The report confirmed building highways leads to unbridled growth. "Wherever a highway is built, sprawl follows," according to an environmental associate with the organization that conducted the research for the report. In other words, where the infrastructure goes the people will follow. This highlights the need for improved, smart planning and an sustained view of the big picture across the state of Maryland, particularly on the Eastern Shore and here in Worcester County.

While the findings from many reports are often pushed off to the side and ignored for being skewed, this report should serve as further motivation and inspiration for county officials to continue striving toward the goal of improved planning and rational development along its primary roadways, specifically Routes 50, 113, 611 and 589. The report encourages state land planners to consider the ramifications before signing off on large highway projects. Since Route 50, 611 and 589 already exist and a dualized 113 will be on line in the near future, the county needs to ensure the inevitable growth within miles of them is not characterized as sprawl. This is where corridor plans can help.

Currently, the county has a plan on the books mixing voluntary and mandatory compliance guidelines for the Route 50 corridor. The controversial, and sometimes nasty, process took nearly two years to complete, but in the end promotes more responsible development along the corridor. Similar work is being planned this year for Route 611, the roadway heading south from Route 50 to numerous golf courses and the pristine Assateague Island, one of the most beautiful settings found anywhere on the East Coast. This process will be different because the character of the roadway is vastly different, but the basic principles need to be applied to determine what's best for Route 611, its environment and its residents. The corridor work should continue with Routes 589 and 113. Since serious improvements are not expected to be made on Route 589 till at least the completion of the massive Route 113 project, the county would be wise to move forward with a corridor plan for the key roadway leading to thousands of homes in Ocean Pines.

Establishing a plan for each of the county's major roadways is crucial to ensuring the landscape and character of the area remain identifiable. Additionally, they're necessary to maintain the delicate balance between development pressures and environmental sense. In an environmentally-precious area such as Worcester, a partnership between development and responsible land-use must be established.

In recent years, the county seems to have made a commitment to better planning and encouraging responsible usage of the land. The new report emphasizes the importance of its current work. We couldn't agree more with what Maryland Coastal Bays Program Public Outreach Coordinator Dave Wilson said at the report's unveiling last Thursday. "Good planning is the linchpin of our society, and this deals with roads as much as it does anything else... I hope foresight and wisdom can reverse a trend that we can no longer afford to ignore for the immediate gratification of a fast journey in our cars," he said.

Since our highways are already in place, sound planning for the land surrounding the roadways must prevail to ensure Worcester remains a place known for its diverse character and heritage.

### To Our Readers ...

The Dispatch welcomes any and all letters from our readers. All letters are encouraged typed, but not required, and we reserve the right to edit each letter for clarity, accuracy and brevity. Letters should include writer's name, address and day and evening telephone number. If we are unable to reach the writer, we will have to withhold the letter. Letters can be mailed to The Dispatch, P.O. Box 467, Berlin, Md. 21811, email to dspatch1@intercom.net or fax to 410-641-0966.

## QUOTES OF THE WEEK

"It's kind of no harm no foul." Worcester County Board of Education Attorney P. Tyson Bennett on a judge's ruling the school system committed a procedural error during its handling of a special education child.

"I'm passing laws to restrict growth in this county, and my constituents are asking 'What growth? Where's the growth?'" County Commission President Sonny Bloxom on why the county needs to encourage growth evenly over the county.

"They're a blight on the landscape." Planning Commissioner Kenny Baker on single-wide trailers in the county.

"I've had the angriness and the hatefulness up at the polls." Ocean City Councilman Jim Hall on why he initiated an investigation into reported problems within the Ocean City Police Department.

"Where ever a highway is built, sprawl follows." Maryland Public Interest Research Group (MaryPIRG) Environmental Associate Gigi Kellett at the unveiling of a report demonstrating the relationship between highway construction and sprawl.

"The buck should not have been passed." Commissioner James Purnell on the resort's decision to allow the county to regulate the body piercing industry.

"We can't dictate morality." Commissioner Louise Gulyas on the county's upcoming decision to regulate the body piercing industry.

"It won't be a slam-dunk by any means." County Administrator Gerald Mason predicting the pace the county will use in adopting body piercing industry.

"I only hope there's a slide show." Commissioner Virgil Shockley on the wealth of information the commissioners will receive next week on body piercing.

"Perhaps what you're doing out there is a dinosaur." Ocean City Councilwoman Nancy Howard on what the beach stand industry could become.

"So, what you're telling me is crap." Ocean City beach stand operator Ron Steen in response to a proposal supported by Mayor Jim Mathias.

"Eventually, you're going to have to re-bid the garbage and you're going to have trouble getting people to bid on those streets." Ocean City beach stand operator Carl Avara to the City Council, explaining there will be little interest on the streets with low sales.

"I'm telling you it's a kindler, gentler police department because of it." Ocean City Councilman Jim Hall describing the OCPD after concerns have been expressed to him by officers and then relayed to the chief.

"We don't want to run into problems like they had over in Ocean City." Berlin Mayor Rex Hailey, referring to the City Hall situation in the resort, on why the town should seek contingency money on its town hall project.

## THE DISPATCH

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Richard V. Lohmeyer, Publisher

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 Sunday-Thursday

**\*2-4-1 PIZZA ON SUNDAY**  
 Open Til Close

**BLOODY MARY BAR OPEN SUNDAYS**  
 12:30-5 P.M.

*\*Excluding Holidays*

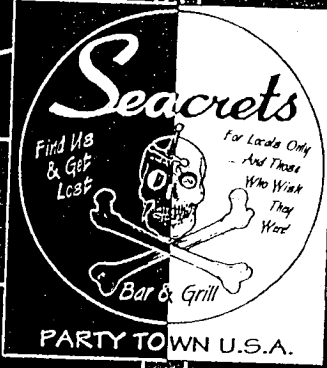
**Monday-Friday \$5 DAILY LUNCH SPECIALS\***

- MONDAY: Beet Stev
- TUESDAY: chicken & Dumplings
- WEDNESDAY: Roast Pork
- THURSDAY: Taco Salad
- FRIDAY: Fish & chips

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**FRIDAY-SATURDAY, JAN. 12-13**  
**ANTHEM**



**TUESDAY, JAN. 16**  
**SEAMRIPPERS**

**Next DARK SIDE PARTY**  
 THURSDAY, JAN. 25  
 UUU  
 VIP CARD EXCHANGE



**THURSDAY, JAN. 18**  
**POWER PLAY**

**LIVE BANDS**  
 10 P.M.-2 A.M.

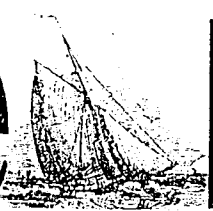
Friday, Jan. 12: Anthem  
 Saturday, Jan. 13: Anthem  
 Sunday, Jan 14: Love Stone  
 Tuesday, Jan. 16: Seamrippers  
 Thursday, Jan. 18: Power Play

**Next LUNA SEA**  
 THURSDAY, FEB. 8  
 ROCKETS  
 VIP CARD EXCHANGE



**SECRETS TRIAL EXHIBIT 309**

# The Dispatch



"We Have Met The Enemy, And He Is Us." Page

JANUARY 5, 2001

OCEAN CITY, MARYLAND

PRICELESS

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**Of Transit**  
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**State Examines City Hall Project**  
 Maryland safety officials inspected City Hall in Ocean City on Wednesday, citing the town and the project contractor for not fulfilling a basic safety precaution. The \$2.4 million renovation project is being funded through an \$18 million bond issuance. Above, crews work on the second floor of City Hall. See page 9 for the complete story. Photo by Steve Green

## Resort Mayor, Councilman Square Off

**"This was an issue that you brought tens of people out for tonight in front of your colleagues that we had no preparedness for. That was wrong ..."**  
**MAYOR JIM MATHIAS**

**"On a holiday weekend, was I supposed to track you down and tell you I'm going to introduce an amendment."**  
**COUNCILMAN VINCE GISRIEL**

BY BENJAMIN L. MOOK  
 ASSOCIATE EDITOR

OCEAN CITY - Resort officials balked at signing off on a transfer of the town's cable franchise after a string of cable workers and union officials laid out concerns over job security this week.

TCI Cablevision and Comcast Cablevision are in the midst of finalizing a territory swap, which includes the Ocean City franchise. The Mayor and Council had an ordinance in front of them Wednesday night that would have approved the transfer of the cable franchise to Comcast when the deal was completed.

The vote was tabled after Councilman Vince Gisriel asked that a

clause be included in the ordinance requiring Comcast to keep the Ocean City employees on after the transfer. It was unclear if the town had the authority to mandate Comcast to keep the employees.

Resort officials heard from some of the almost two dozen TCI workers and Communication Workers of America Union (CWA) officials who attended Wednesday's meeting. They expressed concerns they would be let go after Comcast took over and asked the council to accept Gisriel's proposal. Union officials warned that Comcast would release half of the workforce to nullify a union agreement now in place. CWA represents 23 TCI employees after winning a union election last year.

Ocean City Mayor Jim Mathias

said Gisriel's amendment had caught the council by surprise, leaving officials unable to answer the workers' complaints promptly. He lashed out at Gisriel for not letting his colleagues know what he was planning prior to the meeting.

"This was an issue that you brought tens of people out for tonight in front of your colleagues that we had no preparedness for," Mathias said. "That was wrong, and it was unfair."

Mathias said without knowing ahead of time, the other council members could not act on Wednesday.

"We come out here and get whammed with an employment issue, and we're left with our chins on the

SEE PAGE 8

PLAINTIFF'S  
 EXHIBIT

309

ALL-STATE LEGAL SUPPLY CO

O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.  
 Opposition No. 91190886  
 Offered by Opposer

# EDITORIAL

## Ocean City Is Petition City

It's no secret Ocean City has seen its fair share of petitions in recent history. Petition drives have been launched on a number of issues in the last five years ranging from a proposed "bubble" atop the Mallard Run tennis courts and an expansion of Northside Park to collective bargaining for resort police officers and a land purchase for a runway protection zone at the airport. But the number of petitions - three - being circulated at the same time on the streets of Ocean City currently is atypical, and residents need to scrupulously learn what they are supporting when they are asked to sign their names to any petition.

One of the current petition drives is a voter-preference survey to gauge public opinion on the City Council's recent decision to not make it mandatory for only licensed physicians to do body piercing in Ocean City. The effort is being led by a small group of senior citizens who want to see the industry out of Ocean City. The second petition, which was launched on New Year's Day at City Hall, involves the land purchase of the Rastafarian-colored house at the foot of the Route 50 Bridge. The drive is a result of a local business owner feeling the city has treated him unjustly. The third petition has been around for months and involves the Ocean City Fraternal Order of Police's quest for a new way of communicating with Ocean City elected and appointed officials over workplace issues such as compensation. The lodge reportedly received enough signatures to take the revised issue to referendum on election day.

Additionally, another petition drive could soon be launched in Ocean City involving the airport. During the recent series of Ocean City Airport Task Force meetings, it was reported further land expansion will be needed in the near future at the general aviation facility. Months ago, a town-funded feasibility study gave the city some options to consider on the future of the airport including a no development path. Regardless of what direction the city steers the airport's future, Public Works Director Hal Adkins said additional acreage will be needed. Consequently, another petition to referendum will begin. Political activist Jim McGinniss, who has teamed with Councilman Vince Gisriel on numerous petition drives, said this week "there will be another petition" if the city moves to purchase any more land at the airport. Residents don't have to be concerned about that petition drive for some time, but they need to be versed on the current efforts taking place. The chances are most citizens who frequent grocery stores, malls, post offices and other public quarters will be asked to sign one of the active petitions, if they haven't already.

We support the fundamentals of the petition process, but we encourage the people who are confronted to listen objectively to what the petitioners have to say and decide on the merits alone whether to sign. The people's ability to petition their government is a fundamental right all citizens can and should exercise if they feel betrayed, neglected or misrepresented by their government, but the process shouldn't be abused. Consider what you are signing and what you are subsequently supporting before you sign your name to anything.

## LETTERS TO THE EDITOR

### City's Offer On Property Lacks Fairness, Justice

Editor:  
My name is Chris Diforte. I own the property at 100 S. Philadelphia Avenue. It's my home and office. In this day and age, I find it hard to believe the city government can enact an emergency ordinance and put people out of their home and destroy their business. Well, that's

exactly what the Ocean City Mayor and Council are doing by condemning my house and office.

If you have read the articles in *The Dispatch* about this property, which the city finds of such great value as to want to condemn it, you are witnessing a true injustice and sham. Let me tell you the facts. My home and office is being condemned so the city can fulfill plans of a turn

## QUOTES OF THE WEEK

"You could end up with Pat Buchannon or Ralph Nader as President of the United States." Ocean Pines Association board member John Bauman on why the next highest vote getter should not automatically fill a vacancy on the Ocean Pines Association Board of Directors.

"I think she will be remembered by many, many people in Ocean City." John Purnell on the passing of his mother, Sarah Lynch Purnell.

"I may be a nut, but let me be a sensible nut." Community activist Jim McGinniss questioning the logic behind the plan by the State Highway Administration and the town of Ocean City to knock down a home and office for a new turn lane off the Route 50 Bridge.

"We come out here and get whammed with an employment issue, and we're left with our chins on the table." Ocean City Mayor Jim Mathias to Councilman Vince Gisriel during a disagreement over Gisriel's decision to propose an amendment to a cable agreement

lane off the Route 50 Bridge. Everyone knows the current land is fine. Why do they need a new turn lane?

The public has called for a replacement to the bridge, not for the city to create a new turn lane. There haven't been any traffic or demographic studies to indicate that there is a need to open traffic to the Inlet from the Route 50 Bridge. There are several properties in Ocean City much more deserving of condemnation. There are more important sites the city should acquire

My office is an advertising tool for my downtown business, Brewmasters Brew Pub. The public sees ads and promotions. My business has different events often and these ads and promotions are advertising through my building's exposure to the public.

Another fact I find disheartening is the city's appraisal was a whopping \$72,000. My assessed value (what you pay taxes on) is \$132,000. I call the city's offer a joke. My home, my office and primetime advertised next to the Route 50 Bridge are of value purely on location, location, location.

Just think about it. My dream to own a restaurant/brew pub in Ocean City, a place I have worked my entire life. The opportunity came through years of sweat, perseverance and focus. My business revolves around years of dedication to surviving in the downtown. The Mayor and Council to this day have not found a way to stimulate off-Boardwalk business. My advertising of reggae events and food specials helps my

business survive downtown.

So you the people decide. Would you like the city telling you what your home and office property is worth? Then taking it away for next to nothing. Do you think I'm receiving fair treatment? Don't you think the city should focus on structurally unsound buildings and projects that linger without completion such as the Jennieville site. The city chooses to condemn my building. Don't you think the city's priorities are out of whack. I say they are practicing fuzzy math and good ole' boy politics. My father is gone, but he taught me to never let anyone walk on me or take advantage of me. The city is trying to do both.

If you want to sign my petition to block this injustice, feel free to call me at 410-289-4278 or call and express your disappointment with the Mayor and Council. Thank you for your time and consideration.

Christopher Diforte  
Ocean City

### A Time To Say Thanks

Editor:  
Tis' the season to give thanks for all the help shown to our Art League throughout the year from the businesses in Ocean City who favor us in monetary and other supportive ways to those from Delmarva who participate at the Art League of Ocean City such as the success of our Starving Artist Supper.

Special thanks are in order for those members of the Art League who have put in many volunteer hours to

SEE NEXT PAGE

## THE DISPATCH

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Richard V. Lohmeyer, Publisher

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SPECIALS\***

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**TUESDAY, JAN. 9  
FUZZY BUNNY SLIPPERS**

**NEXT LUNASEA  
TUESDAY, JAN. 9  
FUZZY BUNNY SLIPPERS**  
VIP CARD EXCHANGE

**Next DARK SIDE PARTY  
THURSDAY, JAN. 25  
UUU**  
VIP CARD EXCHANGE



**THURSDAY, JAN. 11  
UUU**



**FRIDAY-SATURDAY, JAN. 12-13  
ANTHEM**

**LIVE BANDS  
10 P.M.-2 A.M.**

Friday, Jan. 5: Rockets  
Saturday, Jan. 6: Rockets  
Sunday, Jan. 7: Turnstiles  
Tuesday, Jan. 9: Fuzzy Bunny Slippers  
Thursday, Jan. 11: UUU

SEACRETS TRIAL EXHIBIT 310

# The Dispatch

"WE HAVE MET THE ENEMY, AND HE IS US." POGO

## Local Firefighters Team Up To Rescue Woman

BY BENJAMIN L. MOOK  
EDITOR

OCEAN CITY — Knowing that a woman, trapped four stories up on the balcony of a burning apartment, was in dire need of rescuing, a group of resort firefighters through a mix of quick thinking, bravery and teamwork managed to pluck the woman out of harm's way in the nick of time.

Firefighters responded last Saturday to an 11:17 p.m. fire, which destroyed unit 302 of the Siesta Village on 51st Street. One of the occupants of the unit, Fanny Wyman, 47, of Towson, was rescued from the balcony and flown to Peninsula Regional Medical Center for burn injuries.

She was admitted for treatment of second-degree burns on her back.

Also suffering burns fighting the fire was Ocean City Volunteer Fire Company (OCVFC) Capt. Jay Jester, who was taken to Atlantic General Hospital. He suffered burns to his fingertips, palms and ears. He was treated and released. Another firefighter was treated for exhaustion, and a third was treated on the scene for an ankle injury. Also injured was OCPD Officer Doug Smith, who was hit by a drunk driver while directing traffic around the scene.

Firefighters responded to the Siesta Village, a four-story, wooden frame condominium building, last Saturday for a reported fire. One OCVFC unit was able to respond to

the scene within a few minutes of the alert.

Arriving on the scene, OCVFC Lt. Robert "Bo" Duke and the other crew members, including Jester, spotted smoke billowing from the unit and saw Wyman trapped on the fourth-floor balcony. Jester and Duke, best friends for a number of years, ran to the front of the building to assess the situation. The crew agreed to attempt rescues from both sides of the building.

As Jester and his partner prepared to enter the burning building through the open front door, Duke, who was Jester's best man in his wedding, prepared a separate rescue from the balcony side of the building.

"He was confident enough in me,

he didn't have to worry," Jester said of Duke. "so he went around to the other side of the building."

Unknown to the firefighters at the time, both the front and rear sliding glass doors were open, allowing a brisk breeze to blow through the unit, fanning the flames higher. Seeing the interior condition worsen, Jester said he decided to attempt to rescue the woman from inside.

"I thought to myself, she doesn't have a lot of time left," Jester said. "That's when I made my decision to go in. The situation wasn't getting any better for her, and I couldn't wait any longer."

Jester made it from the front door to the balcony doorway before the

SEE PAGE 13A



For the last five years, the Ocean City Reef Foundation has been doing its part to sustain the health of offshore habitat by enlarging the artificial reef system at the bottom of the ocean floor.

SEE PAGE 20A



After it was discovered dead 20 miles off the coast last week, a 36-foot, 36,500-pound rare whale was towed ashore to Assateague Island and then studied extensively by biologists. It was believed to be a young female.

SEE PAGE 20A



Approximately 1,325 students will return next week to a new and improved Stephen Decatur High School, where a three-year, \$25 million improvement project was completed this summer. The school year opens for public and private school students on Tuesday. Above left, ninth-grade government teacher Laurie Chetelat prepares her classroom at Stephen Decatur High School Wednesday for the first day of school. Above right, Sheraldine Collins makes sure the new lockers at the Berlin school are ready for the students' arrival. See Page 8A for full story.

Photos by Steve Green

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PLAINTIFF'S  
EXHIBIT  
310  
ALL STATE LEGAL SUPPLY CO

O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
Offered by Opposer

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**FRIDAY AUGUST 30**  
 JIM LONG BAND 5PM  
 JAH WORKS & THERAPY 9PM

**SATURDAY AUGUST 31**  
 JIM LONG BAND 5PM  
 JAH WORKS & THERAPY 9PM

**SUNDAY SEPTEMBER 1**  
 POWER PLAY 5PM  
 JAH WORKS 9PM

**MONDAY SEPTEMBER 2**  
 JIM LONG BAND 5PM  
 JAH WORKS 9PM

**TUESDAY SEPTEMBER 3**  
 DJ BATMAN 5PM  
 INNA SENSE 9PM

**WEDNESDAY SEPTEMBER 4**  
 POWER PLAY 5PM  
 INNA SENSE 9PM

**THURSDAY SEPTEMBER 5**  
 JIM LONG BAND 5PM  
 INNA SENSE 9PM

**FRIDAY SEPTEMBER 6**  
 JIM LONG BAND 5PM  
 INNA SENSE 9PM

**ENITE CLUB**

*doors open at 9 unless otherwise posted*



**FRIDAY AUGUST 30**  
**ELEVEN ELEVEN**

**SATURDAY AUGUST 31**  
**17th FLOOR**

**SUNDAY SEPTEMBER 1**  
**17th FLOOR**

**MONDAY SEPTEMBER 2**  
**THRILL** *at dusk*

**TUESDAY SEPTEMBER 3**  
**CHORDUROY**

**WEDNESDAY SEPTEMBER 4**  
**BURNT SIENNA**

**THURSDAY SEPTEMBER 5**  
**ELEVEN ELEVEN**

**FRIDAY SEPTEMBER 6**  
**darkside love seed mama jump**

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# Best Display Of AMERICAN PRIDE



## City Is Right To Move Slow With Expansion Process

The Ocean City Council decided to move forward this week with a preliminary step toward expanding the Roland E. Powell Convention Center. The \$25,000 the council allocated will allow for the production of a rendering and cost estimation of the proposed expansion, which could increase the size of the 182,200-square-foot, state-of-the-art facility by as much as 50,000 square feet.

Two weeks ago, three council members balked at the initial request in light of reservations about its necessity. This week only Councilman Vince Gisriel remained opposed, and he made some valid points. Gisriel stands by his original contention that the volume of convention business does not currently merit a costly expansion. Quoting from the center's unofficial economic impact study, he reported there were 106 convention days slated for all of 2002. He said March and September are expected to be its busiest months, reporting 16 convention days in each month. In 1999, he said the center hosted 46 meetings compared to 62 the next year and 43 in 2001. These numbers hardly suggest expanding the facility is a dire need, but it's

worth noting Council President Rick Meehan said there are figures within the economic impact study that suggest expansion is worth pursuing.

Along with the funding allocation this week, the council also agreed to reconvene a committee of local residents and business representatives to study the proposed expansion. This is a tremendous idea, one that reveals the council's intention to be methodical with this process. That did not seem to be the case two weeks ago when Tourism Commission members reported the concept gained their overwhelming approval and Mayor Jim Mathias expressed shock at the council's reluctance, saying "I thought this was a lay down."

The support for the expanded convention center is certainly understandable. There's no disputing it has boosted off-season business. It along with the booming golf industry and popular special events has sent key economic indicators to unprecedented levels and helped extend the busy season. On some weekends in Ocean City, particularly in the winter, there's only one reason why people come to Ocean City, what's happening at the convention center.

That's invaluable and a recent trend we want to see continue.

There's no dispute how valuable that building is on 40th Street for the town of Ocean City, its residents, economy and its business community, but we do have some doubts whether it needs its second major expansion in five years. A clear case has not been made that it's necessary at this point. Some contend more space at the convention center would draw larger conventions and boost shoulder season business even in the winter while others offer an equally compelling argument that there's not enough of a demand for current convention space to dictate more room.

Those uncertainties should be answered when this preliminary process is completed and all the facts are available for all to see. In the meantime, a slow, methodical process is best and that's how the council seems intent on handling the effort. There should be no fast tracking on the project because there is reason to rush anything. Form the committee while the numbers are being prepared for the city is a good first step. Then the facts can guide the decision-making from there.

### Proposed Project Could Have Far-Reaching Impact On Bay

Editor:

Within the past two weeks, plans have surfaced for approximately 30 boat slips to be installed at the end of 86th Street in the middle of a wetland area known as Howard's Cove. These slips are being proposed by Salisbury developer Thomas Monahan, of Captiva Bay Condominiums.

According to the Department of Environment, the construction will extend out channelward approximately 240 feet, with the boat slips placed right in the middle of the cove. The developer claims the purposes of the project are to improve the access to navigation and to improve water quality. Query: How will boat and jet ski exhaust, and churning the cove bottom improve water quality?

If this proposal becomes a reality,

it will not only affect the residential community of Little Salisbury, it will have a domino effect on the entire bayfront along the Ocean City side of Assawoman Bay. This will open the door for marinas up and down the wetlands. It will have a negative impact on all of the things we hold so dear: the wetlands, water quality and wildlife in the riparian area of Assawoman Bay.

In our residential community is Ocean City's only public boat ramp situated at the south end of Caribbean Drive. On a weekend, up to 100 boats and jet skis have been put in and/or taken out of the water. If the Captiva Bay boat slips are approved as planned, this will definitely become a hazardous safety

issue, as the boat slips will extend almost to the boat ramp.

Our community has learned to live with the influx from the boat traffic at the boat ramp as well as the increased vehicular traffic and boat trailers on our streets. Do we now have to worry about the safety in the waters adjoining our properties? I think not. It is time our elected officials in Ocean City bite the bullet and say no to development which invades our wetlands. This should not be a money issue. Our council persons are elected by the voters to make sound impartial decisions in a timely fashion. Their decision to delay putting legislation in effect to protect the bayfront of Assawoman Bay is not in the best

interests of the residents and property owners in Ocean City.

On Sept. 5 at 11 a.m., the Department of the Environment will be holding a hearing at the Ocean City Library in Ocean Pines. Support needed to save Howard's Cove, a other endangered areas along the bay front from similar proposed projects.

Bette Phill.  
Ocean City

(The writer is the president of the Little Salisbury Civic Association.)

### Ehrlich's True Position On Slots

Editor:

Since some confusion remains regarding Bob Ehrlich's position on slot machines, I'd like to set the record straight.

In a recently released statement SEE NEXT PAGE

## LETTERS TO THE EDITOR



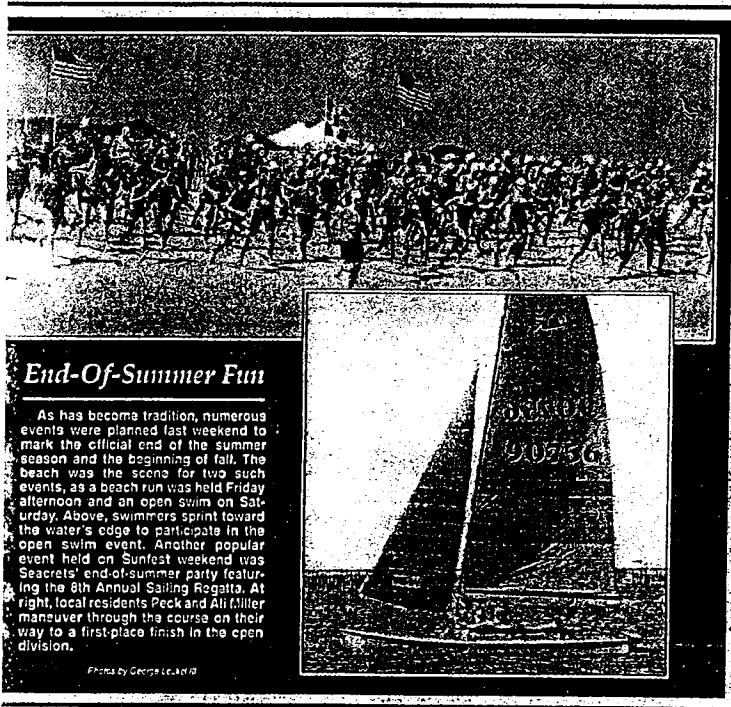
SEACRETS TRIAL EXHIBIT 311

# The Dispatch

"WE HAVE MET THE ENEMY, AND HE IS US." POGO

## Double-Murder Suspect Routinely Escaped Jail Cell

BY BENJAMIN L. MOOK  
EDITOR



### End-Of-Summer Fun

As has become tradition, numerous events were planned last weekend to mark the official end of the summer season and the beginning of fall. The beach was the scene for two such events, as a beach run was held Friday afternoon and an open swim on Saturday. Above, swimmers sprint toward the water's edge to participate in the open swim event. Another popular event held on Sunfest weekend was Seacrets' end-of-summer party featuring the 8th Annual Sailing Regatta. At right, local residents Peck and Ali Miller maneuver through the course on their way to a first-place finish in the open division.

Photos by George LeJard

SNOW HILL - While the warden of the Worcester County Jail contends he was never close to escaping from the facility, accused double murderer and former Navy SEAL Benjamin Sifrit was able to free himself from his maximum-security cell on multiple occasions earlier this month.

Due to an apparent mechanical glitch, Benjamin Sifrit was able to get himself out of his cell at the Worcester County Jail numerous times before prison officials identified and corrected the problem.

Worcester County Jail Warden Ira "Buck" Shockley confirmed this week that Sifrit had been out of his cell an undetermined number of times before jail personnel caught the problem and corrected it. While reportedly never close to escaping from the jail, Sifrit apparently took the time away from his cell to wander around the small, maximum-security area.

The Worcester County Jail, located in pastoral Snow Hill, the county seat, is set off from the main highway, Route 113, and is a heralded correctional facility. The prison houses mainly medium-security inmates or those sentenced to less than 18 months in prison. The jail does have a maximum-security section usually reserved for prisoners up on major charges awaiting trial, including Benjamin Sifrit.

For the last 20-plus years, the jail has also had an excellent track record as far as escapes. However, the first-ever successful escape happened earlier this year when an Immigration and Nationalization Service detainee, Phaniel Hilaire, who was awaiting deportation, wrapped socks around his hands and scaled the razor wire fence after a guard fell asleep. He was arrested the following day in North Carolina and returned to the prison, and the guard was dismissed.

Since the escape, the jail has beefed up its fence security and added to its in-house armory.

Sifrit is potentially facing a life sentence without parole for his part in the Memorial Day weekend deaths of Joshua Ford and Martha Crutchley. Police believe Benjamin

SEE PAGE 16

### Ocean City Council Candidates Differ On Referendum Question

A poll of the seven Ocean City Council candidates this week found three support the police officers' quest for collective bargaining with binding interest arbitration; three are opposed; and one took no official stance. Ocean City's registered voters will ultimately decide the issue on Tuesday, Oct. 15. A similar referendum failed by 31 votes in 2000.

SEE PAGES 12-13

### Summer Season In Ocean City Started Slow, Finished Strong

The summer season officially ended Monday with the beginning of autumn. *The Dispatch* took a look back at the summer this week, analyzed the key financial indicators and talked to local business representatives to determine what kind of season it was. The reactions were mixed, as most said the season started slow but finished strong.

SEE PAGES 72-73

PLAINTIFF'S  
EXHIBIT

311

ALL STATE LEGAL SUPPLY CO

P 43845

O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
Offered by Opposer





The Ocean City Terps Club gathered at the Crabcake Factory for two bus trips to watch the University of Maryland football team take on Notre Dame in Giants Stadium and Florida State at Byrd Stadium. Above, members prepare to head off to New Jersey for the game with the Irish. More trips are planned for this fall. Call Ron Brooks at 410-250-5070 for details. Submitted Photo

## Pines Hosting Symphony Oct. 6

BERLIN - The Mid Atlantic Symphony Orchestra has a "wonderful program" lined up for music enthusiasts in October, according to Artistic Director Don Buxton, who also conducts the 40-piece orchestra.

Audiences will be delighted with works by such famous composers as Wolfgang Amadeus Mozart and Felix Mendelssohn among others.

The orchestra will perform at the Avalon Theatre in Easton on Friday, Oct. 4, at 8 p.m., on Saturday, Oct. 5, at 8 p.m. at the Prince Theatre in Chestertown, on Sunday, Oct. 6, at 2 p.m. at Delaware Technical and Community College in Georgetown, and again on Sunday at 7 p.m. at the Community Church in Ocean Pines.

Look forward to such pieces as Mozart's Symphony No. 41 in C major "Jupiter," K. 551. Mozart composed "Jupiter," his final symphony, in August 1788 in Vienna.

The first movement establishes the bold dimensions of the work and by the fourth movement, Mozart's genius overflows, shifting the full weight of symphonic discourse to the finale.

The orchestra will also perform Camille Saint-Saens' Suite pour orchestre, Op. 49. Saint-Saens is probably best known for one of the 13 operas he completed - Samson and Dalila, a romantic treatment of the biblical story. Complementing the evening's music will be Robert Schumann's Bilder aus Osten, impromptus, Op. 66, transcribed by Carl Reinecke, and Felix Mendelssohn's The He-brides, Overture, Op. 26 - pieces written in the same Romantic period.

Ticket prices are \$20 and can be purchased at the door. Tickets may also be purchased in advance by calling 1-888-846-8600, or by logging on to [www.gmgiant.com](http://www.gmgiant.com).

The GM Giant Concert Series is sponsored by the Bob Smith Automotive Group and Cadillac. MSO is also supported in part by the Worcester and Talbot County Arts Councils and the Maryland State Arts Council.

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### Hailey's Criticism, Negativity Undermines Chamber's Effort

Editor:

I am writing this letter to relay to the Town Council of Berlin and to the public my outrage at Mayor Rex Hailey's outspoken and irresponsible public criticism of the Tuck Everlasting events scheduled for October and sponsored by the Berlin Chamber of Commerce. He has and continues to try and boycott these events, as evidenced by his outbursts at this month's Chamber meeting, his negative comments to anyone who will listen to him, and again on WBOC-TV News on Sept. 17. He is, of course, entitled to his own opinion; but, he is not entitled to speak for the council members and in his words "all of the residents of Berlin" on this issue.

I have yet to understand exactly



## OC Water Tank Issue Deserves Another Loo

Though a vote has already been recorded approving the removal of the water tank on 66th Street, at least two elected officials in Ocean City are intent on making sure the issue gets another vote with the entire council present. Typically, once a vote is taken on an issue, it's dead, but this is one that merits another look, and the council has decided to do just that. We believe that's a proper move.

Earlier this month, the council voted 4-1 with two members absent to tear down the 66th Street water tank, one year after a larger one was built two blocks to its south on 64th Street. Council members were told the 66th Street tank could be removed without any detrimental impact on the town's water supply. A presentation was given to indicate keeping the tank on-line would gain only 1 1/2 feet of volume, or 40,000 gallons of water, which is deemed insignificant to those in the know. Public Works Director Hal Adkins said, "Statistically and operationally and from an engineering point it is not necessary, but some may look at it as the extra car."

Though removing the 66th Street tank appears to still be the city's intention, the council has decided to

postpone any action until the issue can be addressed by the entire council. Mayor Jim Mathias pledged this week to use his veto power if at least two council members agreed the 66th Street tank should stay. He contends the city never knows what could come its way in terms of development and Mother Nature and to regret removing the extra water tank in a future disaster would be unforgivable. Pointing to disasters in LaPlata and New York City as well as the increased development taking place around the town, the mayor, seemingly to no avail, has pleaded with council members to look past the dollars and cents and see the larger picture. Councilman Vince Gisriel agrees with Mathias.

Dollars and cents coupled with being properly prepared from a water supply standpoint for the unimaginable is essentially what this issue is all about.

First, financially, if the 66th Street water tank were to remain in operation, the city would pay a lump sum each year to maintain it. If the city opts to move on without it, the cost to remove and recycle it will be approximately \$75,000, which would in the end save the city thousands of dollars. Needless to say, if it were

merely a fiscal issue, it's a no-brainer. The tank needs to come down.

However, in this instance, it's all about future. It's about being prepared for future residential and commercial growth including the new Sunset Island, the huge mid-project and numerous other large scale redevelopment projects as potential natural disasters could leave water at an absolute necessity. According to the engineering firm, there's sufficient water supply to allow for future developments in Ocean City. The scenario may indicate that today and probably for the future, but we're sure how they can be so certain future years.

Overall, this water tank would seem to be simple. It's needed today, and it's costing town unnecessary money. There's no need to keep it erected operational. But the issue is a complex than that, and we believe the entire council should revisit issue and at least have all the members in attendance before the issue ultimately decided. It can't hurt the vote is the same, so be it, but at least all the community representatives will have a say on an important issue.

## LETTERS TO THE EDITOR

why it is he has a problem, other than the cost of the tickets to the event. He even suggested on television that people would make out better by waiting until after the event and paying \$7.50 to go see the movie. Believe me, I can assess a situation without the mayor's guidance; as I am sure all of you can, and decide for myself whether or not I want to pay \$100 for two nights of food, a Gala Dinner Dance, a ticket to the prescreening and an evening of socializing; or, \$40 for one night of food, entertainment, a ticket to the movie and an evening of socializing; or \$7.50 to go see the movie some other time. His comments are insulting and inappropriate. He does not have the facts that went in to the

plans for the celebrations and was certainly not informed enough to give interviews regarding those plans.

The following is what the chamber has planned, barring any unforeseen problems that can occur when you are planning events of this nature.

First, in order for the chamber to have a prescreening, it was mandated by the Production Company to adhere to a list of "do's and don'ts", otherwise a copy of the movie would not be sent to the chamber prior to its release. The committee decided rather than have no prescreening at all, it would work under the rules of the Production Company so that we could have the excitement of a pre-

screening. In order to have the screening, the Production Company agreed to send the chamber one of the movie, to show one time in movie theatre, by invitation. The largest theatre in the Be O.C. area available could seat 340 persons.

Therefore, approximately 1 invitations are being sent out to one and everyone the committee think of and to everyone who for one to be sent to them, and sets will be sent on a first-come, serve basis from those responding to the invitations. The mayor continues to claim that only an "elite group will be invited to the prescreening. That is just not true.

Of course, everyone cannot pay \$100 to go to the Gala everyone cannot pay \$40 to go to celebration in town the next

SEE NEXT PAGE

SEACRETS TRIAL EXHIBIT 312

# The Dispatch

"WE HAVE MET THE ENEMY, AND HE IS US." POGO

## Licensees Take Fight To Court

BY SHAWN J. SOPER  
STAFF WRITER

OCEAN CITY - The Worcester County Licensed Beverage Association (WCLBA), at odds with the county over last year's broad liquor license fee increases, have filed a class action lawsuit against the county seeking declaratory judgment, damages and injunctive relief.

Attorneys Joseph A. Schwartz and Pamela Metz Kasemeyer, of Schwartz and Metz in Baltimore, filed the class action suit today in Worcester County Circuit Court on behalf of the WCLBA, a trade organization made up of 290 county liquor license holders.

The suit names Worcester County and the five sitting County Commissioners as class defendants in the case. The WCLBA, President Chris Poist, owner of Pickles Pub, and Vice President Bill Herbst, owner of La Hacienda, are named as class plaintiffs in the suit.

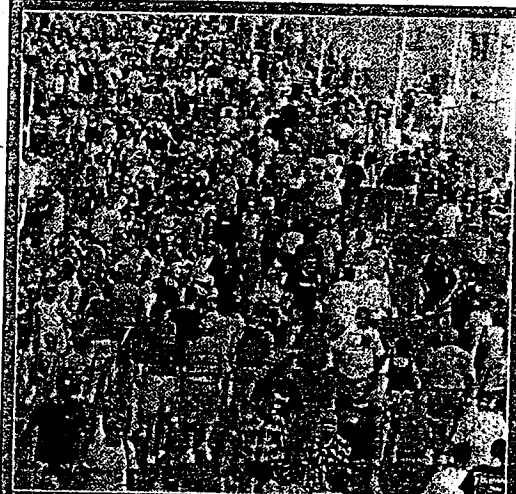
much as 100 percent in some cases, in an effort to bring the license fees, which had not been increased in 10 years; up to date and to help offset budget shortfalls.

The WCLBA has fought the commissioners over the substantial fee increases for over a year and won a battle of sorts in the larger war when the commissioners agreed in the spring to cut the fee increases by half.

However, Poist said last week the move by the county to reduce the fee increases does not placate the trade organization, calling the measure by the county "completely unacceptable."

The WCLBA has contended from the beginning a county statute, which requires the liquor license fees to be used only for the financial support of the Board of License Commissioners, the county agency charged with issuing the licenses, enforcing infractions and other functions, makes any increase over the amount required to fund the agency an un-

SEE PAGE 25A



Last weekend was Ocean City's second-biggest of the year according to demolition crowd estimates that reported 321,809 people were in the resort. That's up more than 13,000 over last year. Above, a moving flock of vacationers packed the Boardwalk last Saturday afternoon.

**\$11,449 A Pound**

White Marlin Open

Though not even the heaviest in the division, a 1,060-pound white marlin won top prize at the 29th Annual White Marlin Open. Earning angler Dave Warren and the crew of the Spencer 522 a whopping \$370,150, the 11-foot-10-inch marlin was caught on Tuesday, Aug. 13, during the opening tournament. See page 34A.

## Are White Marlin Truly In Trouble?

BY SHAWN J. SOPER  
STAFF WRITER

OCEAN CITY - Nearly 3,100 white marlin were caught in the canyons off the coast of Ocean City during last week's White Marlin Open, raising doubts if the species is actually imperiled at all.

With less than a month to go before the National Marine Fisheries Service (NMFS) recommends whether or not to list the white marlin on the endangered species list, the 29th Annual White Marlin Open held in Ocean City last weekend proved one of the most remarkable runs of white marlin in tournament history.

The White Marlin Open angler caught a 1,060 white marlin and released it. It was basically rendered a three-day event because of high winds and rough seas on Tuesday and Wednesday. On Thursday alone, 2,489 white marlin were caught, with 475 released, marking the single greatest day in

the history of the annual event, which has been taking place every August in the resort for three decades.

It was nearly the biggest year ever for white marlin, which is ironic considering everything going on, said tournament director and founder Jim Motake.

The 1,060 white marlin caught last week blew away all tournament records and even eclipsed the total number of landings for all of last summer in the waters off Ocean City. Just more than 900 white marlin were caught all of last year during the four-month season, which roughly runned from July through October.

Anglers at records kept by the Ocean City Marlin Club since 1936 puts last week's remarkable run of white marlin in perspective. Only 874 white marlin were caught during the entire summer season in 2000, while 1,080 were caught in 1999, a mere 20 more than were caught during last week's tournament.

Before 1990, one has to go all the way back to 1960 to find a year when

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**SUNDAY AUGUST 18**  
 POWER PLAY 5PM  
 INNA SENSE 9PM

**MONDAY AUGUST 19**  
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 INNA SENSE 9PM  
**TUESDAY AUGUST 20**  
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**WEDNESDAY AUGUST 21**  
 POWER PLAY 5PM  
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**TUESDAY AUGUST 20**  
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**THURSDAY AUGUST 22**  
**LUNA SEA**  
**FULL EFFECT**  
**FRIDAY AUGUST 23**  
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## Council Should Work With Gibbs Family

Editor:

In reading about the meeting of the Mayor and City Council concerning the closing of the alley on 3rd Street behind the Breakers Hotel, I agree 100 percent with Mayor Mathias.

The Gibbs family deserve thanks for all of their years of commitment to Ocean City. They have built and rebuilt decent family places on the Boardwalk and in north Ocean City as well as several homes. That alley has been closed for 80 years. Who needs it now?

Please, members of the City Council, stop, look and listen. Have you ever had any complaints about any of the Gibbs' businesses? Can you say this about some other businesses in O.C.?

Thank you for your cooperation

GIVEN UP FOR DEAD BY SOME, TRAPPED OUT OF SIGHT AND IN THE DARK FOR WHAT SEEMED LIKE ETERNITY TO AN ANXIOUS PUBLIC...

...GOOD NEWS FINALLY RE-EMERGED.



# Little Signs Of Trouble For White Marlin

There's a study currently being conducted by the National Marine Fisheries Service (NMFS) to determine the health of the Atlantic white marlin stock. Though the results will not be released until early September, one immediate indication of the species' current health came at last week's 29th Annual White Marlin Open.

Approximately 1,060 white marlin were caught and all but 17 were released during the event, the largest billfishing tournament in the world. While surely there were some duplicate catches included in that number, this year's total not only shattered the previous record for the week-long event, but actually surpassed the Ocean City Marlin Club's annual total for 20 of the last 21 years.

Of course, this is worth noting because NMFS has been petitioned by the private, non-profit Bio-Diversity Legal Foundation to list the Atlantic white marlin as a threatened or endangered species after a study it orchestrated found the stock to be in jeopardy. The petition sparked fears in the local recreational fishing industry that restrictions could soon be applied to white mar-

lin. That trepidation was allayed somewhat in March when NMFS said the study results would be completed this fall and no formal decision would be made on whether to list it as rare, endangered or threatened until late 2003.

However, that did little to calm the chatter last week around the docks of the Harbour Island Marina, the home of the White Marlin Open. Throughout the week, the pending decision by NMFS was frequently addressed with some sport fishermen claiming the stock was not depleted at all, but most immediately roasted commercial long-liners, who they say are the main culprits in over-fishing if it's occurring at all.

However, while the NMFS data is being collected, the Open provided us with the best barometer to date on the health of the species. According to organizers, who reported a 98 1/2 percent release rate, catch reports indicate each boat in the tournament on average caught about 2 1/2 marlin as compared to previous years when that number was one or less per vessel. These figures along with the more than 1,000 white marlin released in basically three days of fishing will be sent to NMFS and

Congressman Wayne Gilch help support the recreational fishermen's cause that there's no sl Further evidence to the health comes this week from Carolina, where a 120-plus-t fish tournament reported 63 were caught and released event's first day. That's re up from previous years as w

Throughout this process assumption has been NMFS science to support the pet claim and enact some sort sure limiting the amount marlin fished. It's difficult to stand why an organization allot the resources and the petition NMFS if there were merit to their charge. Cons much of the discourse has around who is to blame for fishing. While that issue is one that needs federal attention found out last week the st not be in jeopardy at all. Ac the Open is a true indicator health of Atlantic white species which we certainly believe species is thriving better th We'll find out what NMFS h no later than Sept. 4.

## LETTERS TO THE EDITOR

with the Gibbs family.

Violet (Pete) Steger  
Ocean City

### Steen's Talk Of Alternate Plan Is Just A Threat

Editor:

Will the real Marvin Steen please stand up?

On July 31 he was extolled by his friends as the greatest friend Ocean Pines ever had.

But in the Aug. 9 issue of *The Dispatch* he became the great threatener of Ocean Pines. Like a sore loser he said if the people of Ocean Pines defeated the annexation referendum he would punish them by building 250 shanties along

the south borders of Ocean Pines. And his offer of land for a YMCA? Gone with the wind. Wind without substance like what he will do to punish Ocean Pines if they dare to defy him.

Is Marvin Steen the type of developer we want in Ocean Pines? No. But by his petulance he has given the greatest impetus to defeating the annexation referendum.

John G. Murray

### Preserve Shantytown

Editor:

After reading the Aug. 9 edition of *The Dispatch* and seeing the picture on the front page showing Shantytown, I must make my thoughts heard.

I attended the hearing Hill of the planning commission considering the zoning change from commercial to residential in Shantytown.

On one side of the table members of the planning commission, and the other side were people wanting the zoning changed to residential. One person stated his "cred Well, he sure had credentials did not hear any on the interest side.

Then in the "Quotes of t a member of the planning commission asked where are the 2 business people going. Yet zoning commission voted 3-2 zoning change. Yet where human interest or better tourists and locals who Shantytown where will the SEE NEXT PAGE

SEACRETS TRIAL EXHIBIT 313

# The Dispatch

"WE HAVE MET THE ENEMY, AND HE IS US." POGO



## Shantytown No More

The buildings that helped make Shantytown Village a West Ocean City landmark along the bay for the last 29 years were demolished earlier this week. The property is slated to become an upscale, gated residential community of 13 single-family homes.

Photo by Shawn Soper

## Affordable Homes Rare In Worcester

BY SHAWN J. SOPER  
STAFF WRITER

BERLIN - Worcester County has witnessed unprecedented growth in the last decade as baby boomers and empty nesters fulfill their dreams of owning a second home in and around the resort area, but for many would-be first-time homebuyers, the dream remains unfulfilled.

Soaring property values all over Maryland, and especially in Worcester, are outpacing income gains for many lunch pail-carrying workers in the county, forcing them to buy their first home elsewhere or remain mired in the cycle of high rent payments, which are often the equivalent of the mortgage payment on a decent house.

The Maryland Association of Realtors (MAR) last week released a report that revealed the average first-time homebuyer lacked the income needed to buy a typical starter home in Maryland. In Worcester, where the median home price has nudged past a quarter of a million dollars and income has remained stable, if not stagnant, the typical first-time homebuyer in the county is moving further away from the dream.

In Maryland, the median household income is around \$53,000, while the typical starter home in the state is selling for just over \$172,000. In Worcester County, however, the median household income continues to hover at just over \$40,000, while the price of a typical starter home is heading in the other direction at around \$215,000.

The MAR report revealed the average first-time homebuyer in Maryland, aged 25-44, with an estimated income of \$32,825 had just 68 percent of the income needed to buy a typical starter home in Maryland. In October, the median starter home price in Maryland was \$172,231, while the median starter home price

SEE PAGE 26A

## Conditions Ripe For Higher Cable Costs

BY BENJAMIN L. MOOK  
EDITOR

OCEAN PINES - In Ocean City, Ocean Pines and throughout Worcester County, cable television subscribers have only one choice available to them depending on the market and like others nationwide, finding a way to cut ever-increasing costs is difficult, if not impossible.

According to the most recent federal study of the cable industry, the average bill has risen 8 percent per year with no end in sight. The aver-

age national prices for basic cable television as of December 2002 was \$36.47, up almost 40 percent over a five-year period.

A comparison of local cable systems by *The Dispatch* showed that Comcast, which serves Ocean City, was almost \$5 under the national average. In a comparison with nine other resort-area markets, Comcast of Ocean City offered the lowest monthly package for the basic or standard "tier." However, of the nine other municipalities looked at, the local Comcast offered the fewest

amount of channels with the entry-level option.

The area's other main provider, Mediacom, which services Ocean Pines, remained about \$8 a month over the national average. Of the 10 resorts looked at, Mediacom was out priced by only Adelphia Cable, serving Hilton Head, S.C., which offered the most channels, 99, at the highest price, \$46.80 a month.

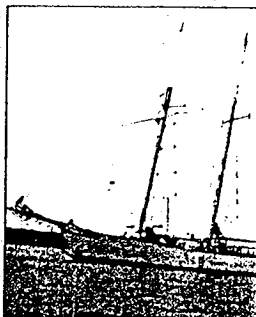
The concerns over cable television costs have mounted in the last year, especially in the wake of a U.S. Gen-

SEE PAGE 18A

## Local Resident Shares Stories From Schooner

Berlin resident Kyler Taustin returned home this week for the holiday break after spending more than a month on the Atlantic Ocean with fellow students aboard a 125-foot schooner, which sailed from Connecticut to Puerto Rico. On Monday, Taustin, who attends Proctor Academy in New Hampshire, shared with *The Dispatch* staff writer Jennifer Dawicki some of the memories from his semester at sea aboard the Westward, pictured at right.

SEE PAGE 4A



## Ravens Up roar Expected Again This Weekend

SEE PAGE 3A

PLAINTIFF'S  
EXHIBIT

313

ALL STATE LEGAL SUPPLY CO.

P 43852

O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
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# THE DISPATCH

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# WHAT OTHERS ARE SAYING

## Maryland Could Heal Itself

National measures of consumer confidence remain lower than right after the 9/11 terrorist attacks, and Maryland reflects that. But Anirban Basu, economic consultant and Towson University lecturer, begs to differ: "The misery of the Maryland economy," he says, "is everywhere apparent but in the data."

Take a look:  
• Maryland's September unemployment rate of 4.3 percent was the nation's seventh-lowest, and second-lowest among urban states. Maryland's average is almost 2 percentage points below the nation's.

• Among mid-Atlantic states, Maryland was the leader in personal income growth in 2002 and in per capita new business starts for the last two years.

These data are cited in Mr. Basu's 2004 economic outlook for Maryland, titled "Don't Worry, Be Happy." The new report ends with a cautionary kicker on job growth, and it doesn't address the state's budget deficit. But it can be taken as a reminder that the Maryland economy is sound enough that meeting the state's shortfall is not so simple as choosing between raising taxes or legalizing slot machines.

After the 1990s bubble burst, many economists predicted Maryland's economy would get hammered more than many states, but that simply turned out to be wrong. Maryland's economy has outpaced the nation's, and Mr. Basu now predicts 2004 should be "a delightful year" — economically speaking.

Contrary to the entrenched gloom, Mr. Basu sees a healthier

year nationally in the strong housing market, an upturn in temporary-help hiring (a leading indicator of full-time hiring), growth in nonresidential investment, rebounding pricing power and corporate profits, and soaring productivity.

Maryland has been looking particularly good because, as this newspaper has noted, the state is one of the most educated in the nation and among the top recipients of federal research spending. And it can bank on a virtually certain stream of federal deficit spending on homeland security and defense technology through 2007, Mr. Basu says.

Or as Gov. Robert L. Ehrlich Jr. put it last week in his own take on the state's economy: "The federal government sends money to Maryland in buckets, and it helps us immensely."

Nationally and in Maryland, the fly in the soup is whether job growth returns. Mr. Basu predicts some uptick in Maryland jobs in 2004, along with almost 4 percent growth in the state's personal income. He admits he's not firm about that, but also acknowledges Maryland's economy could continue to pleasantly surpass predictions.

In that case, Maryland may find it can rely on its growth, spending restraint and modest tax hikes to weather this relatively short-term storm — rather than making the permanent leap of legalizing slots. Nothing's certain, but if any state can financially heal itself without the social upheaval of gambling, Maryland seems ideally positioned.

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# QUOTABLE QUOTES

"I would have never thought I would be given the chance to do this. It was hard-core. There was nothing easy about it." **Kyler Taustin, 16, on his ocean voyage to Puerto Rico.**

"I'm talking about families with two workers bringing in salaries. I'm talking about police officers and teachers; none of those people can afford to live here." **Tom Davis of the Coastal Counties Community Housing Resource Board on the lack of affordable housing in the county.**

"Diminishing affordability is the flip side of a strong housing market. It's evident that even in an environment of low interest rates, first-time homebuyers in Maryland find it difficult to afford a home." **MAR President Gilbert Marsiglia on soaring real estate prices around the state outpricing first-time homebuyers.**

"Whether you believe in Santa or not, Comcast is going to raise your rates." **The Center for Digital Democracy's spokesman Jeffrey Chester on Comcast's intentions to raise cable the first of the year.**

"We're stressing to say, the least. They're cutting everything and I don't think they plan to replace those positions." **Assa League Island State Park associate and office manager Jaime Kimble on the impact of state budget cuts.**

"If I make calls and you make calls, the message gets muddled, but if we get organized and present a loud, unified voice, I'm sure they will sit up and take notice." **Henry's Green resident Tom Cardinale on forming a civic group to address flooding in the community.**

"Vaino's (mayor) calls phone rang more than mine." **Ocean City Mayor Jim Mathias joked about an observation he made after walking around the streets of Estonia with the mayor of Pärnu.**

## TO OUR READERS

The Dispatch welcomes any and all letters from our readers. All letters are encouraged typed, but not required, and we reserve the right to edit each letter for clarity, accuracy and brevity. Letters should include writer's name, address and day and evening telephone number. If we are unable to reach the writer, we will have to withhold the letter. Letters can be mailed to The Dispatch, P.O. Box 467, Berlin, Md. 21811, email to editor@mdcoastdispatch.com or fax to 410-641-0966.

## LETTERS TO THE EDITOR

### Get Facts Straight

Editor:  
Because of the oversight of an anxious builder, whom I will not name, I believe the whole Riddle Farm project seems to be getting a bad reputation. I know first hand what great extremes Ruark Inc. is going through to correct these environmental problems and preserve this historical area.

As an employee of Glen Riddle Golf Course Development, I take great pride in the continued preservation and thought in which Ruark Inc. has had and is continuing to have in the development of the farm site, as well as his concern for the community in which we live. After reading letters to the editor, one from a woman from Australia, I felt compelled to inform your readers that the history of this land is far from

being "condemned to dust" and is not "wiping history off the face of the earth." Just as Ocean City has changed dramatically from what once was a town of fish camps to being what is now known as the second largest city in Maryland during the summer. These changes are needed to accommodate the many seasonal visitors and the growing number of year-round residents. Some people would call this progress.

While I appreciate the opinions of others, I believe one should know all the facts before claiming that Glen Riddle, Ruark Inc. and myself have "no conscience and are doing a disgusting thing." I do hold my head up high each day as steps are being taken to preserve the history of the

famous horses Man of War and War Admiral, as well as Riddle Farm's existing buildings which are possible to restore for the future generations to enjoy. When a roof falls through to the foundation of a building, restoration is limited.

I implore to those who can take the time to get the facts about the project, before rendering judgement after reading a newspaper article, and to learn more about the wonderful job that I and many other environmentally conscience people with whom I have the pleasure to work, are doing each day in this new development. Get your facts straight before you go accusing and "damning" people who are just as concerned about horseshoe history, environ-

mental problems and solutions, and wildlife as you say you are.

As one of The Dispatch's readers mentioned, property rights are as basic as our freedom rights. That is why I am exercising now, our freedom of speech. I applaud you Mr. Ruark on all of your previous contributions to this community, property developments and especially the continued restoration of the old stable that housed the famous Man of War and War Admiral. I know that you are incorporating all possible existing Riddle Farm historic landmarks to what will one day proudly be, Glen Riddle.

L. Price  
Ocean City

War Brings Out Stupidity  
Editor

Did you ever hear the expression,  
SEE NEXT PAGE

# SEACRETS



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CLUB BANDS

NEW LADIES NITE

COMING SOON

LOCALS XMAS PARTY  
DECEMBER 18, 2003



FRIDAY 11-28 FULL EFFECT

STARTING FRIDAY  
14 FRIDAYS OF LADIES NITE  
"NO COVER"



SATURDAY 11-29 FULL EFFECT



JIM LONG BAND 5-9PM



SUNDAY 11-30 NFL FOOTBALL



MONDAY 12-1 NFL FOOTBALL



THURSDAY 12-4 DANCE PARTY WITH DJ TUFF



FRIDAY 12-5 FUZZY BUNNY SLIPPERS

SPECIALS

HAPPY HOUR 4-7PM

Reduced drink prices

1/2 PRICE DINNER SUN-THURS

2-4-1 PIZZA SUNDAYS 12-5PM

PIGSNIP PRICES DURING THE GAMES  
INSIDE THE CLUB

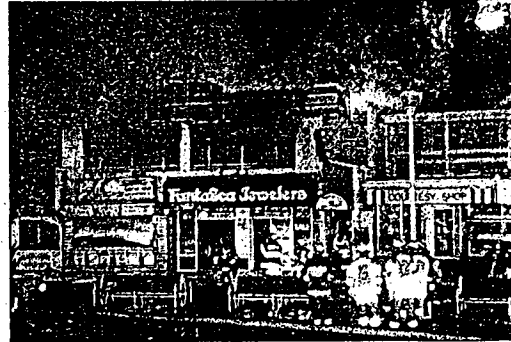
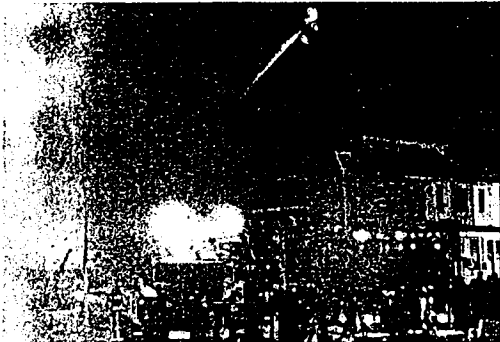
\$5 LUNCH SPECIALS 11AM-3PM

- MON - BEEF STEW
- TUE - CHICKEN & DUMPLINGS
- WED - ROAST PORK & POTATOES
- THU - FRIED CHICKEN
- FRI - FISH & CHIPS

SEACRETS TRIAL EXHIBIT 314

# The Dispatch

"WE HAVE MET THE ENEMY, AND HE IS US." POGO



A four-alarm fire, drawing fire companies from Ocean City, Ocean Pines, Berlin, Showell and Bethany Beach, ravaged a Boardwalk building and destroyed the businesses within late Sunday night. Above left, nearly 100 firefighters on the scene work to get the fire under control, and, above right, the smoldering smokes as low-level fires continue throughout the building. Photos by George Leibel III

## Rush To Fight Fire Leads To Accidents

BY BENJAMIN L. MOOK  
EDITOR

OCEAN CITY - The chief of the Ocean City Volunteer Fire Company was involved in one of three firefighter-related accidents that highlighted a weekend, which included a fatal fire that ripped through

a Boardwalk building on Sunday. By dawn on Monday, a total of two cars and a fire engine were damaged and one building with three businesses inside was destroyed as events played out. While no serious injuries were reported in connection with the fire, one firefighter was taken to the hospital for a leg injury sustained when he was pinned

against a pole. At the time, he was trying to move a car that was parked illegally. The building itself is headed for the scrap heap in the wake of the fire. Ocean City Chief Building Inspector Mike Richardson said this week a contractor for the owner was in Monday morning starting paperwork to demolish the building. Richardson

said the almost 90-year-old building was essentially rendered unusable by the fire. "It's been compromised, and it's going to have to come down," Richardson said. Even before Sunday's fire, the weekend started on a bizarre note for resort firefighters. Last Friday, Ocean City Police Department Of  
SEE PAGE 50

## Ocean Pines Property Values Jump 70 Percent

BY TOM STAUSS  
SPECIAL TO THE DISPATCH

OCEAN PINES - Robert Smith resembled the Grinch who stole Christmas Wednesday night when he delivered a lump of coal to Ocean Pines property owners: their lot valuations for purposes of county and state property taxes will be increasing by a hefty 70 percent for tax purposes next year. Smith, director of the State Department of Assessments for Worcester County, then donned his Santa persona when he reminded property owners that the 70-percent increase in assessed valuation for the Ocean Pines community does not mean

a similar increase in property taxes. As a result of recent action by the County Commissioners, new assessments of owner-occupied homes in Ocean Pines and elsewhere in the county are capped at 5 percent per year. Smith suggested that assessment notices, scheduled to be mailed to property owners by Dec. 31, should be inspected closely. Under state law, new assessed valuations are spread out evenly over three years, a process called triennial reassessment, which also works to reduce the impact of sharply higher assessments. Adjustments in the tax rate could also affect the actual level of taxes

levied on properties in the county. Smith said that property owners have 45 days to appeal their assessments if they believe they are too high. He warned them that "fixed income" is not a legitimate reason for a reduction in assessment. Properties owned as second or vacation homes by non-residents or by investors who rent out their properties will receive the full brunt of the increase in valuations. Smith said that of about 8,300 properties assessed in Ocean Pines, about 3,695 are homes occupied by resident owners, with the balance, including unimproved lots, treated as non-resident or investment

property. Smith said the assessment cap does not apply in the first year for new construction or homes with major alterations exceeding \$50,000 in value. The 5-percent cap would kick in for the second and third years, however, for owner-occupied homes. Smith said that the new reassessment for Tax District 3, of which Ocean Pines is a part as well as West Ocean City, shows that the average selling price of homes in Ocean Pines over the past year is \$281,000, compared to \$225,000 in the county and Ocean City's \$376,000. Ocean City's would have been even higher were it  
SEE PAGE 48

P 43855

PLAINTIFF'S  
EXHIBIT  
314  
ALL STATE LEGAL SUPPLY CO.

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### A Respectful Government Editor:

I am reluctant again to bring up the issue "under God" in the Pledge of Allegiance in the days nearing Christmas, the birth of Christ, a time and event so holy to so many people. However mention of my name by a commentator in a recent local paper obliges a respectful reply. In that column citing my earlier letter disagreeing with him on the Pledge issue, the writer recounted that the U.S. was founded by people who were believers, and God has figured prominently in our public life. The writer asked, therefore: Why is it wrong to have the words "Under God" in the Pledge of Allegiance? He went on to say that "The secularists and others who want to see God dead in our society always quote the first amendment regarding the establishment of religion."

## HOW WE SEE IT

# It Was Once Just So Simple

We took a little different approach with our annual letters to Santa feature this week. In years past, we have asked the town for permission to publish the letters that are dropped off at the Winterfest of Lights display at Northside Park. This was an easy way to get lots of letters, but this year we took a different route and advertised for letters in the paper and received about 15.

Knowing that was not enough, we also asked some local schools to participate and Ocean City Elementary School really went beyond the call of duty, providing our staff with hundreds of letters from local students. In case you missed them amidst the more than 200 we published this week, here's a look at some of our favorites and their highlights. They range from the hilarious to the sincere to the bizarre to the simple to the sweet. Overall, we like them all.

• Kinsey Camelio, 9: "I really want a pool and to go with my pool if it isn't trouble I want a dolphin to go with my pool. Just a reminder, I've been very naughty. I'm joking. I know lots of jokes - want to hear?"

• Jimmy DeSilver, 8, West Ocean City: "I would like a new skateboard. It should be the fastest skateboard in the world. I think you are the best guy."

• Annie Velenovsky, 9, Ocean City: "I have been mostly good this year. I admit, I have done some bad things. I hope you forgive me."

• Brittany McDaniel, 8, West Ocean City: "Would you bring me a diamond ring because I really want to give it to my mom on Christmas morning so she can wear it on her finger in her wedding?"

• Kaitlyn Nilblett, 8: "I have been good and have helped my dad at work. Also I have good manners. For example, I said excuse me when I burped."

• Kelly Wallace, 8, West Ocean City: "I want a bike because I helped string popcorn and cranberries and decorate the Christmas tree and I do my homework every night."

• Eddie Webb III, 8, Selbyville: "Can you make my cat better?"

• Charlie Mumford, 4: "May I please have a good toy, like a Ninja Turtle, to give to a kid who doesn't have any? Then for me I want a Rudolph toy, more Ninja Turtles, the Shredder, Skeletor, the Foot Soldiers, a Go-Bot, like four real puppies and that's all for me. Thanks Santa Claus. You're a cool, good guy."

• Ana Ros, 7, Millsboro, Del.: "I have tried to be good all year but it always doesn't work. Could you please bring me a dog, a cat, make-up, car, clothes, games, Barbies? I will have cookies and milk waiting for you."

• Larry Jock, 9, Ocean City: "I want some toys, boy clothes and no girls toys or clothes."

• Madison L., 9, Berlin: "I have been very good this year, I'm not trying to be greedy. The best thing I could wish for would be making my family happy. I want a puppy and a bed for my puppy and treats for my puppy. The last thing I want is a motor bike."

• Drake Cropper, 9, Ocean City: "Also I want my family to like every present they receive. For example, if my dad doesn't like his present, he just throws it in the trash."

• Aviv Asoulin, 7: "What I would like for Hanukkah is a cell phone because I can talk to anyone, at any time. I also want a puppy because they like to play and are nice."

• Tucker, 7, West Ocean City: "A puppy because I want it to chase my cat named Stars."

• Riley Carey, 8, Ocean City: "Could you bring me a PS2? I earned it because I was a wonderful boy this year. Also because I shared my toys with my little brother. Another reason is because I take out the trash for my dad. Finally, I want a PS2 for Christmas."

On behalf of *The Dispatch*, we wish all of our readers - even those who do not like us - only the best during the holiday season.

## QUOTABLE QUOTES

"I am really not happy with Guckert's explanations. I don't imagine he would get paid very often if he did not find the projects were favorable for the town." Ocean City Councilman Joe Mitrelic on The Traffic Group's traffic study for the 45th Street Village redevelopment.

"This is Ocean City's last opportunity to attract a flagged convention center hotel." Keith Iott of IOTT Architecture and Engineering in Salisbury on the redevelopment of the 45th Street Village.

"We're on a roll right now. This has been tried for several years, but there is appears to be more support for this than ever this year." State Delegate Barbara Frush (D-Anne Arundel) on the momentum behind a proposed smoking ban for the state.

"Ocean City should want this. Statistics show people are staying away from restaurants and clubs there and are going across the border to Delaware in greater numbers. Ocean City businesses should be in favor of this legislation." Senator Ida Rubin (D-Montgomery) on the impact the smoking ban has had on Delaware.

"We are choking ourselves in by these conveyances. I understand this is making your project a better project, but the compound affect ... its like handcuffing the town for future use." Ocean City Councilman Vince Gisriel on his opposition to closing alleys in the resort.

"You would think Ocean City would want more land the way things are going there." Commission President Sonny Bloxom jokingly surmising the filling in of the back bays behind Ocean City could be good for the town's current development trends.

"Be nice, it's Christmas." County Commissioner Louise Gulyas, who represents Ocean City, in response to Bloxom.

## LETTERS TO THE EDITOR

Some secularists and rabid atheists shrilly want to see "God dead," which understandably raises the hackles of believers. But that is not the view of most secularists including myself. We hold that belief or non-belief in God both can and should co-exist and have their place, government has its and the two must be kept separate. History shows that for governments to mix the two leads to a Pandora's box of problems, especially when enforcement mechanisms and the state's monopoly of legal force become subordinated to religion.

Belief in "God" is ipso facto, religion. Religion is faith based, therefore subjective, and does not have superior standing as reflecting objec-

tive reality. Thoughtful belief in the non-existence of God or agnosticism are equally valid manifestations of human intellect. In their genius, the Founders erected the First Amendment bar regarding an establishment of religion, thus permitting the evolving United States to come to accommodate over the years a full range of beliefs, both deist and non-deist, that currently coexist more or less beneficially with each other. That benign diversity is a precious attainment in human history.

Standing by itself, the Pledge of Allegiance with "Under God" is innocuous. But when government makes the Pledge, including those words, a matter of ritual in the public schools, it crosses the line into

promoting an establishment of religion, i.e., favoring a belief in the Judeo-Christian deity. Government must not do that. It should, rather, respect religious beliefs and non-beliefs alike while avoiding projecting support or preference for any particular choice.

Secularists and many religious people alike agree on this point.

Thomas Longo  
Ocean Pines

### Carriage House A Treasure Editor:

The Carriage House in Berlin, a restaurant run by the Worcester County Developmental Center, employs the developmentally disabled in order to ensure their future employment and vocational opportunities. The Center provides a high quality of services and opportunities



# Secrets

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JAMAICA, USA

## CLUB BANDS

## NEW EVENTS



NEW LADIES NITE **COMING SOON**  
11 MORE FRIDAYS OF  
LADIES NITE "NO COVER"  
NEW YEARS EVE!  
DECEMBER 31, 2003



## SPECIALS

HAPPY HOUR 4-7PM

Reduced drink prices

1/2 PRICE DINNER SUN-THURS.

2-4-1 PIZZA SUNDAYS 12-5PM

PIGSKIN PRICES DURING THE GAMES  
INSIDE THE CLUB

\$5 LUNCH SPECIALS 11AM-3PM

MON- BEEF STEW  
TUE- CHICKEN & DUMPLINGS  
WED- ROAST PORK & POTATOES  
THU- FRIED CHICKEN  
FRI- FISH & CHIPS

DONT FORGET TO TUNE IN  
TO TRIE RADIO!



SECRETS TRIAL EXHIBIT 315

# The Dispatch

"WE HAVE MET THE ENEMY, AND HE IS US." POGO

## No Jail Time For Baby Abandoners

BY BENJAMIN L. MOOK  
EDITOR

OCEAN CITY - A Selbyville couple reached a plea agreement this week with prosecutors that spared them jail time on charges they left their infant in a car, in the middle of summer, while they sat down for drinks at a resort bar.

Marc A. Augustine, 33, and Nina M. Stout, 23, both pleaded guilty in Worcester County Circuit Court on Tuesday to one count of confining an unattended child. Circuit Court Judge Theodore Eschenburg sentenced Stout and Augustine to 30 days in jail, which was suspended. They were also fined \$500 and placed on probation for a year and a half. Prosecutors agreed to drop a second charge of reckless endangerment as part of the deal.

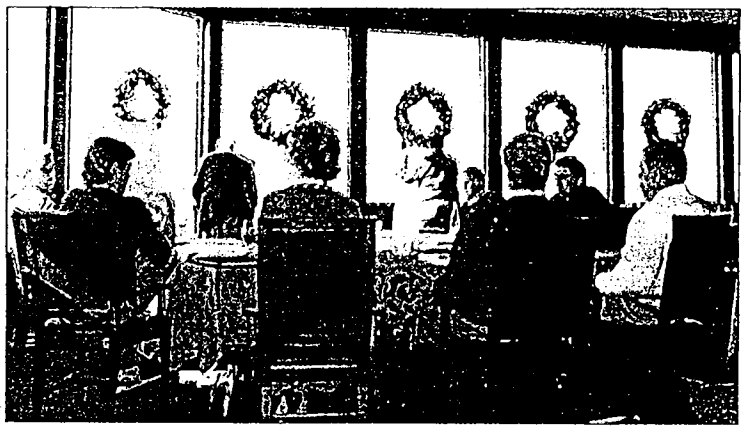
The couple was arrested on July 2003, after Ocean City police were called to The Angler on Talbot Street. Employees of the restaurant had phoned in their concerns about an infant left alone in a car in the parking lot. Investigators recorded the temperature that day at 77 degrees.

Employees told police that Stout and Augustine left their infant son, Anthony, in the car with the windows cracked about an inch while they were inside having drinks. The bartenders told police they estimated the boy was left alone between 45 minutes to an hour. Stout and Augustine were arrested and charged with leaving their son unattended. Anthony was taken to Atlantic General Hospital by a social worker for a precautionary exam.

The couple's attorney, Terri Taylor, though, argued the situation was not as dangerous to the child as originally reported to police. Taylor said the couple, contrary to witness statements, stayed within eyeshot of the child at all times and also asked a co-worker to check in on Anthony every few minutes. She also said the couple was in the bar for only about 30 minutes, as compared to the hour reported by employees.

"They're not bad parents," Taylor said. "What they did was not as egregious as was reported."

Child services had custody of Anthony for a week before being returned to his parents after a favorable hearing.



The Ocean City Mayor and Council met this week to discuss strategic master planning issues, such as traffic, transportation, bridges, affordability, unions, density, budget, taxes, foreign students and gambling. Above, council members discuss the various topics at The Hobbit. Photo by Jennifer Daniels

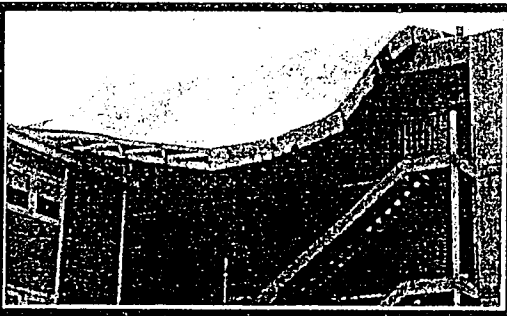
## City Council Looks To The Future

Resort Looks Toward State For Solution To Tax Issue	Concerns Over City's Affordability Surface	Council Wants To Hear How Citizens See Development	New Library May Mean No Tax Decrease For Residents
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SEE STORIES INSIDE

### Storm Leaves Mark On Hotel

The addition of another floor at the Howard Johnson Oceanfront Inn on 24th Street and the Boardwalk was blown off center during the blustery storm early yesterday. Workers scrambled early Thursday morning to pick up roof trusses and clean up debris after the wind blew more than half of the fifth-floor addition off the roof, flipping a good portion of the addition onto the neighboring building. The storm brought torrential downpours and wind gusts in excess of 30 mph.



P 43858

PLAINTIFF'S EXHIBIT  
315  
ALL STATE LEGAL SUPPLY CO

O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
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## Beach Patrol Should Fall Under New Department

Editor:

The City Council has been discussing the possibility of making some changes in the Ocean City Beach Patrol. We have an excellent beach patrol, but there is one change I would recommend. The beach patrol's main mission is to patrol the beach and safeguard those people who are venturing into the surf.

It seems only reasonable that the OCBP should be in the Public Safety Department. At this time, the OCBP is part of the Recreation Department.

When the guards need extra assistance, they are calling for medics or policeman. In an emergency, they are not counting on the recreation staff. The fact is that public safety is not the main mission of

the recreation department. There are a number of our ex guards who are now medics.

George Feehley  
Ocean City

## America Is Not Safer

Editor:

As I read this, "I'll say that the world is more peaceful and more free under my leadership and America is more secure." President Bush offering a message he said will be a theme in his re-election bid.

Then on Sunday, Nov. 2, 2003, 16 American soldiers are killed in Iraq. I wonder where Mr. Bush's mind is? How can he say America is "more secure" and "the world is more

# HOW WE SEE IT

## Views On OC Meeting Issues

With a number of topics needing serious attention and discussion, the Ocean City Mayor and Council held an eventful strategic master plan meeting this week. Here is a look at some of the issues that surfaced and our thoughts:

• **Tax differential.** This has been an issue for years. After being repeatedly denied requests for compensation from the county for identical services provided, Ocean City is looking to hit up the state for reimbursements of services rendered. This is similar to the situation over the resort's desire to answer its own 911 calls. The county has stood firm on its opposition to both of these proposals from Ocean City officials, who have remained committed to their stances as well. The result is a stalemate. Taking the issue to the state makes perfect sense, and we understand the city will soon be in contact with Delegate Bennett Bozman on the drafting of the bill.

• **Library in jeopardy?** Some City Council members are committed to sticking to their word from last spring's contentious budget sessions when residents turned out in droves to ask the council to lower the tax rate and return some of the revenue from the booming assessments to the property owners. Their requests were denied, but the council assured the residents their pleas would be seriously considered in 2004. At this week's meeting, there was some discussion as to whether the city could provide initial funding for a new library and still consider a lower tax rate. It seems this could boil down to a decision between the two.

• **"Weatherproofing" the resort:** Councilman Joe Hall expressed his desire on Monday to try and make the town less dependent on the whims of Mother Nature. Hall suggested re-opening discussions on developing non-weather dependent amenities, such as an IMAX or an aquarium. Although a well-intentioned idea, we find it hard to believe Ocean City's success will not forever be linked to the weather. If the weather is bad at the beach, busi-

ness will suffer and less people will target Ocean City. That's the case today. It was the same way 20 years ago and it will be the case 20 years from now.

• **Affordability.** Resort officials expressed concern over the increased cost to vacation and reside in Ocean City. With real estate prices soaring to levels that make it difficult for average income families to buy in the resort, the issue is real. While there is some reason to be concerned about this, we believe the cycles of the economy will bring Ocean City back to reality in the near future and is not a matter government can address with any success.

• **A new Route 50 Bridge:** When Ocean City officials testify for a new bridge before legislators next year, they plan to take with them aerial photos of all the bridges from the Chesapeake Bay to Ocean City. The hope is the legislators will understand the condition of the Route 50 Bridge is worse than others that could be considered for funding prior to our local bridge. This is sound policy, but we still believe in 39 years we will be celebrating the current Route 50 Bridge turning 100 years old. We understand the Chesapeake Bay Bridge replacement project will drain most of, if not all, the state's transportation funds for the Eastern Shore.

• **Density and the residents:** When the city finally embarks on drafting a new comprehensive plan next year, officials would like their consultant to determine how residents want to see the resort develop. Councilman Jim Hall supported this week a poll of city residents, but fellow colleagues seemingly rejected that idea. Nonetheless, we liked the discussion here. It's always worthwhile for representatives to hear from the citizens they represent, and the manner in which the town develops is a hot-button issue. It's true a poll would be dominated by whatever side is more organized, but we support the consultant getting out and touching base with the community in a more personal manner.

# QUOTABLE QUOTES

"Tomorrow is promised to no man." Lieutenant Colonel Kenny Cox, U.S. Army, Office of Chief of Staff, during a speech at the Ocean City Mayor's Prayer Dinner.

"I don't think it can continue to exist because it will no longer be permitted in the R-1 zone. Besides, I don't think we want 33 residents calling and complaining about the guy in the duck blind." Worcester County Planning Commissioner Carolyn Cummins on the removal of a duck blind in a proposed residential community.

"This was all done completely by the students and for the students and their enthusiasm has been amazing." Stephen Decatur High School teacher Lori Chetelat on the new community service program recently started.

"We promised we would do something. We promised a 2-cent tax reduction. If the library has to be scrapped or 30-foot sidewalks, we have to make good on our promise." Ocean City Councilman Jim Hall on keeping a pledge to reduce the property tax rate next year.

"Some of us made monetary promises, I did not make that promise." Ocean City Councilwoman Nancy Howard in response to Jim Hall.

"I do think that the authorization of slots for Maryland could very well happen this session. The problem is, how do we do it? We don't just say, 'let's have slots' and they just materialize." Ocean City Chamber of Commerce lobbyist Dennis Rasmussen at this week's legislative session in the resort.

"If we are opposed to it, then this is the year to fight it. If it does come, then we want it in our places. It's just common sense." EDC Chairman Lenny Berger on slots.

# LETTERS TO THE EDITOR

## Unhappy Over Cable

Editor:

In Ocean City, Comcast Cab without any advance notice in the middle of the night eliminated the pay per-view channel from the regular cable subscribers to force regular cable subscribers to upgrade the service to the more expensive digital cable service. A regular cable subscriber now cannot order a pay per-view event, such as movies, sporting events and concerts. The only way to purchase the more expensive digital cable.

These corporations such as Comcast are not happy making huge profits, they have to suck every last nickel out of the consuming public. This latest move by Comcast is just one more example of the rampant corporate greed that has taken over

peaceful?"

As long as Americans are being killed in Iraq and Afghanistan, America is not more secure and the world is not more peaceful. This is not a Republican or Democrat issue this is an American issue. I feel Mr. Bush is totally detached from the real world. Bring our soldiers home if the world is more peaceful and the major fighting has ended as the President says. A real man knows when to hold them and when to fold them.

Ending this senseless conflict is not a disgrace. Our sons and daughters are paying for our president's machismo.

Janet Spedden

SEE NEXT PAGE

# Ocean 98.1



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JAMAICA, USA

## CLUB BANDS

NEW! LADIES NITE

COMING SOON

12 MORE FRIDAYS OF LADIES NITE "NO COVER"

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TUESDAY 12-16 NEW POWER SOUL



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- THU- FRIED CHICKEN
- FRI- FISH & CHIPS

SEACRETS TRIAL EXHIBIT 316

# Man Tries To Toss Cops From Hotel Balcony

BY BENJAMIN L. MOOK  
LONDON

OCEAN CITY — A New York man was committed to the mental ward of a local hospital after he tried to throw three police officers off a resort balcony for interrupting his "church" service.

Stewart William Hibbins, 51, was arrested twice in a week for a pair of bizarre incidents. In the first incident, Hibbins was charged for yelling at car drivers who would not salute a miniature flag he was waving. In the second incident, a half-naked Hibbins tried to toss three officers from his hotel room balcony.

On Monday, Ocean City Police Department Pfc. Howard Caplan was sent to the 17th Street Holiday Inn Hotel employees had called police to report a hotel guest who was throwing furniture, glasses and silverware from his balcony.

Caplan met with two hotel employees who said Hibbins who was staying on the seventh floor, was wearing only an uncinched bathrobe as he threw the items over the side. Caplan could see a smashed-up patio table and chairs strewn over the ground. In addition broken glass and plates were visible on the street.

Caplan and the two employees then headed up to Hibbins' room, which had a sheet of paper tacked to it. On the paper were scrawled things like "zero

SEE PAGE 59

DECEMBER 5, 2003

OCEAN CITY, MARYLAND

PRICELESS

# The Dispatch

"WE HAVE MET THE ENEMY, AND HE IS US." POGO

## County Cancer Rate Tops Md.

BY JENNIFER A. GAWICKI  
STAFF WRITER

BERLIN — According to a recently released report, Worcester again led all other counties in the state the highest number of new cancer diagnoses per 100,000 people in a five-year period.

The 2001 Cigarette Restitution Fund Project's (CRFP) annual cancer report spanning the five-year period from 1996-2000 assessed the number of cancer cases and cancer-related deaths in each county and assigned a rate per 100,000 people.

Cancer is the second-leading cause of death in the nation and Maryland, and Worcester County ranked first in the number of new incidences of all cancers, including lung and bronchus, colorectal, female breast, prostate, oral, melanoma and cervical cancer. Worcester topped the charts with 559 incidents per 100,000 people.

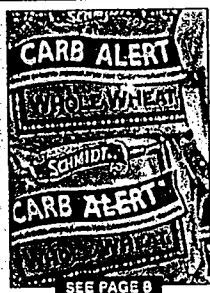
Baltimore City fell in line behind the local area with a rate of 549 cases per 100,000 people and Dorchester County ranked third with 544 incidences for every 100,000 people. The statewide incidence rate was 498.1, and the U.S. rate was 480.4 per 100,000 people.

This is the second year in a row Worcester has been leading the way in new cancer cases, according to the CRFP, a report funded as a result of a lawsuit in 1998 in which numerous states were granted a settlement from tobacco companies of \$4.4 billion over a 25-year period, according to Dr. Carlessia Hussein, a public health doctor with the Department of Health and Mental Hygiene and director of the Cigarette Restitution Program.

While there are no clear-cut reasons why Worcester consistently leads the state, local health officials do have some theories as to why the rates are higher in the Eastern

## Low-Carb Craze Skips Holiday Treat Favorites

Even with interest in low-carb diets surging, area merchants specializing in carbohydrate-laden goodies such as pies, cakes, beer and breads are nonetheless anticipating a strong holiday season. While carb counting has become a national obsession for some, it would appear that the traditional holiday fare will still make it to the table this year.



SEE PAGE 8

Shore county

"Being number one in incidence is not necessarily a bad thing. Incidence tells you cancer is being diagnosed and individuals are getting screened, which is what we try to promote," said Marty Pusey, prevention services director for the Worcester County Health Department.

The growing population, which grew by almost 3,000 people from 1999 to 2000, is made up of people who are over the age of 60 years, and Pusey said with age comes longer exposure to the elements, landing older people intrinsically at a higher risk.

Hussein agreed and said age also tends to make people more susceptible.

"They have been at it longer," Hussein said. "And with age, some are not able to withstand the various attacks and begin to succumb to some of these issues."

Most common among the cancer cases in Worcester were melanoma, oral and lung cancer, all three of which Pusey said were more than likely lifestyle related.

"People on the Eastern Shore tend to have poor healthy-lifestyles prac-

tices," she said.

Pusey said with low socio-economic indicators, poor education and inaccessibility to health insurance, many residents are at risk because they are not aware of the risks, and if they are, cannot afford not to miss work to attend doctors' appointments.

"As people become more educated and make more income, they tend to take better care of themselves and can afford to take time off to go the doctor," she said.

Melanoma, often linked to the beachgoers in the resort area, is being detected more in white males with occupations that require them to be outdoors, according to Becky Jones, R.N., and colorectal cancer coordinator at the Worcester County Health Department.

Also a factor in the high rate of melanoma is what kind of experience people had in the sun as a child. She said research has shown a good percentage of sun exposure happens the 18th birthday and sunburns experienced as a child could be to blame for melanoma later in life.

"Those burns then damage our

SEE PAGE 14



SEE PAGE 6

## Bitter Christmas Season Predicted

According to a spokeswoman for the venerable *Old Farmer's Almanac*, the shore can expect a brutally cold winter this year, and maybe even a white Christmas. The forecast, based on homespun agricultural wisdom, predicts bitter cold for the remainder of the month. This would mark a dramatic shift from November, which saw temperatures well above normal and even approaching 80 degrees Fahrenheit on some days.

P 43861

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### Residents Need To Stop Listening To Berlin

Editor:

This letter is in response to the article in last week's *The Dispatch*, "Town Residents Get Organized," by Shawn J. Soper, regarding the ongoing flooding problems for residents of Henry's Green and Henry's Mill.

I have some advice for the residents of both communities: Stop talking to the Town of Berlin and call Denny Rayne of Rayne's Sand and Gravel. Mr. Rayne has been putting in storm water management ponds and drainage ditches for 25 years. He can bring a transit, shoot your grades and water elevations, and in about an hour, he will be able to tell you what is causing your problems.

Gene Parker  
Berlin

## WHAT OTHERS ARE SAYING

# New School On Right Track

An important hurdle was overcome last month when the county learned the Interagency Committee for School Construction had given its initial blessing to the construction of a new Ocean City Elementary School.

What the committee, whose staff has a lot to say in regard to school construction funds in the state, did was commit \$1.5 million in initial state funding for the project. The county was seeking \$2.4 million, and it's that shortage that leaves some to speculate whether the county will ever see its entire request. Skeptics point to the long process the county had to endure to get repaid in a similar situation with Stephen Decatur Middle School. It took years before the county received its reimbursement in full.

The new school is estimated to cost \$17.6 million, of that the county will pay the lion's share with the state allocation tipping the scale at \$4.7 million. The county wanted the state to pitch in \$2.4 million this year and the remaining \$2.3 million next year. The county got a \$1.5 million commitment for the first year request. However, the good news is the IAC only committed \$51 million to the 44 projects, leaving an additional \$49 million still up for grabs. What the IAC decision signifies is the first step in a long process. The IAC had 197 school construction projects from around the state to consider and only one from Worcester County. The county's lone request, OCES, along with 43 others made the cut.

The IAC's decision is reason for optimism, according to Superintendent of Schools Dr. Jon Andes. He said, "The state still has \$49 million set aside for school construction projects and we're confident the IAC, or ultimately the Board of Public Works, will commit the remaining \$900,000 to this project."

County Commissioner Virgil Shockley guarded his enthusiasm, saying, "We knew we would likely

get something, but I'm a little concerned they didn't fund the whole thing. I would hope if they thought the project was worthwhile, they would provide the full funding."

Whether it's the IAC or the Board of Public Works, we believe the state should find the money to fund the total request from the county. It should not be next year or the year after. It should be this year. Local officials in Snow Hill (the commissioners) and Newark (the school board) understand first hand the financial pitch the state is currently in, and that's why they only request funding for one new construction project and ignored the others that are surely in need of consideration.

The county has put all its proverbial eggs in one basket for the year. If the state does not come through with the requested amount, it be tantamount to a major injustice. It would be a travesty for the local school system, one that could not be simply blamed on the state budget picture.

The state must understand its full commitment is needed to take the school to the next level, one that will ensure it continues to be one of the finest elementary schools in the state and country. Anyone that has ever walked the halls of Ocean City Elementary School knows it's a special learning institution. Sit through a school-wide assembly one day, and it is easy to understand the respect the students have for their teachers, administrators and the entire school staff.

There is a code of behavior followed at OCES, and it has resulted in state and national blue ribbon awards and county adulation. What has been missing in recent years is a quality facility to sustain a sound learning environment for years to come. The county has committed to spending millions of dollars on the new school, and the state should come on board because the end result will be worth the extra money down the road.

## QUOTABLE QUOTES

"It's trending toward an El Nino pattern, but its marginal at best and predicting what the winter will bring to the region is a crapshoot for the moment." National Weather Service Climate Prediction Center meteorologist Mike Halpert on the winter weather season.

"It's the calories, not the carbohydrates. America is gaining weight because people are eating more calories than they can burn and getting less exercise." American Heart Association President Robert O. Bonow on the low-carb diet trend.

"It was like Merry Christmas, I've got a knife and I'm not moving that television. I guess he was having a bad day." Ocean Pines Police Chief David Massey on last week's incident involving a delivery driver who pulled a knife on a local resident.

"Being number one in incidents is not necessarily a bad thing. Incidents tell you cancer is being diagnosed and individuals are getting screened which is what we try to promote." Marty Pusey, prevention services director for the Worcester County Health Department, on the county's cancer rate leading the state.

"The new State Police Superintendent Norris does not believe in DARE and wants his officers out on the streets." Worcester County Sheriff Charles Martin asking the County Commissioners to consider funding a new deputy for the DARE program.

"We are not going to build a palace at Decatur and neglect our other schools." County Commissioner Virgil Shockley on not continuing to dump money into the north county school while others await needed funding.

"No offense, there really doesn't look like there's much to this building; it looks like two trailers slapped together." Ocean City Planning Commission Chairman Dr. Geoffrey Robbins on a project slated for 118th Street.

### Thanks For Downtown Support

Editor:

On Nov. 30, 2003, the Downtown Association of Ocean City held its 3rd Annual Progressive Holiday Dinner. The event was a success due in part to the support of several area groups and businesses. We would like to publicly thank all who were involved.

The staff at the Red Eyed Frog made our first stop one to remember especially for those who were early enough to watch the beautiful sunset, with a drink and munchies. Our next stop at Harrison's Harbo Watch Restaurant provided our diners with excellent fare and service while they mingled and enjoyed seeing old friends and making new ones. We would like to thank the Trimper family for providing the

SEE NEXT PAGE

## LETTERS TO THE EDITOR

### Grateful For Support

Editor:

I would like to take this opportunity to publicly thank the individual members of the Worcester County Bar Association for their generosity in donating the funds necessary to make the Bar Association's annual Thanksgiving Charity an enormous success. I would also like to thank David Smith and the wonderful staff at the 94th Street Superfresh and the kind folks at Nabisco and

Entemann's for their assistance in this worthy cause.

Through these efforts, we were able to provide a turkey and all the trimmings to 200 families throughout Worcester County, feeding well over 1,000 of our less fortunate citizens. It is truly an honor to be involved in this event and I am proud of the enthusiastic support of our membership

David Gaskill  
Ocean City

**TO OUR READERS:** *The Dispatch* welcomes any and all letters from our readers. All letters are encouraged typed, but not required, and we reserve the right to edit each letter for clarity, accuracy and brevity. Letters should include writer's name, address and day and evening telephone number. If we are unable to reach the writer, we will have to withhold the letter. Letters can be mailed to *The Dispatch*, P.O. Box 467, Berlin, Md. 21811, email to [editor@mdcoastdispatch.com](mailto:editor@mdcoastdispatch.com) or fax to 410-641-0966.



# OCSecrets



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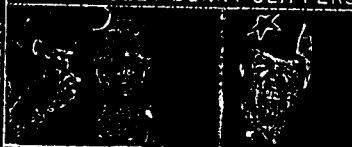
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FRIDAY



12-5 FUZZY BUNNY SLIPPERS

SATURDAY



12-6 FUZZY BUNNY SLIPPERS



JIM LONG BAND 5-9PM

SUNDAY



12-7 NFL FOOTBALL

MONDAY



12-8 NFL FOOTBALL

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SECRETS TRIAL EXHIBIT 317

# The Dispatch

"WE HAVE MET THE ENEMY, AND HE IS US." POGO

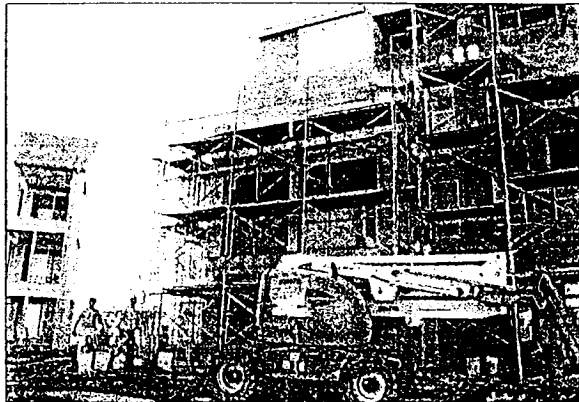


## Enjoying Ocean City

Recent weather has afforded local residents and visitors the opportunity to enjoy what Ocean City has to offer during the winter season. Topping the list last weekend was the beach and Boardwalk. Above left, despite being dressed for the winter chill in the air, Nate Canada, 3, and his father, Jeff, enjoy an ice cream cone during a day trip from Salisbury on Sunday. Above right, 5-year-old James Dugan and his mom, Karla, play on the beach Sunday in the unseasonably warm temperatures.

Photos by Jennifer Dawick

# OP Owners Want Millions For Faulty Construction



Homeowners in the Marina Village Condominiums, a 36-unit luxury development in Ocean Pines, filed a lawsuit earlier this week against the construction company.

BY BENJAMIN L. MOOK  
EDITOR

OCEAN PINES - A group of Ocean Pines homeowners filed a multi-million dollar lawsuit this week against the builder and designers they claim are to blame for more than \$2 million in water and moisture damage.

After eight months, repair work for large-scale water damage is winding down at the three buildings of the Marina Village Condominiums in Ocean Pines. The owners of the 36 luxury units housed in three-story buildings located on the waterfront are looking to recoup the money they paid out already for the work.

In a lawsuit filed in Worcester County Circuit Court, the Marina Village Condominium Association is seeking the \$2 million in repair money and at least \$1 million in punitive damages from the now-defunct

builder, Keystone Homes, and the project's architect and consultant. The association claims the original builder poorly installed an insulation system that trapped water between it and the walls that caused massive dry rot damage.

At the heart of the lawsuit is the building material known in the industry as "EIFS" (Exterior Insulation and Finish System). It is commonly referred to as synthetic stucco and is sold under trade names like Dryvit, Bonsal and Parex.

While traditional stucco is prepared with cement, synthetic stucco is a cement-like compound spread over foam insulation board on the exterior of a home. According to the National Association of Home Builders (NAHB), the foam sheeting is glued and nailed to structural sheeting creating an insulating, moisture barrier.

SEE PAGE 45

# Officials Mixed On How To Use Assessment Windfall

SEE PAGE 4

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### Wearing Blinders Hurts Us All

Editor:

I have had enough! The expressed concerns reported in *The Dispatch* over increases in property value assessments proves what a few have said.

All of the new construction in and around Ocean City makes a fantastic profit for the developers and provides a modest profit for the trades. Then profit becomes deficit. The horde of people who flock to the area do spend money to buy the life necessities.

This money goes to the shop keepers and to large corporations who have "retail outlets" located here. So much of the money they spend does nothing for the economy of the county.

This horde also creates an in-

creased demand on public sewage treatment, trash removal, water supply, fire and police protection and classroom space, materials and teachers. More services mean higher taxes to pay for them. The burden on our natural resources also are stressed even more.

Enough. How about investments in building places for people to work to earn a decent living, more than the local \$5.57, \$8/hour salaries paid throughout this area for low skill "clerk" jobs? Why should so much of the American economy go overseas? It is because of greed. Cheap labor there makes for higher profits here.

It is a fact that more people are employed by small business. So if big business has left us behind, then it

## HOW WE SEE IT

The year 2003 is all but a fading memory today, but we are still living in the past. Therefore, here are the top 10 local stories of the year as we see it:

1. **Tough Year For Locals:** There were a number of issues that stayed in the news throughout the 52 weeks, but we found the dominant news was the consistent reports of deaths in the local area. There were more deaths of an accidental nature in 2003 than in recent history. The tragedy started early in January when a young boy drowned in a manmade lagoon and the tragedies mounted throughout the year with more than a handful of people losing their life in resort waters and on local roadways.

2. **Tyson Plant Closed:** The overall economic impact of the sale of Tyson Foods in Berlin will most likely not be felt for years to come, but there is no mistaking the fact that more than 600 people who called the processing plant home no longer have their jobs. Some found employment elsewhere, while others are still seeking a means to replace their salaries.

3. **Sifrits Learn Fate:** The trials of murder suspects Benjamin and Erika Sifrit took place in 2003 and the result is both will be spending most of their lives behind bars. The two people responsible for the most grisly crimes in Ocean City history were both sentenced in separate trials, but the victims' families were not pleased with the jury's verdict in the trial of Benjamin Sifrit, who was found guilty of killing only one of the victims and subsequently was sentenced to 38 years in jail. His wife, Erika, was found guilty of both murders and sentenced to life in jail.

4. **The Weather:** From a cool, wet spring and summer to Hurricane Isabel, the weather put a hurting on the local tourism season, leaving nearly all businesses reporting slower than usual sales. Even when the weather was warm inland, Ocean City took a hit due in part to an unusual phenomenon that left the ocean water feeling like January and a cloud of fog hanging over the island during the summer.

5. **Growth Battles:** Local governments in Snow Hill, Ocean Pines,

Berlin and Ocean City had their headaches coping with growth and development in 2003. Both Berlin and Ocean City flirted with a temporary moratorium on construction, while Worcester County and Ocean Pines continued to deal with explosive growth. The dominate growth issue was the rezoning of a portion of Route 113 in northern Worcester County. The County Commissioners originally approved the measure but reconsidered after a local group of residents proved the move could result in traffic congestion problems and big-box developments in the northern part of the county.

6. **Assessment Explosion:** One year after Ocean City recorded enormous assessment increases, Ocean Pines, Bishopville, Berlin and West Ocean City property owners learned their land value had soared to heights never realized nor expected before.

7. **Shantytown No More:** A luxury residential community will take the place of the West Ocean City landmark next year. The familiar shack-like village is no more today, as developers plan a dozen single-family homes along the waterfront. Some of the displaced businesses found life elsewhere in the county, but most closed down shop for good with no other plans to re-open.

8. **Convention Hotel Planned In OC:** If the owner of the 45th Street Village has his way, the landscape of Ocean City will soon be in for a huge change. Proposed to replace the current village is a 16-story condominium hotel that will rival the size of the town's convention center.

9. **Black Rose Halted:** The world's largest pansexual, bondage and sadomasochism event was planned for Ocean City in November, but community uproar and concerns over liquor license violations led to the host hotel, Princess Royale, and convention organizers moving the event out of Ocean City.

10. **DiPino New Top Cop:** Former Ocean City Police Chief David Mass-ey, who took over the reigns of the Ocean Pines police force this year, was replaced by his first choice, Bernadette DiPino, this year. The council voted 5-2 in favor of the former lieutenant.

## QUOTABLE QUOTES

"It's really rather remarkable. We expected it to go up, but nobody anticipated the increases we're seeing." Maryland State Department of Assessments Worcester County Supervisor Robert Smith on the property value explosion in Ocean Pines, Berlin, West Ocean City and Bishopville.

"This was the only year we can remember traffic backed up past both stores." Casual Designs owner Dick Ludlam on the backups he saw at his two stores, one on Route 50 near Stephen Decatur High School and the other on Route 54.

"We've had some discussions about it, but I haven't heard anything from them recently." Delegate Bennett Bozman on Ocean City's request to field its own 911 calls.

"If we fully fund Thornton, it will take a lot of money away from the counties, including Worcester. I'm going to support the idea of spreading Thornton out over four years to avoid serious cuts to the county." State Senator Lowell Stoltzfus on plans for the upcoming legislative session.

"It's the modern day scarlet letter on a person, but there's no way to measure it against their crime." Worcester County Sheriff's Office Detective Corporal Mike McDermott on registering sex offenders.

"It's been only five years, but looking at it you'd have thought it was 120 years old." Foreman Keith Rowe, with Ocean View-based All States Construction, on the damage at the Marina Village Condominiums.

"So far, it has been pretty much like Maryland, but just before I came home, we got a huge snowstorm and the temperature dropped to 20 below." Former Stephen Decatur and SSU standout basketball player Andre Foreman on the weather in Finland.

### Thanks Volunteers

Editor:

In the spirit of the season, I would like to take time to recognize some volunteers from the Ocean Pines Kiwanis Club and our community that supported one of our special events. Recently, the Ocean Pines Recreation and Parks Department sponsored a breakfast with Sauti, held in the Ocean Pines Community Hall.

Knowing how busy everyone is especially around the holidays, I would personally like to thank the following individuals for volunteering their time to help with this very special event. From the Ocean Pines Kiwanis Club: Phil Lassiter, Steve Rosen, Al Kastner, AJ Bridgman, Bill Bruchy, and Mike Corless for preparing such wonderful food. Sud

## LETTERS TO THE EDITOR

is up to us to create more small business to make up the deficit.

Our kids go to school, go off to college, learn wonderful things to start their chosen profession, but can not come home to this county to practice their profession. The county is aging out. It's a dead end for us all, except for the condo builders.

The bottom line is that if you can't find a decent job then you can't buy a home and you won't be paying property tax to pay for the county and city services, even though you still use them. But who cares, everyone is running around with blinders on, too busy, too greedy, too self-absorbed to care, or too apathetic

David K. Chamberlain

**MARLEY HALL SCHEDULE**

FRIDAY 1-2



**FUZZY BUNNY SLIPPERS**

SATURDAY 1-3



**RUZZY BUNNY SLIPPERS & THE LONG SHOTS**

SUNDAY 1-4



**NFL WILD CARD GAME**

THURSDAY 1-8



**DANCE PARTY WITH DJ FUZZY**

FRIDAY 1-9



**RUN A SEA WITH THE SPEED**

SATURDAY 1-10



**DADDY BROS & THE LONG BAND 5-9PM**

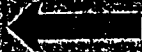
SUNDAY 1-11



**NFL PLAYOFFS**

SPECIAL EVENTS FOR THIS WEEK

3 MORE FRIDAYS OF FADIES LIKE NO OTHER!



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**UPCOMING EVENTS**

LEON RUSSELL AT SEACRETS!!  
FEBRUARY 19, 2003

MARDI GRAS PARTY!!  
FEBRUARY 24, 2003

**FOOD AND DRINK SPECIALS**

HALF PRICE DINNER SUNDAY-THURSDAY

HAPPY HOUR 4PM-7PM DAILY

\$5.00 LUNCH SPECIALS 11AM-3PM

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- TUE - CHICKEN & DUMPLINGS
- WED - ROAST PORK & POTATOES
- THUR - FRIED CHICKEN
- FRI - FISH AND CHIPS

2 FOR 1 PIZZA SUNDAYS 12PM-5PM

PIGSKIN PRICES DURING THE GAMES IN THE CLUB

**SEACRETS TRIAL EXHIBIT 318**

OCEAN CITY - Over his lawyer's protestations that he was just a "flunky" in the crime, an Israeli man was nonetheless convicted this week of passing counterfeit \$100 bills during a November spree at businesses throughout the Ocean City area.

Guy Halperin, 30, pleaded guilty on Tuesday to one count of passing a counterfeit bill. District Court Judge Richard R. Bloxom sentenced Halperin to a year in jail, fined him \$1,000 and ordered the more than \$4,000 in legitimate bills found in his rented room after his arrest be forfeited to the Ocean City Police Department. Under the plea bar-

## 'Flunky' Gets Year In Jail

gain, Assistant State's Attorney Danny Mumford agreed not to prosecute Halperin on the remaining 25 counterfeiting charges.

Halperin and Oren Sabag, also a 30-year-old Israeli national, were arrested in November after a four-day manhunt. They are believed to have exchanged at least \$4,618 in phony \$100 bills throughout the area. Their preferred method was to drive to convenience or other retail locations and buy small items, which they paid for with the phony

bills.

After their arrest, police found "wads" of legitimate bills as well as dozens of packs of cigarettes and the other knick-knacks the pair bought. Counterfeit bills continued to trickle in well after their arrest.

At his trial, Halperin, who relied on a Hebrew translator, and his attorney, Joseph Schanno, argued he was unaware of what was going on. Halperin said he rented apartments in Haifa, Israel, and was only looking for real estate prospects in Am-

erica. Halperin told Bloxom he was not aware the currency was bogus.

"If I had any knowledge I had counterfeit money in my hands, I would have destroyed it," Halperin said through his translator.

Halperin and Schanno also asked for leniency and pleaded with Bloxom for no extra jail outside of the 60 days he had already served. The pleas did not sway Bloxom's decision.

"There is not a shred of evidence that you were a dupe, and were taken in by this," Bloxom said. "It suggests to me instead that you did it for the regular reason - greed."

- Benjamin L. Meck

VOL. 9, NO. 4

THE COUNTY NEWSPAPER FOR JANUARY 23, 2004

25 CENTS

# Maryland Coast Dispatch

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"WE HAVE MET THE ENEMY, AND HE IS US." POGO

## OC Building Rivals '80s Boom

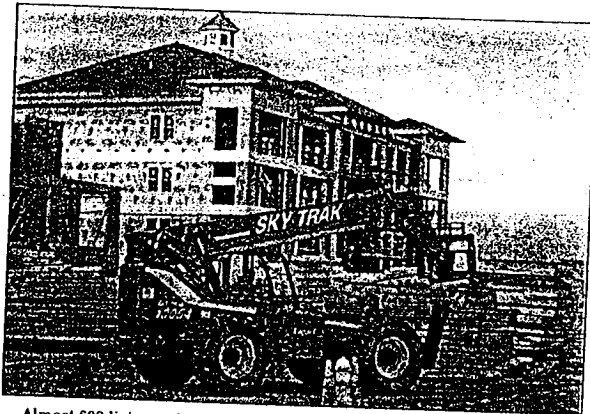
BY JENNIFER A. DAWICKI  
STAFF WRITER

OCEAN CITY - The value of new construction in Ocean City in 2003 rose almost 95 percent, totaling \$113 million compared to an average of \$58 million worth of new construction each year between 1998 and 2002.

According to the Department of Planning and Community Development's Annual Building Activity Report for 2003, the value of construction permits in 2003 totaled \$113 million, which was up more than 56 percent over 2002 when \$72 million worth of construction permits were issued. Sixty-six more per-

mits were issued in 2003 than 2002, representing about a 5-percent increase, but the boost in value, a difference of \$41 million, represents a 56-percent increase from one year to the next. To planners, that is the most notable number in the report. "The biggest change is in value," said Planning and Community Development Director Jesse Houston.

Houston said the number of permits issued, which is a combination of new building permits, alteration permits, mobile home and sign permits, usually hovers in the same range, and for the past five years averaged out to 1,377 permits. So  
SEE PAGE 48



Almost 600 living units are being built in mid-town Ocean City on the 37-acre Sunset Island, proving to be a major part of the resort's largest building boom in 20 years.

Photo by Benjamin Meek

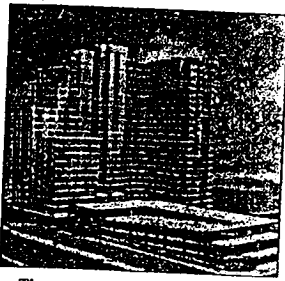
## Gateway Project Resurrected

BY JENNIFER A. DAWICKI  
STAFF WRITER

OCEAN CITY - A 23-story mid-town oceanfront condominium project was revived this week after a \$50 million lawsuit was dropped yesterday morning and a deal was struck between the local developers and a resort businessman.

Developers Richard Smith and Kimmerly Messick-Smith entered into another contract with Dr. Leonard Berger, owner of Ocean Club Associates, to buy the property between 47th and 49th streets where the Ocean Club and the Gateway Motel are located.

SEE PAGE 43



The oceanfront property between 47th and 49th streets is slated to change hands in September. Above, the project that is proposed to take its place.

Rendering by IOTT Rendering

## Council, Gisriel Divide Widens

BY JENNIFER A. DAWICKI  
STAFF WRITER

OCEAN CITY - Councilman Vince Gisriel's continued efforts to oust members of the very council he sits on was confirmed last week when he supported an effort to add a recall option to the town charter. His colleagues reacted this week to Gisriel's persistent participation in what some have called an attempted overthrow of the City Council.

Last week's participation in a deliberation of the Common Cause Coalition to add the tool of a municipal recall to resort residents' cache of tools was the icing on the cake for some council members, who said it is

discouraging to work with a man who works tirelessly against the council.

"I just find it disheartening that someone who would smile and shake my hand and consider me a colleague in person, behind my back works to oust me," said first-term Councilman Joe Mitreec.

More often than not, Gisriel is the lone dissenting vote on the council. Typically armed with loads of specific questions about projects and policy, Gisriel said he believes his questions inspire healthy government.

With a bye in the next municipal election in October, after being overwhelmingly elected to his fourth

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PLAINTIFF'S  
EXHIBIT

318

ALL STATE LEGAL SUPPLY CO

O.C. Secrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
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### County Officials Refuse Yet Another Tax Cut

Editor:

This looks and sounds like a rerun from a year ago. The local newspapers were filled with stories about reassessment in Ocean City. A whopping 78 percent increase. The County Commissioners were expecting a windfall in tax revenue but were saying they will not cut property taxes. They are worried about a cut in state funding. They got their windfall, almost \$7 million and they did not cut property taxes. They spent every dime.

The local newspapers are again filled with stories about the enormous increase in assessments. This time it is Ocean Pines, West Ocean City and northern Worcester County. Once again the commissioners, namely Judy Boggs and Tom Cetola

(who represent most of this reassessment area) are pleading caution about state funding. Once again there is no room for a property tax cut.

The \$3.5 million generated by the reassessment will be eaten up by increases in health care and cost of living raises. Is something missing here? Are we not being told the entire story? How much revenue will be generated for the new budget which begins in July? Lets add it all up. First \$3.5 million from the reassessment of the northern county. The second phase of the Ocean City reassessment another \$7 million. Then we need to add in all the new construction estimated to be at least \$1 million in July and another mil-

## HOW WE SEE IT

# Berlin Cap Must Be Uniform

There are some town residents a bit upset about the revelation last week that Berlin property owners will not be getting the same break on their tax assessments as their counterparts in other areas of the county.

The County Commissioners voted last September to reduce the Homestead Tax Credit cap from 10 percent to 5 percent, relieving the financial burden on resident property owners facing large increases in their assessment. The cap was established in Maryland to help resident homeowners deal with large assessment increases by limiting the amount of increase in property tax to a maximum of 10 percent of the assessment increase. Local jurisdictions are then able to adjust the figure as they see fit. Of the 24 individual jurisdictions in the state, 10 have opted to lower the state-man-

dated maximum including Talbot County where the cap is at zero.

When the county lowered the cap, the individual municipalities, such as Ocean City, Berlin, Snow Hill and Pocomoke, had to decide whether to lower the cap along with the county. Ocean City did just that. Berlin did not for an unknown reason, leaving many residents outraged at the oversight and imploring the Berlin Mayor and Council to make the cap uniform with surrounding areas.

Though residents will have to pay the extra money this year because the deadline has passed, Berlin should make amends and reduce it next year. There is no reason why not. Even with the lower percentage cap, the extra revenue in assessments will go a long way in Berlin, and the council should take the action sooner rather than later.

# Slots Hearing Speaks Volumes

The only conclusion that can be drawn from the Ocean City Mayor and Council's public hearing on slots this week is residents in the resort are fine with the stance officials take to Annapolis each year.

It's no secret in any corner of the state that Ocean City's elected officials are against slot machines in the state of Maryland, in particular the Eastern Shore, Worcester County and Ocean City. To confirm its position meets the approval of city residents, the Mayor and Council opened up the floor Tuesday evening to residents to express their opinions on the slots issue, which has dominated at least the last three legislative sessions in Annapolis.

At Tuesday's hearing, a little more than a handful of people, mostly regulars at city meetings, addressed slots in Maryland. None of

the speakers wanted slots in Ocean City, some wanted them at the race-track and others did not. It would not be appropriate or fair to dismiss the comments made at Tuesday's meeting, but clearly the lack of attendance speaks louder than the words uttered that night.

Council President Rick Meehan said candidly after the meeting the poor attendance was a result of most residents agreeing with the resort's long-held stance. Besides total apathy in resort government, a concept we refuse to accept, there is no other reasonable conclusion.

Clearly, if there were robust opposition to the council's objection to slots statewide, there would have been more people in attendance. Therefore, the Mayor and Council should be confident its message is indeed representative.

## QUOTABLE QUOTES

"We need to realize we have a problem in this county and we need to address it immediately. Frankly, it should have been addressed a long time ago." Commissioner James Purnell on the need for an affordable housing study.

"Ocean City has a group of elected officials that tend to vote as a block. They are pro-development and pro business, often, very often leaving the citizens out of the equation. Some of them frankly will say one thing and then completely flip-flop the next week." Councilman Vince Gislriel on his colleagues.

"I just find it disheartening that someone who would smile and shake my hand and consider me a colleague in person, behind my back works to oust me." Councilman Joe Mitrecic on Councilman Vince Gislriel.

"It angers me somewhat, not just the recall thing, but his whole modus operandi, using scare tactics and telling half-truths and just being against anything." Councilwoman Nancy Howard on Gislriel.

"Obviously, there's a big problem when the system can't handle even one or two inches of rainfall without flooding the streets and homes." Army Corps of Engineers Chief Planner Bob Lindner on the flooding problems in Berlin.

"We are changing the face of Ocean City structurally. It is up to someone else to say whether or not the people are changing." Planning and Community Development Director, Jesse Houston on development in Ocean City.

"There is not a shred of evidence that you were a dupe, and were taken in by this. It suggests to me instead that you did it for the regular, reason: greed." District Court Judge Richard R. Bloxom to a man involved in a counterfeiting spree in Ocean City.

## LETTERS TO THE EDITOR

decided I must address the comments made by Councilwoman Nancy Howard in your Jan. 16 edition of your newspaper.

I do believe the election process is just what it is, we the voters go to the polls to elect the candidates we feel will best represent us on the issues to ensure our health, safety and quality of life. It is also important that these elected officials possess an open mind on issues that confront us and listen to the will of the people. When our elected officials refuse to follow this process, there is another option known as recall.

Randy Romblad  
Ocean Pines

### Citizens Deserve Apology

Editor:

As a life-long resident of Ocean City, a property owner, voter, tax payer, business owner and after much thought this weekend I have

decided I must address the comments made by Councilwoman Nancy Howard in your Jan. 16 edition of your newspaper.

I do believe the election process is just what it is, we the voters go to the polls to elect the candidates we feel will best represent us on the issues to ensure our health, safety and quality of life. It is also important that these elected officials possess an open mind on issues that confront us and listen to the will of the people. When our elected officials refuse to follow this process, there is another option known as recall.

When do citizens attending a council meeting become a group of disgruntled citizens? If a citizen questions the actions of the council on an issue of concern, does that make him or her a disgruntled citizen?

SEE NEXT PAGE



# Secrets

## MARLEY HALL SCHEDULE



FRIDAY 1-23

FULL EFFECT



SATURDAY 1-24

FULL EFFECT & JIM LONG BAND 5-9



THURSDAY 1-29

TRUESETTO & 3 TRACK MIND



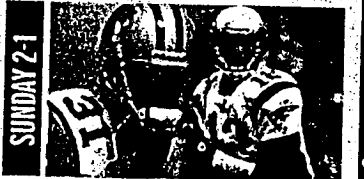
FRIDAY 1-30

ELEVEN-ELEVEN



SATURDAY 1-31

ELEVEN-ELEVEN



SUNDAY 2-1

SUPER BOWL PANTHERS vs. PATRIOTS

## SPECIAL EVENTS FOR THIS WEEK

17 MORE FRIDAYS OF LADIES NITE, NO COVER!!!

DARKSIDE PARTY!

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ORIGINAL'S NITE NO COVER!

16 MORE FRIDAYS OF LADIES NITE! NO COVER!

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## UPCOMING EVENTS

ORIGINAL'S NITE!! NO COVER! TRUESETTO & 3 TRACK MIND. JANUARY 29, 2004

BLUES BALL (featuring) DEANNA BOGART & JOHNNY NEEL FEBRUARY 15, 2004

LEON RUSSELL, AT SEACRETS!! FEBRUARY 19, 2004

MARDI GRAS PARTY!! FEBRUARY 24, 2004

## FOOD AND DRINK SPECIALS

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HAPPY HOUR 4PM-7PM DAILY

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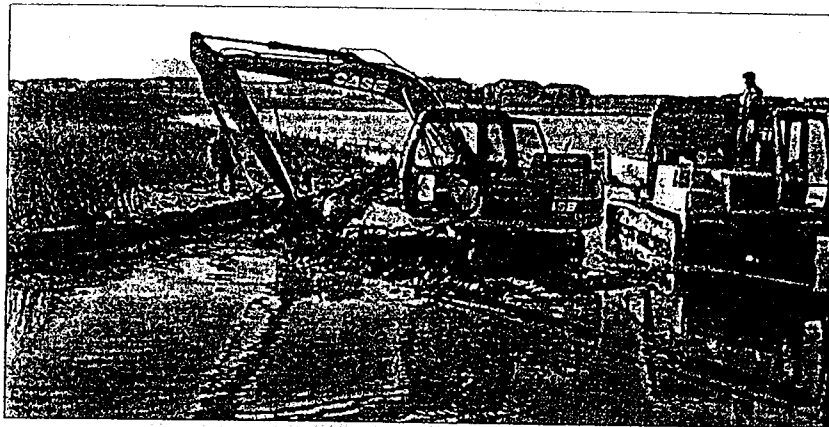
PIGSKIN PRICES DURING THE GAMES IN THE CLUB

**SEACRETS TRIAL EXHIBIT 319**

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"WE HAVE MET THE ENEMY, AND HE IS US." POGO



## Wetlands Work Begins

Workers from Environmental Quality Resources, LLC excavated mud from the controversial Northside Park Wetland restoration project Tuesday morning. The Mayor and City Council approved the project last year after almost five years of complaints from residents in Montego Bay about a hideous odor. The \$81,000 project consists of making the bay deeper and transporting the dredged material south to restore wetlands that have deteriorated. A fiber log placed around the perimeter of the wetlands will prevent further erosion and the deeper water will keep the odorous eelgrass suspended and will also allow for a containment boom to be installed.

Photo by Jennifer Dawicki

## New Building Permits Drop

BY TOM STAUSS  
SPECIAL TO THE DISPATCH

OCEAN PINES - It may appear that new housing construction is bustling everywhere in Worcester County, particularly hot areas such as Ocean City, Ocean Pines, West Ocean City and Berlin, but building permit statistics in non-municipal areas of the county for 2003 paint a more sobering picture.

Building permit numbers are a more forward-looking statistic than impressions left by driving through growing neighborhoods. While the building of new, large condominium projects is changing the face of Coastal Highway in Ocean City, just-released statistics from the county Department of Development Review and Permitting suggest that the

SEE PAGE 56

## Residents Eye Possible Recall

BY JENNIFER A. DAWICKI  
STAFF WRITER

OCEAN CITY - An elected official and members of the Common Cause Coalition are ready to add a word to the town vocabulary made famous over the past year in neighboring Salisbury and in California.

While Salisbury was turned upside down during a 10-month recall drive that never culminated, a small group of residents in the resort would like to have the option to recall elected municipal officials in Ocean City.

Claiming they want more power in the democratic process and to elect members of the Mayor and City Council who will listen to their concerns, members of the Common Cause Coalition, who had previously resorted to threats to vote select council members out of office, would

SEE PAGE 54

## Area Assessments Show Inconsistencies

BY SHAWN J. SOPER  
STAFF WRITER

WEST OCEAN CITY - No northern Worcester County property owners were spared when the recently completed reassessments of north-end properties hit mailboxes last week, but property owners in one modest corner of West Ocean City saw their assessments increase by triple digits and at least one went up nearly 270 percent.

With the real estate value bonanza showing no signs of slowing, the properties in the three tax districts reassessed this year, including West Ocean City, Ocean Pines, Berlin and other communities, had no where to go but up. Across the board, property values in the assessed areas in-

**County Unlikely To Use Windfall To Reduce Taxes**  
SEE PAGE 15

creased by 76 percent since the last assessment three years ago, but one small West Ocean City community along Center Drive not far from Ocean City Elementary School, affectionately known for years as Dog Patch, saw triple-digit increases for the most part.

Long-time Dog Patch resident

Martin Houston was taken aback last week when he opened his re-assessment notice from the State Department of Taxation and Assessment and found out his property value had increased by 159 percent since it was last assessed in 2000. Houston has lived in his modest home on a lot roughly one-third of an acre for nearly 20 years, and while his home and those of his neighbors are in the middle of one of the fastest-growing areas of the county, the fact his property value had increased from \$56,300 in 2000 to \$145,670 this year was reason for concern.

"It just doesn't make any sense. Most of the homes in our neighborhood were built years ago and there is nothing special about them," he

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## County Justice System On Trial Judge To Testify About '94 Rape Case

SEE PAGE 3

PLAINTIFF'S  
EXHIBIT

319

ALL STATE LEGAL SUPPLY CO.

P 43870

O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.  
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Account Sales-Ocean City
- Carol Murray  
Account Sales-National
- Shelby Pivec  
Account Sales-West/North

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Art Director
- Eric Fierro  
Graphic Artist
- Rachel Shlagel  
Graphic Artist

### Office

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Office Manager
- Marie Leek  
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Accounts Receivable
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### Bus Service Needs Better Management

Editor:

Ocean City's transportation has numerous problems. After leaving due to medical problems, I was there for 17-plus years and the last four years were terrible. I never heard so many complaints and so many lies. Mostly about buses being on time. Customers waiting 40-60 minutes for a bus, this being all sorts of weather. Customers loosing their jobs due to the bus not being there when it was expected. Cabs got the bus customers. Customers told me that they didn't mind so much the price going up to \$2, just as long as they could depend on the bus being there on time.

New Year's Eve enough buses on the street (9) to give a 10-minute interval and still have the buses

take their break. But, oh no, the superintendent wanted 15-minute service, therefore buses sat and waited 30-plus minutes for their time to leave. Thus backing up buses at each end. Make sense? No. This is the management decisions the bus ridership has had to learn to live with. The same goes for "normal" day routes. Right now, they have four buses doing the work of two. And still only getting 30-minute service, whereas four buses should be able to give 15-minute service.

Ocean City should check the number of "man hours" being spent on this obviously depleting service and maybe consider a change in administration. It has been and still could be great service. Management needs to

## HOW WE SEE IT

# Size Is Issue With New Project

The Ocean City Mayor and Council, in a 5-2 vote, moved a step closer last week to allowing the owner of a vast parcel of land around 45th Street bayside to replace the dilapidated shopping center with an enormous mixed-use project. After four hours of discussions with project architects and attorneys, the council voted last Monday evening to put the developers' rezoning request in ordinance form.

Although the project is still a long way from breaking ground, there are vocal members of the community that hope it will never come to fruition, citing issues such as the town's water and sewer capacity, the image of the town and the increased traffic. During discussion of the luxurious 160-room hotel and 200-unit condominium project, the council majority seemed to favor the development for the most part, believing it was a major improvement over the current site. The council, sans Councilman Vince Gisriel, was deliberate in its intent to make sure the huge development was as sound as possible for Ocean City, placing a series of conditions regarding signs, bus stops, public art and others, on the project before it would ultimately be granted site-plan approval.

What is concerning about the project to some in the community is its sheer size and that is understandable. We are concerned about the impact this project will have on Ocean City and its future. While we see it as an improvement on the unattractive shopping village, the project is unlike any private venture planned for Ocean City in decades and its impact on town services, infrastructure and traffic will be far-reaching. However, we also recognize the property owner's right to develop his land. The question cannot be: Would I build that if I owned the property? It simply does not matter. It's the Sibony family's property. The fact is the landowners have accumulated an enormous chunk of valuable bayfront land, and they

have the right to develop it as they see fit so long as financing can be secured and the project abides by existing zoning guidelines, parking restraints, environmental regulations and other code recommendations.

Ocean City is changing from a residential town to a resort town. At last week's meeting, Ocean City Councilman Jim Hall asked, "Is this a resort community or a residential community?" We believe the answer is both. It's holding on as a residential community, but resort pressures to stay competitive in convention business and on the cutting edge are taking over. Some would say the resort is evolving. Others say Ocean City as it is known is deteriorating. Clearly, good or bad, a metamorphosis is in full swing. As long as there are viable, year-round residential communities like Little Salisbury, Montego Bay and Caine Woods, there will be a residential element in Ocean City and elected officials will have to keep in tune with what the residents have to say. But more and more developers are looking past residential units with their plans and instead seeking out resort-style business, such as off-season conventions and part-time luxury living.

In the case of 45th Street, some outspoken residents are understandably against it because they see it as overdevelopment, but there are just as many who view it as necessary progress and an improvement for Ocean City. The bottom line is it's a property rights' issue and there is little the council or naysayers can do to keep it from happening if it follows what is allowable according to code. Locals do not have to like it but they may have to just find a way to cope with it. Whether or not this development ever comes to fruition is not up to the council, the planning commission or the residents. The property owner is seeking to develop his land, and the time will come soon when we all have to sit back and hope for the best.

## LETTERS TO THE EDITOR

change.

June C. Lewis  
Berlin

### 100th St. Site Best For Library

Editor:

As a former teacher I firmly believe in the potential of a child's mind, the power of reading and that libraries are a wonderful amenity to be enjoyed by all. Since Ocean City is becoming more residential, it seems the time is coming for a new library. Every single day I walk by the municipal parking lot at 100th St., in fact three times each day. It is rarely used. On a daily basis it is unused as the park and ride in

## QUOTABLE QUOTES

"The coalition ought to go someplace else if they are so unhappy. Maybe they ought to start their own town." Ocean City Councilwoman Nancy Howard on word the Common Cause Coalition may start a recall drive.

"If we are not responsible to you and responsive to your will, we deserve to be thrown out." Ocean City Councilman Vince Gisriel in favor of adding a recall clause to the town charter.

"We fight them, we have shot them, and we have poisoned them. They have chased me out. A raccoon actually rode in on the front of a garbage truck once." Assistant to the Public Works Director Dick Malone on the problem raccoons pose at the transfer station in Ocean City.

"There won't be a tax cut. I don't think the commissioners are inclined to consider that. I'm inclined to take a cautious and frugal approach and keep a close eye on what happens at the state level." Commissioner Judy Boggs on what the county will do with the millions of dollars in assessment money.

"We gave the residents one of the best gifts any set of Commissioners ever gave the residents of this county. If we hadn't done that, you'd see a lot of people in a tough spot right now. At least the residents are protected." Commissioner Virgil Shockley on reducing the cap that protects resident property owners from paying huge increases in tax due to rising assessments.

"Adding more impact to that river is like soiling our own sheets. If we get pilsleria or some other outbreak in that river, we can close down Ocean City." County Planning Commission Chairman Ed Ellis in voting against rezoning Pine Shore Golf Course, citing the potential impact on the St. Martin's River.

"I don't think one test should determine whether student graduates or not." Stephen Decatur High School Principal Lou Taylor on a state proposal to have students pass the statewide assessment before graduating.

W.O.C.

As a voting resident in the Little Salisbury Neighborhood, I am opposed to the new library and art/cultural center overcoming nearly all of the open space at nearby 94th Street and do favor the 100th street location instead for several reasons but most of all because:

There's enough going on there already. For example, the traffic in season on 94th is a problem now just from visitors getting down to all the condos on and off of this busy thoroughfare. This problem is compounded when even more visitors come to 94th Street Park and the art league; people often park right on that very busy street.

Also, the area is used by many children and at times is at capacity. Particularly because it borders busy 94th with the potential for tragedy.

SEE NEXT PAGE

**MARNEY HALL SCHEDULE**

SPECIAL EVENTS FOR THUS, TUE, & WED

FRIDAY 1-16



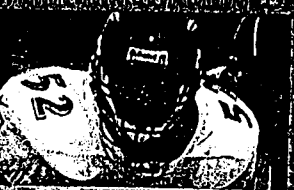
7 MORE FRIDAYS OF LADIES NITE, NO COVER!!



SATURDAY 1-17



SUNDAY 1-18



THURSDAY 1-22



FRIDAY 1-23



DARKSIDE OF THE MOON PARTY & LADIES NITE!!



SATURDAY 1-24



THURSDAY 1-29



MID-WINTER MADNESS, NO COVER!!



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**UPCOMING EVENTS**

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FEBRUARY 19, 2004  
MARDI GRAS PARTY!!  
FEBRUARY 24, 2004

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**FOOD AND DRINK SPECIALS**

HALF PRICE DINNER SUNDAY-THURSDAY

HAPPY HOUR 4PM-7PM DAILY

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- MON: BEEF STEAK
- TUE: CHICKEN CUMPOUS
- WED: ROAST PORK & POTATOES
- THUR: BREADED CHICKEN
- FRI: FISH AND CHIPS

2 FOR 1 PIZZA SUNDAYS 12PM-5PM

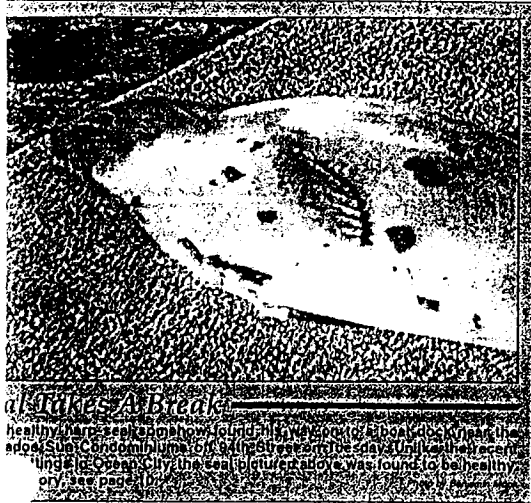
PIZZA PRICES DURING THE GAMES IN THE CLUB

P 43872

SEACRETS TRIAL EXHIBIT 320

# The Dispatch

"WE HAVE MET THE ENEMY, AND HE IS US." POGO



## Residents Take Gripe To Feds

BY SHAWN J. SOPER  
STAFF WRITER

BERLIN - Frustrated with the perceived lack of action by Berlin officials, the Henry's Green Citizens Committee fired off a letter to Congressman Wayne Gilchrest (R-1) last week seeking help from the federal Army Corps of Engineers with the community's chronic flooding problem.

Henry's Green on the west side of Berlin has been at the heart of the town's ongoing flooding problem. Unsatisfied with the solutions proposed by the town, including hiring a surveyor to survey the failing swale system and re-grading the swales at the expense of the property owners, the Henry's Green Citizens Committee is taking the issue to a higher level, bypassing the county and state for assistance and going straight to the federal level.

The letter from the committee to Gilchrest last week outlines the problems the community has had with flooding and includes a large number of pictures illustrating the ongoing problem. In the letter, the committee implores the congressman to intercede on its behalf, seeking an investigation of the swale system and the associated flooding problems by the Army Corps of Engineers.

"For over two years, the residents of this community have had to deal with a flooding problem that is get-

ting worse, not better," said committee chairman Tom Cardinale in the letter to Gilchrest. "Dealing with the town of Berlin on an individual basis has not been successful, so in order to have our concerns heard in a more meaningful way, we formed a citizens group."

Berlin officials have proposed several solutions to the flooding including proposed legislation to eliminate swale systems as a method of managing stormwater in future developments, a bill which has been put on hold until further information on swales can be collected.

Just last week, town officials considered hiring a surveyor to survey the existing swales in communities such as Henry's Green to determine their grade and forcing the property owners to pay the expense of grading the swales to their proper level.

Swales are favored by the county and state for their environmental benefits, but the system in Henry's Green is clearly not working, forcing residents to seek assistance from the Army Corps of Engineers through Gilchrest.

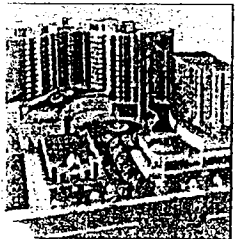
"Our residents are certainly concerned about the environment, but they are also concerned about their property and their investments in their homes," said Cardinale in the letter. "Respectfully, therefore, we are requesting that you help us by bringing in the Army Corps of Engineers to do the necessary study and come up with a solution."

## Issue Project Moves Forward

BY JENNIFER A. DAWICKI  
STAFF WRITER

OCEAN CITY - Resort officials drafted a long list of conditions on initial rezoning approval of the Street Village this week, requesting developers to consider other things, adding windbreaks, a cab stand and an aquarium theater.

In order to make room for what would be the tallest bayfront building at the resort, the City Council on Monday night to send the rezoning change forward and have it drafted into ordinance form. A marathon meeting was laced with tension and heated exchanges



Street Village is proposed to be torn down and replaced with a luxury development consisting of 160 hotel rooms, more than 100 condominiums and retail space.

about the 16-story project.

According to development manager Bruce Stoehr, Avi Sibony and his four brothers, listed as the Sibony family, will be the developers of the almost \$60 million project. If the council eventually approves the request for the Planned Overlay District (POD), the Sibony family would submit site plans and work to get financing.

The plan calls for 160 hotel rooms and 203 condominiums, which eat up 89 percent of the allowable density on the seven-acre parcel. The project includes plans for three restaurants, various retail shops, including a surf shop, and a recreational pier where The Shark Restaurant is currently located. The entire project is geared to compliment the Roland E. Powell Convention Center.

The heart of Monday's meeting was actually a public hearing, but did not allow the introduction of any new testimony, rather was designed to answer questions the council asked at the last meeting in early November.

The result was four hours of testimony laden with monotonous question and further evidence of longstanding rifts between resort officials and residents' objections to the changing face of beach town.

The following is a brief look at some of the contentious issues sur-

SEE PAGE 6

## OC Bus Ridership Plunges

BY JENNIFER A. DAWICKI  
STAFF WRITER

OCEAN CITY - Last year saw the biggest decrease in ridership on the resort's municipal bus service since the city began keeping numbers in 1991.

Numbers obtained from the Ocean City Transportation Department this week indicated ridership totals decreased in 2003 by a whopping 13 percent with 3,076,393 riders compared to 2002, when the town counted 3,533,423 riders.

Only the month of November showed an increase in riders.

Conversely, the town's demoflush population estimates were higher for the months of February, May, July and December of 2003, totaling 127,057 more people in town. In May alone, it was estimated 91,733 more people were in town than in 2002, yet 72,556 fewer people rode the bus.

Overall, buses in 2003 transported 457,030 less people than 2002, which recorded an 8-percent drop from 2001. Only in the first and second year of \$1-a-day bus service (1991-92) did the bus carry fewer riders than last year with 2,543,793 in 1991 and 2,805,351 in 1992.

P 43873

PLAINTIFF'S  
EXHIBIT

320

ALL STATE LEGAL SUPPLY CO.

O.C. Secrets, Inc. v. HotelPlan Italia S.p.A.  
Opposition No. 91190886  
Offered by Opposer

## THE DISPATCH

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### Luncheon A Success

Editor:  
On behalf of the "Holiday Wrappings" Luncheon Committee, to benefit the American Cancer Society, we would like to take this opportunity to thank those many business owners, friends and ladies who helped make this year's luncheon a success.

We hosted 920 ladies attending an event on a bustling Wednesday in December. Once inside, the warmth of all involved was evident. The ladies, sponsors, business owners, entertainers and models were treated to a wonderful, heartwarming event that raised \$29,000.

Our mistress of ceremonies, Cheryl Taustin, and her talented accompanist, Nick Wayne, have a way of creating just the right mood. The words of Sarah Brady brought to light the reason we were gathered, a first-hand account from the

heart of a cancer survivor) of what the American Cancer Society is and does. The appearance from the mayor was an added surprise.

We could not have had such a smooth running day without the professionalism of the staff at the Roland E. Powell Convention Center. All the support staff are first rate. Chef Leach and his kitchen staff did a Herculean job of serving our guests without a hitch.

The dancers from Seaside Dance Academy were terrific. Their routines and costumes were just the thing to get us moving in the holiday spirit. Once again Carol Wright did an outstanding job of bringing the most beautiful clothes to excite our fashion taste buds.

## HOW WE SEE IT

### Residents To Have Say On Slots

Ocean City residents will have their first formal opportunity in recent history to tell their representatives what they think about slots and gambling in Maryland on Tuesday, Jan. 20.

We have wondered for years whether the City Council's anti-gambling stance was in keeping with the people it represents. Each year the council along with business representatives testifies against legislation seeking to expand gambling in Maryland to include the installation of slot machines across the state. While it's unknown how much weight the Ocean City area really carries in Annapolis, particularly on this topic, it's an annual affair and legislators have become accustomed to hearing the city's pitch.

Nonetheless, with this week's announcement of the hearing on the issue, residents will finally get an

opportunity to have their say. In recent weeks, some council members have frowned upon the idea of a hearing because it could be slanted toward the side that is more organized and motivated. That is understandable and may happen on Jan. 20.

Regardless of whether the room is evenly divided or lopsided, the council and Mayor Jim Mathias, who originally suggested the idea, is doing the responsible thing. In a time when the council is constantly being criticized for not listening and caring about what citizens have to say, this hearing alone is one example that the elected officials are trying.

The council members may not ultimately share the opinions of the majority of the speakers in a couple weeks, but at least the citizens will have a chance to be heard.

### Local Land A Quality Investment

It was not a big deal when the vote was made official last year, but property owners in West Ocean City, Ocean Pines, Berlin and northern areas should be thankful the County Commissioners lowered the Homestead Tax Credit in August from 10 percent to 5.

Assessment notices were mailed last week, and there will certainly be some sticker shock for some area landowners. These property owners in the northern part of the county on average saw their property soar by 76 percent since the last land assessment three years ago.

Word of the increased property assessment has met cheers and jeers. First of all, the county coffers will be flooded over the next three years with millions of dollars in new tax revenue, which could go a long way toward helping the county shoulder the inevitable state cuts. Secondly, thanks to the Homestead

Tax Credit, which the state sets at 10 percent and allows local jurisdictions to adjust to their discretion, resident property owners will find the tax impact to be minimal, as they will only pay 5 percent of the increase over each of the next three years.

However, the bad news is thousands of non-resident property owners will have to swallow the full brunt of the increase. Of the 20,100 properties reassessed last year, only 5,000 are resident property owners, leaving the more than 15,000 non-residents faced with trying to quickly establish residency.

While some will be hit harder than others, the bottom line with the assessment explosion is the confirmation that investing in local property pays a huge return on the dollar. Properties not only hold their value, they make us money. In some cases, it beats the stock market.

## LETTERS TO THE EDITOR

Once again may we thank the wonderful and generous people in our community who are always there to support a worthy fund raiser.

### Holiday Wrappings Committee

(Members: Stephanie Mehan, Michelle Robbins, Karen Cramer, Marcia Hirsch, Jackie Friedman, Nancy Howard, Sherry Dare, Elaine Jacobs, Cathy Donovan, Cheryl Taustin, Marsha Howarth and Pam Buckley.)

### Donations Appreciated

Editor:

I appreciate this opportunity to thank our members of the Ocean City Hotel-Motel-Restaurant Association who donated so many wonderful toys at our holiday dinner meeting. As an incentive to bring a new,

## QUOTABLE QUOTES

"For over two years, the residents of this community have had to deal with a flooding problem that is getting worse, not better." Henry's Green Committee Chairman Tom Cardenale in a letter to Congressman Wayne Gilchrest about flooding.

"This would have been our first outlet on the Eastern Shore and we're disappointed it didn't go that way, but we'll re-evaluate and go on from here." Starbucks real estate manager Heather Bolen on getting rejected by the County Commissioners on a parking request.

"This is a pretty bad year. We are seeing an awful lot of flu and viruses. We now have signs that say if you have a cough, we ask patients to wear surgical masks." AGH Nursing Director Colleen Wareing on this year's flu season.

"Stand still and get it right, or move forward and get it wrong. To move forward with this as proposed puts this community in a vulnerable position." Worcester NAACP President Edward Lee on a proposed merger between two lower shore organizations.

"This project is basically a wash from a traffic generation standpoint." The Traffic Group President Wes Guckert on the proposed project on 45th Street and the current shopping center on site.

"Outside communities have impact fees. An impact fee is exactly what this is. The difference is this is voluntary, not mandated." Ocean City Manager Dennis Dare on the Sunset Island developer's potential donation to the city to help improve the neighboring transfer station.

"We would like some parts of Ocean City to stay the way they are, so that the common wage owners can afford to come here. Average wage owners can not even begin to come here." Common Cause Coalition member John McDermott speaking at this week's council meeting about development.

unwrapped toy we had a drawing of very nice prizes that were donated by the following members:

Buxy's Salty Dog Saloon, Carousel Resort Hotel & Condominiums, Castle in the Sand, Clarion Resort/Horizon's Restaurant/Ocean Club Restaurant, Comcast Commercial Sales, Comcast Ad Sales, Dough Roller Restaurants, Fager's Island Restaurant, Fresco's Fine Dining, Great Scott Broadcasting, Holiday Inn Express, J. Wilgus Linen Supply, Nassau Motel, O.C. Factory Outlets, Oasis Car Wash, Paper People, Phillips Seadood Restaurants, Progress Printing and Wicker Outlet/Island Rattan.

The toys we collected were a big hit at the Noel Christmas Dinner at St. Paul's by the Sea Episcopal Church. This project is a community effort designed to feed the hungry as

SEE NEXT PAGE



**MARLEY HALL SCHEDULE**



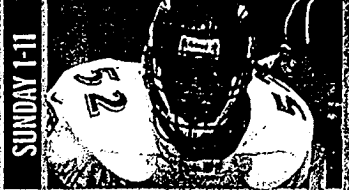
FRIDAY 1-9

LIFE SPEED



SATURDAY 1-10

DIDDY POP AND JIM LONG BAND 5-9PM



SUNDAY 1-11

NFL DIVISION PLAYOFFS



THURSDAY 1-15

DANCE PARTY WITH DUSTUFF



FRIDAY 1-16

SCREAMING BROCCOLI



SATURDAY 1-17

SCREAMING BROCCOLI & JIM LONG BAND 5-9PM



SUNDAY 1-18

NFL CONFERENCE PLAYOFFS

SPECIAL EVENTS FOR THIS WEEK

8 MORE FRIDAYS OF LADIES NITE, NO COVER!!!

LUNASEA PARTY!!



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**UPCOMING EVENTS**

LEON RUSSELL AT SEACRETS!!  
FEBRUARY 19, 2004

MARDI GRAS PARTY!!  
FEBRUARY 24, 2004

**FOOD AND DRINK SPECIALS**

**HALF PRICE DINNER** SUNDAY-THURSDAY

**HAPPY HOUR** 4PM-7PM DAILY

**\$5.00 LUNCH SPECIALS** 11AM-3PM

- MON. - BEEF STEW
- TUE. - CHICKEN & DUMPLINGS
- WED. - ROAST PORK & POTATOES
- THUR. - FRIED CHICKEN
- FRI. - FISH AND CHIPS

**2 FOR 1 PIZZA** SUNDAYS 12PM-5PM

PIGSKIN PRICES DURING THE GAMES IN THE CLUB

SECRETS TRIAL EXHIBIT 321

# The Dispatch

"WE HAVE MET THE ENEMY, AND HE IS US." POGO

## County Named Least Affordable To Buy In State

BY SHAWN J. SOPER  
STAFF WRITER

SNOW HILL - Worcester County has witnessed an unprecedented growth spurt in the last decade or so as aging baby boomers and empty nesters fulfill their dreams of owning a second home in the resort areas, but for many would-be first-time homebuyers, the dream remains unfulfilled.

Soaring property values all over Maryland and especially in Worcester are outpacing income gains for many lunch pail-carrying workers in the county, forcing them to buy their starter homes elsewhere, or remain mired in the cycle of high-rent payments, which are often the equivalent of a mortgage payment on a decent house.

The long-awaited affordable housing study for Worcester commissioned by the county nearly two years ago was scheduled to be pre-

sented to the County Commissioners this week, but the presentation was delayed when the project's director had health issues. However, there is no shortage of information available about the plight of first-time homebuyers throughout Maryland including Worcester.

Blueprint Maryland, a bi-monthly publication produced by the state's Department of Housing and Community Development (DHCD), reports in its October-November 2004 edition Worcester County is the least affordable jurisdiction in Maryland based on an accepted housing affordability indicator. Called the First-Time Buyer Affordability Index, the indicator is a ratio of the Maryland first-time buyer's median household income to the qualifying income needed to buy the median starter home at current market levels.

The index is basically a relationship between the median cost of a  
SEE PAGE 29A



Burgeoning property values throughout Worcester County have made it difficult for average income earners to buy homes in the area. Above, construction crews continue to work at Bertie's new Decatur Farm community, a 128-unit residential project with new home prices starting around \$263,000. Photo by Benjamin Hunt



### Downtown House Finds New Home

A small crowd gathered in downtown Ocean City on Monday to watch the Fanny-A-White Guest House be relocated 150 feet to the west. The house was moved to make way for a new 75-unit, mixed-use project to be completed by the summer of 2006. The house, which was originally constructed in 1897, now sits on a town-owned site. The building's future will be determined by the Town of Ocean City and the Ocean City Development Corporation. Above, crews from Expert House Movers of Sharptown slowly the move the building to its new home on Dorchester Street.

### Is Pyramidal Zoning Hurting OC?

BY LAURA HALLEMAN  
STAFF WRITER

OCEAN CITY - Right on cue, the town's shoulder season is bringing with it the demise of several long-standing structures to be replaced with an inordinate amount of high-dollar condominiums.

The majority of these new multi-family structures will grace the resort town's skyline before next summer. But with the rise of these condominium projects comes the fall of several commercial properties and have left some questioning whether pyramidal zoning should remain an option to property owners and developers, alike.

"I have talked to the Mayor and Council about non-conformity in parking and pyramidal zoning for 20 years and have gotten nowhere and I don't know why," said Planning and Zoning Commission Chairman

Geoff Robbins.

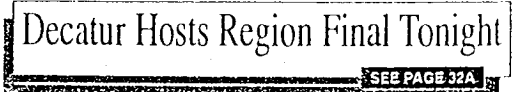
Pyramidal zoning allows for uses of lesser intensity to be permitted in zoning districts of a higher-level intensity. For example, commercial lots can be redeveloped residential, but not vice versa.

With the price of land skyrocketing, Zoning Administrator Blaine Smith said it only makes sense that commercial property is being sold or rebuilt to accommodate residential use.

"It's supply and demand, and the demand for residential has gotten so high that people are paying high dollar for it," said Smith. "Presently, commercial has flattened out. This is not just a local thing, it's going on everywhere."

Over the years, town planners have said that pyramidal zoning does not foster neighborhood commercial growth. Instead of developing areas of amenities where resi-

SEE PAGE 12A



PLAINTIFF'S  
EXHIBIT  
321  
ALL STATE LEGAL SUPPLY CO.

# Seacrets

49TH STREET & THE BAY, OCEAN CITY, MD



## WEEKLY SCHEDULE

SATURDAY NOV. 20TH  
**ZION WAVE, &  
DROP DEAD SEXY**

SUNDAY NOV. 21ST  
**NFL SUNDAY**  
WATCH YOUR FAVORITE  
TEAM AT SEACRETS

MONDAY NOV. 22ND  
**MONDAY NITE**  
**FOOTBALL**  
PATRIOTS @ CHIEFS

## FOOD SPECIALS

**HAPPY HOUR** 4-7PM DAILY

**1/2 PRICE DINNERS**  
SUNDAY THRU THURSDAY 5-10PM

**1/2 PRICE JERK CHICKEN, FRIES,  
SHRIMP, & RINGS**  
SUNDAY THRU FRIDAY 4-7PM

## 5 DOLLAR LUNCH SPECIALS

MONDAY - BEEF STEW  
TUESDAY - CHICKEN & DUMPLINGS  
WEDNESDAY - ROAST PORK &  
POTATOES  
THURSDAY - FRIED CHICKEN  
FRIDAY - FISH & CHIPS

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## The Dispatch

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**SEACRETS TRIAL EXHIBIT 322**

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"WE HAVE MET THE ENEMY, AND HE IS US." POGO

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BY SHAWN J. SOPER  
STAFF WRITER

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City Moves Ahead With Zoning Changes  
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Decatur's Dream Season Wrapped Up  
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Should Town Skate Park Be Expanded?  
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Resort Christmas Parade On Saturday  
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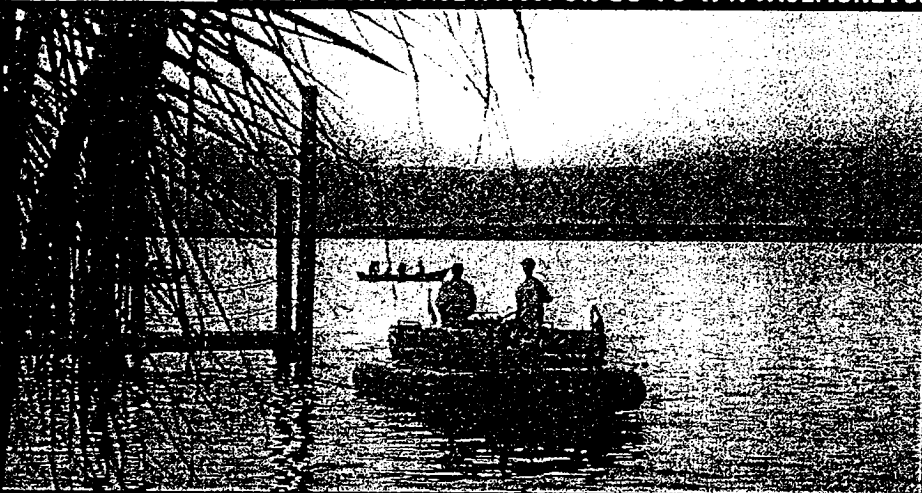
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ONION RINGS.

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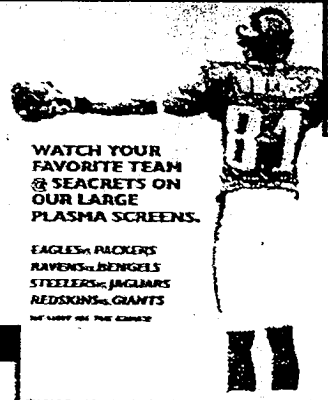
MON	BEEF STEW
TUE	CHICKEN & DUMPLINGS
WED	ROAST PORK & POTATOES
THU	FRIED CHICKEN
FRI	FISH & CHIPS



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WE HAVE ALL THE GAMES



# The Dispatch

## EDITORIAL

### Cameras Could Help In Berlin

As it seems to a couple times a year, an open discussion about the criminal activity in east Berlin took place at last week's Berlin Mayor and Council meeting. It's an old subject with typical complaints from the council and nearby residents and the customary responses from the police department.

In regard to the rampant drug dealing on the east side of town, the attitude of Mayor and Council members for years has seemed to be along the lines of something - anything - must be done. However, the problem, according to the town's police department, starts and ends with limited manpower, leaving police with no choice but to be reactive rather than pro-active. "We go where the people call. That's what happens when you work with a staff that's less than optimal. That's not an excuse, that's just the reality. I need more people," Chief Arnold Downing said.

Long-time members of the council, such as Councilman Elroy Brittingham, have heard this before. It's a quandary the town has been unable to solve. It simply does not have the funds to hire additional officers to patrol the area and enforce laws. That does not mean the town should simply allow the status quo. Brittingham should not have to continue to witness illegal activity first-hand in his neighborhood. "I witnessed this first hand and got so disgusted I wanted to go out there and do something myself before I thought better of it. The police arrive and they disperse, but 15 minutes later... they're right back out there again," Brittingham said.

It's a sad state of affairs, but at last week's meeting there appeared to be some worthwhile discussion after constitutional issues arose about a police proposal to ask landlords to list problem people in the neighborhood. The idea of installing electronic surveillance systems in known trouble spots could be what the town needs to get a handle on the problem.

How to obtain high-quality cameras will boil down to money issues, but there are any number of ways to procure the funds, including state and federal grants. Downing said last week the town is currently working through a state grant to set up three cameras at an area bus stop, convenience store and the entire corridor. While there may be practical issues the town will need to address, we see this system as a step in the right direction. With these cameras, the police department could use the images they produce to gather information about suspects and could even lead to arrests. The department could use the media to get out the images to the public. We, for one, would be happy to help out with publishing these images, which could lead to citizens making tips to police.

If being re-active is the only way the police can tackle crime in the area, then cameras would be an ideal way to go. Currently, police are forced to rely on citizen comments and then respond to the area. That is no way to tackle a problem that has been ongoing for decades. Setting up state-of-the-art surveillance cameras will hopefully steer police away from solely relying on citizens to be the eyes and ears of the community and moving in the direction of pro-active enforcement.

## QUOTABLE QUOTES

"They've been pounding at me since November to come down here and begin shooting footage but we need a monetary commitment from the city before moving forward." Maryland Department of Business and Economic Development Deputy Director David Bahlman on Miss USA producers wanting to shoot scenes in Ocean City.

"You'd be surprised at the number of senior citizens who only get half of a prescription filled because they are trying to balance paying for heat, rent and other bills." Helena Brown, project director for Shore Up's Home Energy Programs, on some elderly residents' struggle to pay their bills.

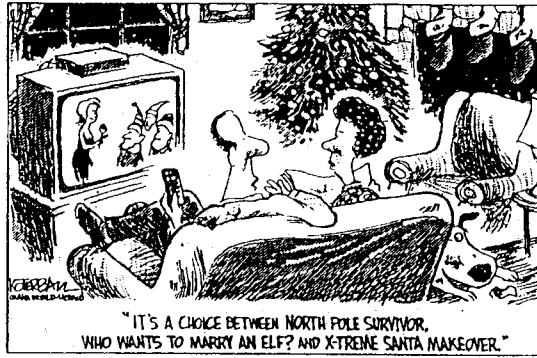
"It's a real crisis and one the state legislators saw coming, but the leadership is hitting heads and preventing any real solution." Dr. Thomas Beck, a member of the Governor's Task force on medical

malpractice insurance reform, on the current state of affairs.

"I have hopes we could meet in special session as soon as next week." Delegate Bennett Bozman on the need for the legislature to tackle medical malpractice insurance reform as soon as possible.

"I absolutely think it is important to expand the park because it gives kids something to do now and will give them more to do in the future." Ocean City Councilman Joe Hall on his support for expanding skating opportunities in town.

"We did have a potential course laid out, but there were just too many problems with traffic stoppages, congestion and many other factors." Extreme Dream Events partner Mark Shaw on a proposed marathon route through Ocean City.



## LETTERS TO THE EDITOR

### Thanks To Senators

Editor:  
Thanks to our two United States Senators Sarbanes and Mikulski for their assistance in obtaining \$500,000 for beach replenishment in the Omnibus Appropriations Bill.

The appropriations bill did not include the funds when the bill was sent to Congress from the White House. Then the bill emerged from the House of Representatives without the funds.

Prompt action from our senators was instrumental in our area getting these much-needed funds to replenish our beach.

Carol Krimm  
Ocean City

### Chief Comments Absurd

Editor:  
One more ludicrous idea came from the mouth of Police Chief Bernadette DiPino.

If women want to be police officers, everyone knows their physical makeup is different except there should not be different testing requirements for female officers. In an emergency situation, females have to respond to the situation the same as men.

My daughter was an Ocean City police officer. When she attended the police academy, she graduated with the highest grade point average, I believe ever achieved and again, if my memory serves correctly, she was the only female in the class. Did she go through the same training as the men? You better believe she did and could also take care of herself the same as the men.

Slacking off on the testing requirements will certainly be a detriment to the Ocean City Police force. If they want to do a man's job, then they need to go through the same testing requirements as the men, otherwise let them take an office job.

Dianne Colestock  
Harrisburg, PA  
Ocean City

### Rent Is Out Of Control

Editor:  
Just recently I was told I had to move because the building I live in

has been sold. It was being sold to be torn down. I would imagine they were going to put high-rise condos in their place. Well, of course, I had to go apartment hunting which almost brought me to suicide. I proceeded to get two free papers they have in this town and went to the rental section. Well, to my surprise, they have winter rentals, summer rentals and all year rentals.

I live three stories up now, so I think I am going to get a year-round place because this move will be the last for a while. I found this apartment not too far from where I presently live, so I went to look at it. It was nice and I had my heart set on it. I was afraid someone else would get it so I put \$850 down to hold it. I would also need another \$850 for first month's rent and \$850 for a

SEE NEXT PAGE

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# Winter Brings Tough Choices For Some Elderly Residents

OCEAN CITY - It's no secret Worcester County's senior citizen population is growing by leaps and bounds. What may come as a surprise, however, is the fact that many of these senior citizens are faced with making some tough choices due to limited income and with the winter months upon us, those decisions can become dangerous with elderly residents having to choose between heating their home or seeking medical care.

The 2000 Census shows that in Worcester County, alone, 33 percent of the population is age 65 or older and that number continues to swell.

With the assistance of agencies such as Shore Up, Inc. and MAC, Inc., elderly citizens do not have to face tough times alone.

Shore Up Inc., a non-profit community service agency based out of Salisbury, makes every effort to reach those in need of assistance with their-home heating bills.

Serving Somerset, Wicomico and Worcester counties, Shore Up Inc. assists all aspects of the population, with 60 percent of its client base comprised of senior citizens.

"They are the ones who have less opportunity to work part-time or supplement their income," said Helena Brown, project director for Shore Up's Home Energy Programs.

When it comes to energy assistance, Shore Up's primary objective is simple - to ensure that the low-income segment of the population stay warm during the winter months.

Two programs the agency sponsors with the aid of federal funding are the Maryland Energy Assistance Program (MEAP) and the Weatherization Program.

"You'd be surprised at the number of senior citizens who only get half of a prescription filled because they are trying to balance paying for heat, rent and other bills," said Brown. "Our program can help free some of that money up for them."

Through MEAP, payments are made to utility companies on the customer's behalf, but certain eligibility requirements must be met to receive assistance. Applicants must meet income eligibility requirements.

A person may be automatically eligible if he or she is elderly or disabled and lives on a limited income, he or she receives Public Assistance, he or she receives Supplemental Security Income (SSI), Food Stamps, certain veterans or Social Security disability benefits or is a homeowner or a renter.

Brown said it is surprising how many senior citizens think that they are not eligible or are not in need of assistance.

Calling it the "pride factor," she said many senior citizens would say they didn't apply because they felt that someone else might need the

help more than they do.

"Our staff always hears from senior citizens to give it to someone younger who needs it more when in actuality they also need assistance," said Brown. "Also, a lot of times folks who live in, for example, Ocean City, don't think they qualify when they really do."

That is where the public and other agencies come into play, referring elderly citizens who are in need of energy assistance. Brown said, although her agency tries to speak at various senior centers and organizations, she must get the word out so that not one person falls through the cracks.

"We can't be everywhere, so we rely on support from the community," she said.

Shore Up, Inc. often receives calls from apartment managers or neighbors who might be concerned about an elderly tenant and will follow up on the case.

Brown credits MAC, Inc., a private, non-profit organization and member of the United Way, with assisting in reaching the elderly population, as well.

"They've been a godsend. Their staff and volunteers go into homes and if they see a bad situation they will call us and refer that person or family to us," said Brown.

From July of 2003 to May of 2004, Brown said Shore Up Inc. assisted 5,400 people. This year, the agency has set its goal at 6,000 but could exceed that.

With appointments for energy assistance requests set up through January, Brown said she has started accepting walk-ins and will also take applications over the phone.

Shore Up Inc. also provides a Weatherization Program that provides home weatherization services that include weather stripping, caulking and plastic window covering to help make a home more fuel-efficient for those in need.

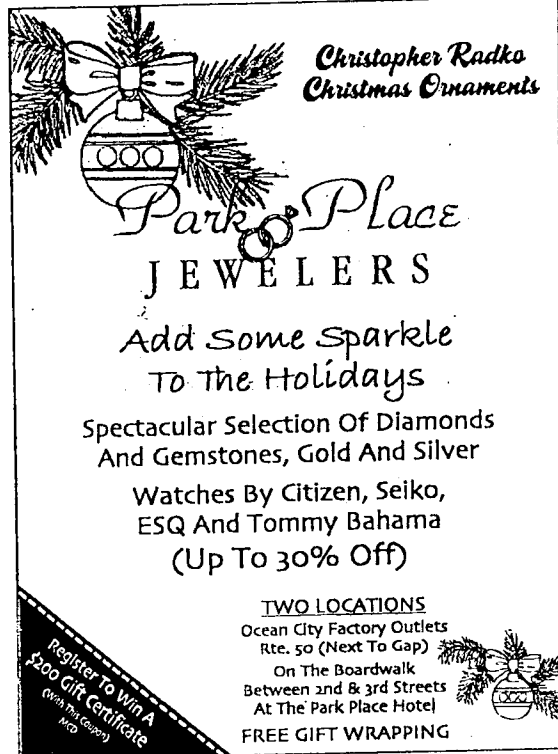
There is only one crew comprised of two installers and one auditor that covers the three counties, however, and Brown said the program has been cut every year for the past 10 years, although it is desperately needed.

"It is needed a lot. Elderly citizens often don't have the means either physically or financially to keep their homes in good shape," she said.

Last year, Shore Up, Inc. provided weatherization services to 53 homes and this year they hope to receive enough funding to achieve that total again.

For anyone who is in need of energy assistance or knows of someone who is in need of assistance, contact the Worcester County office of Shore Up Inc. at 410-632-3624 or stop by its office located at the Head Start Center in Snow Hill just off of Worcester Highway.

- Laura Halleman



*Christopher Radko  
Christmas Ornaments*

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P 43884

# Council Moves Ahead With Proposed Bayside Regulations

OCEAN CITY - Although members of the City Council were clearly bothered by the omission of any density reduction, they unanimously approved amending the zoning code to allow for recommendations by the town's Planning and Zoning Commission for alternative, optional development regulations for bayside property.

The Planning and Zoning Commission held a public hearing on the issue in October with the majority of people in attendance in favor of the proposed regulations.

Planning and Development Director Jesse Houston told the Mayor and Council at Tuesday's work session the objective for the new regulations was to provide developers with an optional way to develop on the bayside and listed four specific factors, with the first, "reduce density on the bayside per the comprehensive plan" conspicuously crossed out.

The remaining three factors included increasing the amount of open land on a project, enable greater design flexibility and allowing the Planning and Zoning Commission more authority in terms of building designs. Houston stressed the bayside alternatives were just that - options a developer could choose to use.

The proposed development standards would only apply to LC-1, SC-1 and BM-1 districts west of Coastal Highway and Philadelphia Avenue and to parcels of land not less than

24,000 square feet.

"This is roughly four to five standard bayside lots on a plotted block," said Houston.

Other development standards included an increased amount of open space, increased setbacks from property lines for buildings over five stories, shadow limited to that of a five-story building and design review of a project by the Planning and Zoning Commission to ensure compatibility with and protection of surrounding

"Number one [density] was not included because the commissioners wanted to encourage developers to use this proposal," said Houston.

Councilman Jay Hancock said he was disappointed that the issue of density was not addressed.

"I think that's [density] what so many people have been complaining about," said Hancock. "If we ignore that, then we're really not increasing the environmental improvement of these things."

**"I think that's [density] what so many people have been complaining about. If we ignore that, then we're really not increasing the environmental improvement of these things."**

COUNCILMAN JAY HANCOCK

properties.

Houston said increased building height would also be permitted but must be proportionate with decreased building coverage. For example, a structure that covers 50 percent of a parcel would be allowed to build to eight stories and a structure that covers 70 percent of a parcel would be allowed to build up to six stories. Houston explained that the percentage coverage only includes the uplands portion of a parcel and excludes wetlands.

With no reduction in density to be found in the recommendations, Council President Rick Meehan questioned its absence in the Planning and Zoning Commission's proposal.

Hancock was also concerned with the issue of shadow limits and said that, with the town's growing year-round population, this issue should be better regulated. He cited an example of a building at 14th Street.

"The shadow from that building crosses onto another property at around 9 a.m. and is there for the rest of the day ... I would be really disappointed if I were going to be living in the shadow of someone's new high-rise that was built after my property," said Hancock.

Councilman Joe Hall also expressed concern over density not being addressed in the recommendations.

"That specific issue that we wanted planning and zoning to bring for-

ward is now on the backburner and coinciding with the comprehensive plan," said Hall. "My personal opinion is that I believe the issue needs to be addressed sooner rather than later."

Houston told the Mayor and Council that density was a main factor to be addressed through the comprehensive plan.

"We're trying to get something down here to encourage better development on the bayside ... this is that something," he said.

Council member Nancy Howard said she believed the definition of "density" is misunderstood by people in the community. "I think people are still confusing density in the zoning code with people that are out on the streets," she said.

Councilman Joe Mitrecic commended the Planning and Zoning Commission for their efforts.

"I think Planning and Zoning has done the best they can do with it and it's up to us now," he said.

With that, Mitrecic made the motion to allow the town solicitor to draft the regulations into ordinance form with the understanding that density would still be discussed in relation with the comprehensive plan.

After town solicitor Guy Ayres drafts the ordinance, it will be brought before the Mayor and Council for first reading and any further discussion from the public.

- Laura Halleman

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Castle in the Sand	Ocean Resorts Golf Club
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# The Dispatch

## EDITORIAL

### Cameras Could Help In Berlin

**A**s it seems to a couple times a year, an open discussion about the criminal activity in east Berlin took place at last week's Berlin Mayor and Council meeting. It's an old subject with typical complaints from the council and nearby residents and the customary responses from the police department.

In regard to the rampant drug dealing on the east side of town, the attitude of Mayor and Council members for years has seemed to be along the lines of something - anything - must be done. However, the problem, according to the town's police department, starts and ends with limited manpower, leaving police with no choice but to be reactive rather than pro-active. "We go where the people call. That's what happens when you work with a staff that's less than optimal. That's not an excuse, that's just the reality. I need more people," Chief Arnold Downing said.

Long-time members of the council, such as Councilman Elroy Brittingham, have heard this before. It's a quandary the town has been unable to solve. It simply does not have the funds to hire additional officers to patrol the area and enforce laws. That does not mean the town should simply allow the status quo. Brittingham should not have to continue to witness illegal activity first-hand in his neighborhood. "I witnessed this first hand and got so disgusted I wanted to go out there and do something myself before I thought better of it. The police arrive and they disperse, but 15 minutes later ... they're right back out there again," Brittingham said.

It's a sad state of affairs, but at last week's meeting there appeared to be some worthwhile discussion after constitutional issues arose about a police proposal to ask landlords to list problem people in the neighborhood. The idea of installing electronic surveillance systems in known trouble spots could be what the town needs to get a handle on the problem.

How to obtain high-quality cameras will boil down to money issues, but there are any number of ways to procure the funds, including state and federal grants. Downing said last week the town is currently working through a state grant to set up three cameras at an area bus stop, convenience store and the entire corridor. While there may be practical issues the town will need to address, we see this system as a step in the right direction. With these cameras, the police department could use the images they produce to gather information about suspects and could even lead to arrests. The department could use the media to get out the images to the public. We, for one, would be happy to help out with publishing these images, which could lead to citizens making tips to police.

If being re-active is the only way the police can tackle crime in the area, then cameras would be an ideal way to go. Currently, police are forced to rely on citizen comments and then respond to the area. That is no way to tackle a problem that has been ongoing for decades. Setting up state-of-the-art surveillance cameras will hopefully steer police away from solely relying on citizens to be the eyes and ears of the community and moving in the direction of pro-active enforcement.

### QUOTABLE QUOTES

"They've been pounding at me since November to come down here and begin shooting footage but we need a monetary commitment from the city before moving forward." Maryland Department of Business and Economic Development Deputy Director David Bahlman on Misa USA producers wanting to shoot scenes in Ocean City.

"You'd be surprised at the number of senior citizens who only get half of a prescription filled because they are trying to balance paying for heat, rent and other bills." Helena Brown, project director for Shore Up's Home Energy Programs, on some elderly residents' struggle to pay their bills.

"It's a real crisis and one the state legislators saw coming, but the leadership is hitting heads and preventing any real solution." Dr. Thomas Beck, a member of the Governor's task force on medical

malpractice insurance reform, on the current state of affairs.

"I have hopes we could meet in special session as soon as next week." Delegate Bennett Bozman on the need for the legislature to tackle medical malpractice insurance reform as soon as possible.

"I absolutely think it is important to expand the park because it gives kids something to do now and will give them more to do in the future." Ocean City Councilman Joe Hall on his support for expanding skating opportunities in town.

"We did have a potential course laid out, but there were just too many problems with traffic stoppages, congestion and many other factors." Extreme Dream Events partner Mark Shaw on a proposed marathon route through Ocean City.



### LETTERS TO THE EDITOR

#### Thanks To Senators

Editor:  
Thanks to our two United States Senators Sarbanes and Mikulski for their assistance in obtaining \$500,000 for beach replenishment in the Omnibus Appropriations Bill.

The appropriations bill did not include the funds when the bill was sent to Congress from the White House. Then the bill emerged from the House of Representatives without the funds.

Prompt action from our senators was instrumental in our area getting these much-needed funds to replenish our beach.

Carol Krimm  
Ocean City

#### Chief Comments Absurd

Editor:  
One more ludicrous idea came from the mouth of Police Chief Bernadette DiPino.

If women want to be police officers, everyone knows their physical makeup is different except there should not be different testing requirements for female officers. In an emergency situation, females have to respond to the situation the same as men.

My daughter was an Ocean City police officer. When she attended the police academy, she graduated with the highest grade point average, I believe ever achieved and again, if my memory serves correctly, she was the only female in the class. Did she go through the same training as the men? You better believe she did and could also take care of herself the same as the men.

Slacking off on the testing requirements will certainly be a detriment to the Ocean City Police force.

If they want to do a man's job, then they need to go through the same testing requirements as the men, otherwise let them take an office job.

Dianne Colestock  
Harrisburg, PA  
Ocean City

#### Rent Is Out Of Control

Editor:  
Just recently I was told I had to move because the building I live in

has been sold. It was being sold to be torn down. I would imagine they were going to put high-rise condos in their place. Well, of course, I had to go apartment hunting which almost brought me to suicide. I proceeded to get two free papers they have in this town and went to the rental section. Well, to my surprise, they have winter rentals, summer rentals and all year rentals.

I live three stories up now, so I think I am going to get a year-round place because this move will be the last for a while. I found this apartment not too far from where I presently live, so I went to look at it. It was nice and I had my heart set on it. I was afraid someone else would get it so I put \$850 down to hold it. I would also need another \$850 for first month's rent and \$850 for a

SEE NEXT PAGE

### The Dispatch

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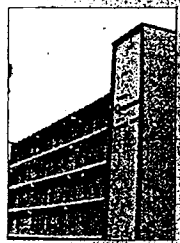
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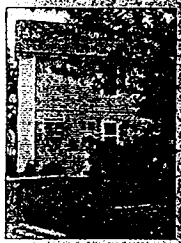
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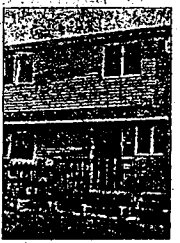
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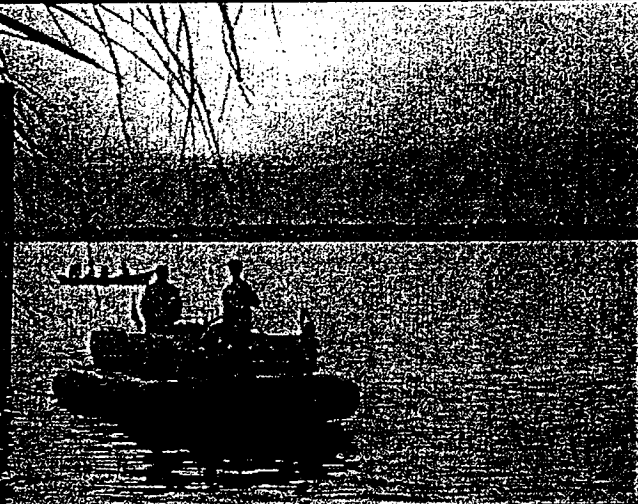
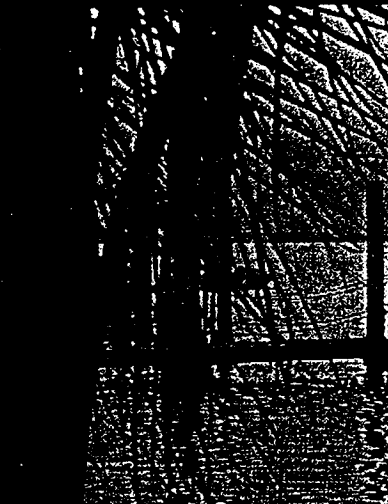
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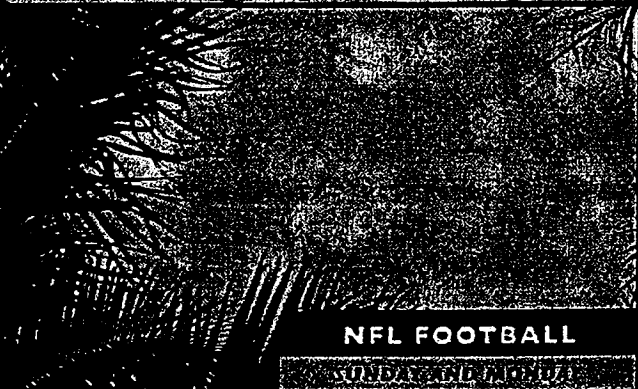
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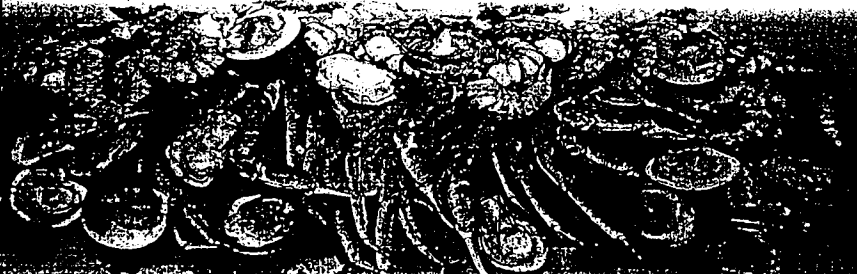
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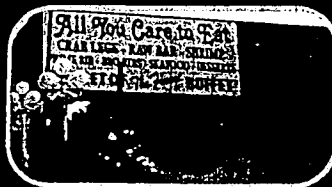
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**71ST STREET & COASTAL HWY  
OCEAN CITY, MD**

P 43892



# Assateague Island



From the boardwalk bustle of Ocean City, the sandy shore to the south is quite alluring. Just a few minutes from Ocean City, Assateague Island, a 37-mile long barrier island home to 44 species of mammals and 260 species of birds, remains practically undeveloped. The island is a nature-lovers dream. The serenity of miles of golden sand, magnificent marshes, unspoiled beaches and scenic landscape offer a

peaceful playground for endless sporting activities.

Watersport enthusiasts will have to manage their time wisely in order to take advantage of all the aquatic adventures Assateague Island has to offer. With the Atlantic Ocean to the east and Chincoteague Bay to the west, the island is ideal for camping, biking, fishing, clamming, crabbing, canoeing, swimming, hiking, kayaking, and surf fishing. There are designated lifeguarded beaches with bathhouses and concession stands during the summer. These beaches can get crowded but it takes just a 15-minute hike to find yourself alone at last on an undeveloped beach.

For the naturalist interested in birding or exploring the many other wildlife species that call Assateague Island home, short self-guided walks on the life of the forest, marsh and dunes, adventure trails, bus tours and nature cruises are available. Park rangers conduct a variety of guided walks and children activities during the summer months. Hiking as well as biking trails lead you from forest to marsh and along shallows and dunes while birdwatching platforms provide panoramic views.

The best known and most beloved inhabitants of Assateague Island are the wild ponies made famous in Marguerite Henry's novel "Misty of Chincoteague".

**BEACH PARTY EVERY DAY 4:00 - 5:00**  
**Live Bands on the Beach**  
**NEW NIGHT CLUB FOR 2001!**  
**GREAT FOOD! GREAT DRINKS!**  
**14 INDOOR AND OPEN - AIR BARS**  
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## FRONTIER TOWN

WILD WEST SHOW & THEME PARK



Cool Off With a Big Splash In Our Waterslide, New Lazy River & Family Activity Pool. Enjoy 18 Holes of Challenging Mini-Golf

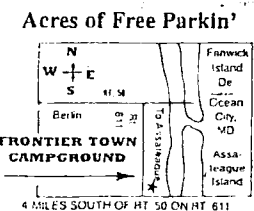
Visit Our New **LAZY RIVER** Attraction



STAGE COACH  
 STEAM TRAIN • TRAIL RIDE  
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 Upon: Valid only on Sunday & not valid with other offers

(Open Memorial Day - Labor Day)  
 For information call **410-641-0693**



Admission Price Includes All Rides & Shows  
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 Open 10 am - 6 pm  
**410-641-0693**

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 ADULT ADM. FRONTIER TOWN WEST SHOW  
 Upon: Valid only on Sunday & not valid with other offers

P 43893

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## "Home of the Hot Fat Crabs"

All U Can  
Eat Crabs,  
Cold Beer  
& Wine

DAILY-SPECIALS:

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# Homeworks Floor Covering

P 43894

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**SEACRETS TRIAL EXHIBIT 325**

# Ocean City VISITORS GUIDE

Vol. 9 • No. 1 • November 2003  
Published by Ocean City Graphics

## BEST of the BEACH!

- 40 Dining Destinations
- 35 Shopping Opportunities
- 35 Exciting Activities



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- Events Calendar
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T H A N K S F O R T R A V E L

PLAINTIFF'S  
EXHIBIT

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ALL STATE LEGAL SUPPLY CO.

P 43895

*O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.*  
Opposition No. 91190886  
Offered by Opposer

(Continued from page 88)

Gras, The New Battle of the Sexes Party, Mates and Wenches Party, The 80's Flashback Bash, The Biker Bash, The Carnival, and More!!! So live your life at Macky's Bayside Bar & Grill!!! 54th Street On The Bay, 410-723-5565, www.mackys.com

### OCEAN DOWNS RACETRACK

We Set The Pace! Live harness racing at Ocean Downs Racetrack! June 28-August 23, 40 nights/10 races a night. Simulcasting daily, year round. Noon-Midnight. Visit the new, exciting Pacers Restaurant. Call 410-641-4967 for dinner reservations. Enjoy daily food and beverage specials in Clubhouse Turn & Winner Circle Bar. Free admission and parking. Rts. 50 & 589 next to Ocean Pines, 4 miles west of Ocean City. 410-641-0600. For banquet information call extension 217.

### SCHOONER'S AT THE PRINCESS ROYALE HOTEL

Come check out the hottest place at the beach-Schooner's. Whether you enjoy listening to the

acoustic guitar or keyboard inside or out, Schooner's is the place to be. Oceanfront at 91st St. 410-524-7777.

### SEACRETS BAR & RESTAURANT

Find us and get lost in Jamaica, USA! Visit our 16 different bars, some of which are in open air. You won't even remember that you're in Ocean City anymore. This unique island atmosphere has people talking about Seacrets all over the country, and it makes the Jamaicans proud. Stop in and see Marley Hall-Seacrets' Nite Club. This amazing facility hosts only the hottest bands around. Definitely check this out! 3 LIVE BANDS 7 nights a week! Beach parties daily 5-9pm. Plenty of FREE parking. 49th St. & The Bay. 410-524-4900. www.seacrets.com

### THE SHARK

A Unique Dining Experience. Enjoyed by the locals year round. This hidden bayfront treasure boasts the serenity of Ocean City sunsets, a convenient location and an atmosphere you won't want to miss—all complemented by a dazzling menu. Enjoy live evening entertainment featuring well known Jazz, Blues & Acoustic performers (including many local acts). Don't

miss Jazzfest On The Bay every Thursday (in season), featuring the amazing "funky-jazz" sound of local recording artists "No Biscuits." Celebrate great fun, food drinks and entertainment on our private beach-Mardi Gras style. Call for more information and reservations. 410-723-1221. 46th St. & The Bay (Behind Sunations). www.thesharkonthebay.com.

### SHENANIGAN'S IRISH PUB

Visit Shenanigan's for nightly Irish entertainment during the summer season. Relax outside on the oceanfront deck or go inside and sing along to great Irish music. They have a fabulous selection of ice cold beer and frozen drinks to offer. 4th St. & The Boardwalk. 410-289-7181.


### THE OC JAMBOREE

Be sure to visit The OC Jamboree—Ocean City's only live music theater. It's exciting! It's hilarious! It's moving! It's sensational! It's Country, Pop, 50's Rock-n-Roll and Gospel music all rolled into one entertaining "live" show! It's sure to make you smile, laugh, sing-a-long, stomp your feet and shout with joy! It's Ocean City's finest entertainment value! Open year round. Reservations recommended. Rt. 611 and Marjan Lane, West Ocean City, MD. (410) 213-7581, www.ocjam.com



**We Set The Pace!**

Live harness racing at  
**Ocean Downs Racetrack**

June 28 - August 23  
40 nights/10 races a night  
Noon-Midnight  
Free admission and parking



**OCEAN DOWNS**  
• Racetrack •

For More Information Phone: **410-641-0600** • Rts. 50 & 589, Next to Ocean Pines & 4 miles west of Ocean City  
For banquet information call extension 217

*Find Us and Get Lost*

*16th floor and  
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**Free Shuttle  
From The Bay**

**Great Food,  
Great Drinks!**



**Live Entertainment Nightly!**

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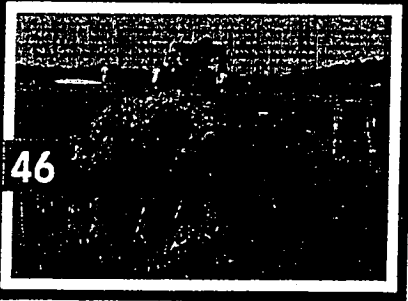
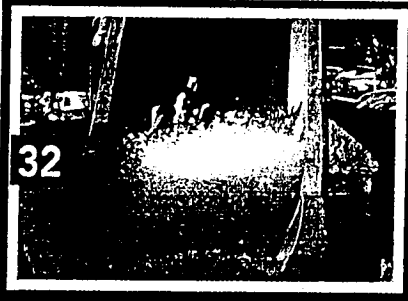


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For Advertising Information contact  
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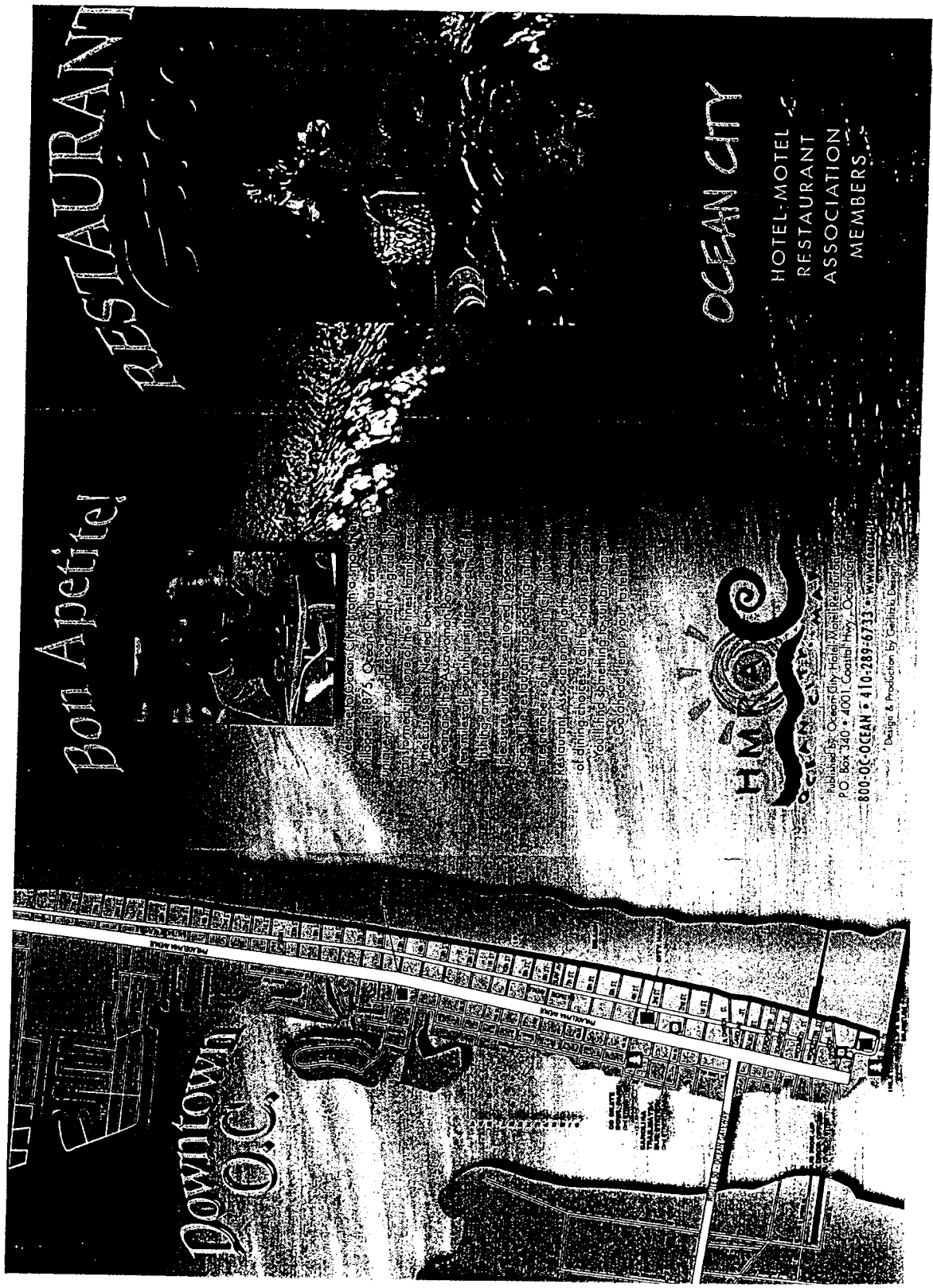
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Bon Apetite!

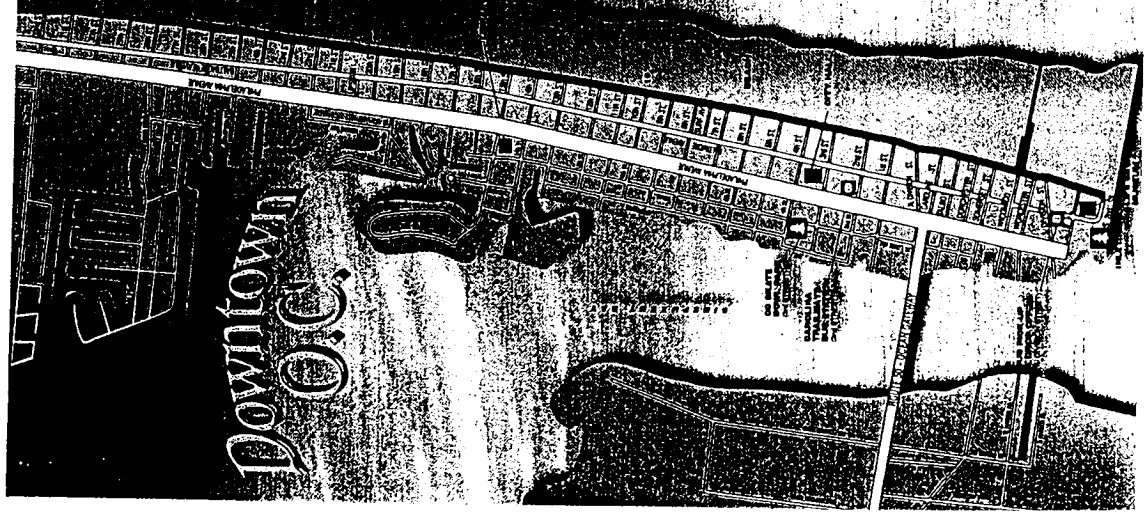
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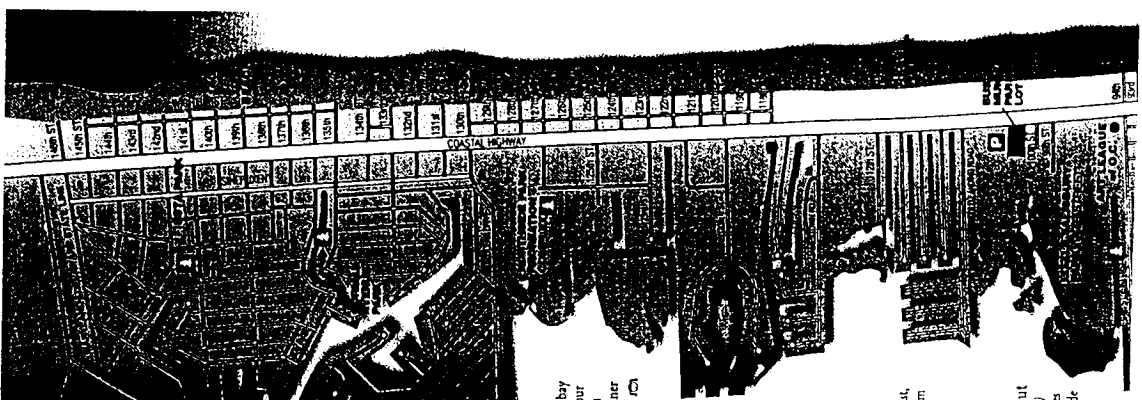
Downtown  
O.C.

P 43899

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326  
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# Midtown O.C.



**Delicious Steaks & Water BACED**  
**FRESH DAILY** Serving breakfast, lunch & dinner. Deli platters, bagel baskets, catering and delivery available. Kosher meals also available. \$-55

**Bayside Skillet - Crepe & Omelette Place**  
 77th St. & Coastal Hwy. (410-524-7950)  
 Beautiful buffet dining. Gourmet dinners, seafood, steaks, prime rib, nightly specials. Of course, the breakfast restaurant in Ocean City. Freshly squeezed juices and fresh fruits. Seating for 150 indoors and 150 outdoors. \$5-55

**BJ's On The Water North**  
 75th St. on the Bay (410-524-7575)  
 Lunch and dinner served year round from 11:00 am to 1:30 am. Enjoy an overstuffed lobster tail piled high with crab imperial while watching our wildlife on the bay. Fifteen TVs and 3 satellite dishes for all the sports action. \$-55

**Bonfire Restaurant**  
 77th St. & Coastal Hwy. (410-524-7171)  
 Bayside restaurant in mid-town. Specialties include an "All You Care to Eat" seafood & prime rib buffet, large children's menu & buffet & full a carte menu. Seating for 55. \$-55

**Captain Bob's Steak & Seafood Restaurant**  
 64th St. & Coastal Hwy. (410-524-7070)  
 Seafood, Prime Rib & Steaks, Pasta Dishes, Fresh Fish, Salad Bar. All you can eat entrees, 10 Early Bird items under a beautiful sunset while appreciating Capt. Bob's famous frozen drink specialties and dining on flow roasted prime rib. \$-55

**Coconut Beach Bar & Grill**  
 17th St. & Oceanfront (410-289-6846)  
 Kick back in our open-air patio bar and grill to enjoy fresh ocean breezes among the palms and dunes while you relax with a frosty, frozen drink.

**Galaxy Bar & Grill**  
 68th St. & Coastal Hwy. (410-723-6762)  
 Enjoy new American cuisine in a great atmosphere. Located in mid-town on the bay. Serving lunch daily from 11:30am and dinner daily from 5 pm. Open year round. Seating for 145. \$-55

**General's Kitchen**  
 23rd St. & Coastal Hwy. (410-723-0477)  
 A local's favorite eatery located within the Breckenridge Hotel oceanfront. Serving breakfast & lunch, the General is known for their famous creamed chipped beef. Seating for 85. \$-55

**Hall's Restaurant**  
 59th St. & Coastal Hwy. (410-524-2305)  
 A seafood & steak restaurant located in midtown. Specialties include breakfast and the sea & land buffet, featuring Alaskan mowrab legs. Also full a la carte menu. Breakfast and lunch available. \$-55

**The Hobbit Restaurant**  
 81st St. on the Bay (410-524-8100)  
 Beautiful buffet breakfast, casual cafe side and elegant fine dining table. All items prepared fresh daily. Seating for 280. \$-55

**La Hacienda Mexican Food & Spirits**  
 80th St. & Coastal Hwy. (410-524-8086)  
 Serving your favorite beef, chicken, & seafood mexican dinners. Also steaks, grilled to perfection. Reservations available for groups of 8 or more. Seating for 135. \$5-55

**Little House of Pancakes, Ribs & Pizza**  
 72nd St. & Coastal Hwy. (410-520-0407)  
 Serving breakfast, lunch and dinner during the season from 7am-10pm. Featuring a bar and lounge with live live \$5

**Mackey's Bayside Bar & Grill**  
 53rd St. on the Bay (410-723-5565)

**Seacrets**  
 49th St. on the Bay (410-524-4900)  
 A Tropical Paradise. \$-55

**The Shark on the Bay**  
 46th St. on the Bay (410-724-1221)  
 An open air restaurant with beautiful bay views, beach bar and watertrails for your enjoyment. Come watch the sharks in our 450 gallon shark tank. Lunch, Dinner & the Fire are available daily. \$-55

**Tutti Gusti**  
 33rd & Coastal Hwy. (410-289-3318)  
 Tutti Gusti is a Northern-Italian gourmet restaurant. We offer a complete fine-dining experience with nightly specials and an excellent wine list. Our separate lounge/entertainment area features a Frank Sinatra theme and the best martini in town! \$-55

**Victorian Room**  
 Located in the Dunes Manor Hotel Oceanfront restaurant offering breakfast, lunch & dinner. Early bird specials from 4-5:30pm daily. Fresh seafood. Free parking. Barquets welcome. Entrees from \$12.95 - \$25.95. \$-55

**Weitzel's Restaurant & Carryout**  
 50th St. & Coastal Hwy. (410-524-6980)  
 Family style restaurant whose specialties include golden fried chicken, homemade crab cakes, soups, salads & sandwiches. Serving breakfast, lunch & dinner. Seating for 60. \$-55

**Compromiso Bar (410-524-7427)**  
 Take your shoes off & relax with delicious frozen libations, hot sunsets & great music on the deck. Casual dining with lunch or dinner on the sunset deck or on the lush, jungle beach. Kid friendly dining. Not so Midlow Beach evenings with live music & dancing. Groups welcome. Reservations recommended! Open year round. \$-55

**Ocean Club Restaurant & Night Club**  
 48th St. & Oceanfront (410-524-7500)  
 Dine at a tropical paradise with soft lights, palm trees, and a gentle breeze. Specializing in chicken, veal, seafood & certified Angus beef. Choose the restaurant, the Crown Reef (roof-top bar), or the 180 Beach Bar & Deck, all with live entertainment. \$-55

**Papa John's Pizza**  
 33rd St. & Coastal Hwy. (410-524-1200)  
 Named Best Pizza Chain in America in Restaurants and Institutions prestigious 18th Annual Choice in Chains '97-'98. Better Ingredients. Better Pizza. That's Papa John's. Delivery/Carryout Only. Open Year Round. \$-55

**Pirates Den & Galley Restaurant**  
 32nd St. & Beilmore Ave. (410-289-5376)  
 Our cuisine is classic American for breakfast and lunch. Our atmosphere is country with a beach flavor. We feature a family atmosphere that is great for parents and children. \$-55

**Pizza Hut**  
 Dine In, Carryout or Delivery. 28th St. & Coastal Hwy. (410-289-5331) 133rd St. & Coastal Hwy. (410-250-3288) 29th St. Seasonal Carryout (410-524-2045)  
 Family style restaurant serving pizza, pasta, wings, breadsticks, sandwiches and salad bar. Beer available. Kid's menu with toy. Group tours welcome. Credit cards accepted at dine in locations. \$-55

**Reflections**  
 67th St. & Coastal Hwy. (410-524-5252)



# Down O.C. 91ST TO 146TH STREET

Seating on an open deck for 140.  
\$-\$\$\$

**61st St. on the Bay (410-723-3463)**  
Enjoy a delicious meal or a drink in our lounge facing the Assawoman Bay. Windows is known for tableside Caesar Salads and Flambé dishes. We serve the finest seafood dishes, as well as plates from the land. So come enjoy our panoramic sunsets and succulent food.  
\$-\$\$\$

**Ristorante Antipasti**  
33rd St. & Coastal Hwy. (410-289-4588)  
Tantalizing assortment of ever-changing antipasto along with an exciting authentic new menu. Elegant, yet fun, classically Italian atmosphere. You'll feel like you were dining in Italy today!  
\$-\$\$\$

**Guide to Symbols**

- handicapped accessible
- accepts reservations
- no smoking section
- early bird discount
- buffets available
- children's menu
- prime rib, seafood
- BBQ
- steaks
- burgers
- French
- Italian
- Spanish
- Mexican
- Caribbean
- Asian
- Vegetarian
- Wine
- Bar
- Club
- Private
- Outdoor
- Live Music
- Dance
- Specialty
- Family
- Group
- Private
- Bar
- Club
- Private
- Outdoor
- Live Music
- Dance
- Specialty
- Family
- Group
- Private

## 91ST TO 146TH STREET

**Nick's Original House of Ribs**  
146th St. & Coastal Hwy. (410-250-1984)  
While dining at Nick's you can enjoy great food and great atmosphere. Also, at this location is a sports bar with 30 TVs and a large collection of sports memorabilia to view. Specialties on our menu include BBQ baby back ribs, steaks, chicken and broiled crab cakes. Seating for 350. Carryout available. Open all year.  
\$-\$\$\$

**Olive Tree Restaurants**  
Two great locations in Ocean City: 17th St. & Philadelphia (410-289-4557) 126th St. & Coastal Hwy. (410-250-8008)  
Family style restaurants known for their homemade, restaurant quality bread, desserts & endless salads. Seating for 275. \$-\$\$\$

**Phillips Seafood House**  
141st St. & Coastal Hwy. (410-250-1200)  
This restaurant on the bay side in North Ocean City ticks the taste buds. In addition to the regular menu, specialties include "All You Can Eat" Buffet, seafood, steaks, ham & chicken entrees, daily specials, piano lounge, group tours, banquets & parties welcomed. Ample parking. Seating for 600.  
\$-\$\$\$

**Pizza Hut**  
28th St. & Coastal Hwy. (410-289-5311)  
139th St. & Coastal Hwy. (410-250-2288)  
13rd St. Seasonal Carryout (410-524-2045)  
Family style restaurant serving pizza and pasta, wings, breadsticks, sandwiches and salad bar. Beer available. Kids menu with toys. Group tours welcome. Credit cards accepted at dine in locations.  
\$-\$\$\$

**Schooner's Oceanfront Restaurant & Lounge**  
91st St. Oceanfront (410-524-7777)  
Located in the Princess Royale Hotel. Enjoy the variety of this restaurant serving breakfast, lunch & dinner, with nightly

restaurant located in the Clarion Hotel. Serving a Continental cuisine including fresh seafood, veal, poultry & Certified Angus beef. A Sunday breakfast buffet & "All You Can Eat" prime rib, seafood & crab legs buffet. Seating for 250.  
\$-\$\$\$

**Ice Cream Castle**  
23rd St. & Coastal Hwy. (410-250-5003)  
Ocean City's sweetest place at the beach. Featuring all occasion ice cream cakes, hand-dipped & soft-serve ice cream served in cones, cups, sandwiches, milkshakes, waffles, donuts, sundaes, fruit, breaded & hurricane. Also serving pies, pizza, coffee, espresso & appetizers. Inside seating for 40. \$-\$\$\$

**Jordan's Rooftop**  
138th St. & Coastal Hwy. (410-250-1867)  
Casual rooftop dining located on top of the Fenwick Inn. Fantastic view of ocean and bay. Serving breakfast, lunch and dinner. Specializing in lobster, fresh fish, and crab cakes w/ children's menu. Seating for 390. \$-\$\$\$

**JR's Ribs**  
131st St. & Coastal Hwy. (410-250-3100)  
Full service restaurant featuring BBQ, specialty fresh frozen strawberry Sausages. Early bird & children's menu for 490. \$-\$\$\$

**Lombardi's Trattoria**  
92nd & Coastal Hwy. (410-524-1961)  
The locals favorite for pizza and pasta for almost 40 years. Bring the kids, come as you are. Beer, wine, liquor, open year-round. Seating for 206.  
\$-\$\$\$

**McDonald's**  
Two great locations around town: 32nd St. & Coastal Hwy. (410-289-3436) 124th St. & Coastal Hwy. (410-250-5454)  
Family style, fast food restaurant. Specializing in burgers & fries. \$-\$\$\$

**Dumser's Dairyland Restaurant**  
123th St. & Coastal Hwy. (410-290-5543)  
Old-fashioned fountain service & family restaurant serving breakfast, lunch & dinner. Specialties include beef, chicken, seafood & ice cream with family prices. Seating for 250. \$-\$\$\$

**English's Family Restaurant**  
Two great locations: 15th St. & Coastal Hwy. (410-289-7333) 17th St. & Coastal Hwy. (410-250-1422)  
Casual restaurant serving breakfast & dinner, with carryout available. "All You Can Eat" Buffet, breakfast & seafood. Family cut ribs or fried chicken. Full menu. \$-\$\$\$

**The Greene Turtle**  
116th St. & Coastal Hwy. (410-723-2120)  
Sports Bar & restaurant. Gameroom, keno, 60" wide screen, 27 TVs, over-stuffed sandwiches, appetizers, juicy burgers, delicious wraps and raw bar. Seating for 190. \$-\$\$\$

**Harpoon Hanna's Restaurant & Tiki Bar**  
142nd St. on the Bay (800-227-0523)  
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**Hooters Restaurant**  
122th St. & Coastal Hwy. (410-250-7281)  
125th St. & Coastal Hwy. (410-524-7981)  
Family style restaurant serving breakfast, lunch & dinner. Specialties include pizza, pancakes, sandwiches & pasta. Beer, wine & liquor served. Group tours welcomed. \$-\$\$\$

**Horizon's Restaurant & Night Club**  
101st St. Oceanfront (410-524-3535)  
Enjoy oceanfront dining at this fine

**Anna Maria's Italian Ristorante**  
116th St. Oceanfront (410-723-3675)  
An authentic Italian restaurant ocean side in North Ocean City. Italian specialties include veal, chicken, seafood, & pasta entrees. All are served with your choice of vegetable or pasta. Extensive wine list. \$-\$\$\$

**Bull on the Beach**  
94th St. & Coastal Hwy. (410-524-2455)  
Open pit, pork cooking, 50 beef steaks, fish, raw bar, crab cakes and 4000 items bar with year round Happy Hour from 3-6pm featuring 1/2 price raw bar. Seating for 150 inside, 50 outside. \$-\$\$\$

**Cottage Cafe**  
146th St. & Coastal Hwy. (410-250-1460)  
Open year-round serving breakfast, lunch and dinner. Featuring good food and a family atmosphere. Seating for 80. \$-\$\$\$

**Denny's Restaurant**  
112th St. & Coastal Hwy. (410-723-3214)  
24 hour restaurant located within the Comfort Inn Gold Coast. Serving breakfast, lunch & dinner. \$-\$\$\$

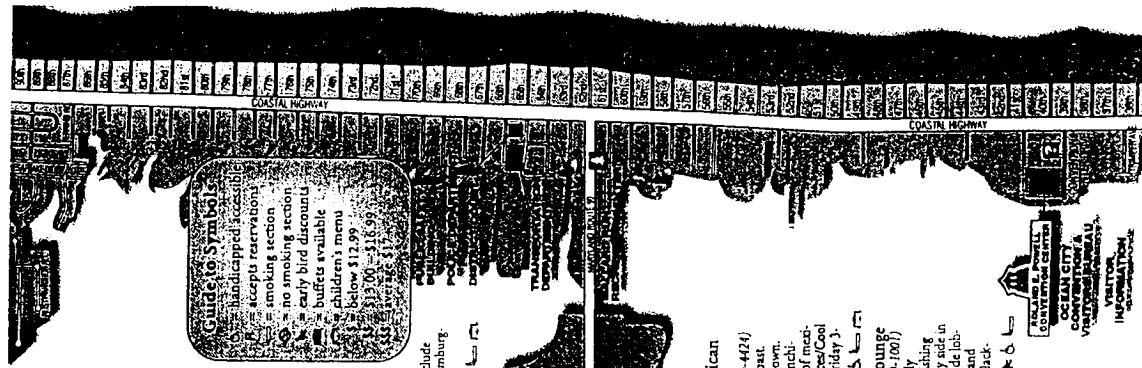
**Dough Roller**  
Five great locations around Ocean City: 3rd St. & Boardwalk (410-289-1501) 11st St. & Boardwalk (410-289-2589) 41st St. & Coastal Hwy. (410-524-9254) 70th St. & Coastal Hwy. (410-524-7981) 125th St. & Coastal Hwy. (410-250-5657)  
Family style restaurant serving breakfast, lunch & dinner. Specialties include pizza, pancakes, sandwiches & pasta. Beer, wine & liquor served. Group tours welcomed. \$-\$\$\$

**Tequila Mockingbird Mexican Bar & Grill**  
129th St. & Coastal Hwy. (410-250-4424)  
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**The Wharf Restaurant & Lounge**  
126th St. & Coastal Hwy. (410-250-1001)  
Enjoy the atmosphere that is usually reserved for the wharves of small fishing villages at this restaurant on the bay side in North Ocean City. Specialties include lobster, raw bar, steaks, poultry, Maryland oyster, fresh fish, fish & chips, seafood and bread. Seating for 250. \$-\$\$\$

**Specialties and buffets. Specialties include prime rib, seafood, BBQ, steaks, burgers, and Belgian waffles. \$-\$\$\$**

**Season's Restaurant at the Carousel**  
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Serving breakfast from 7-11am. Lunch 11am-2pm and Dinner 4-10pm. Seating for 180. \$-\$\$\$





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# VISITORS GUIDE

Vol. 10 • No. 1,  
Summer 2004



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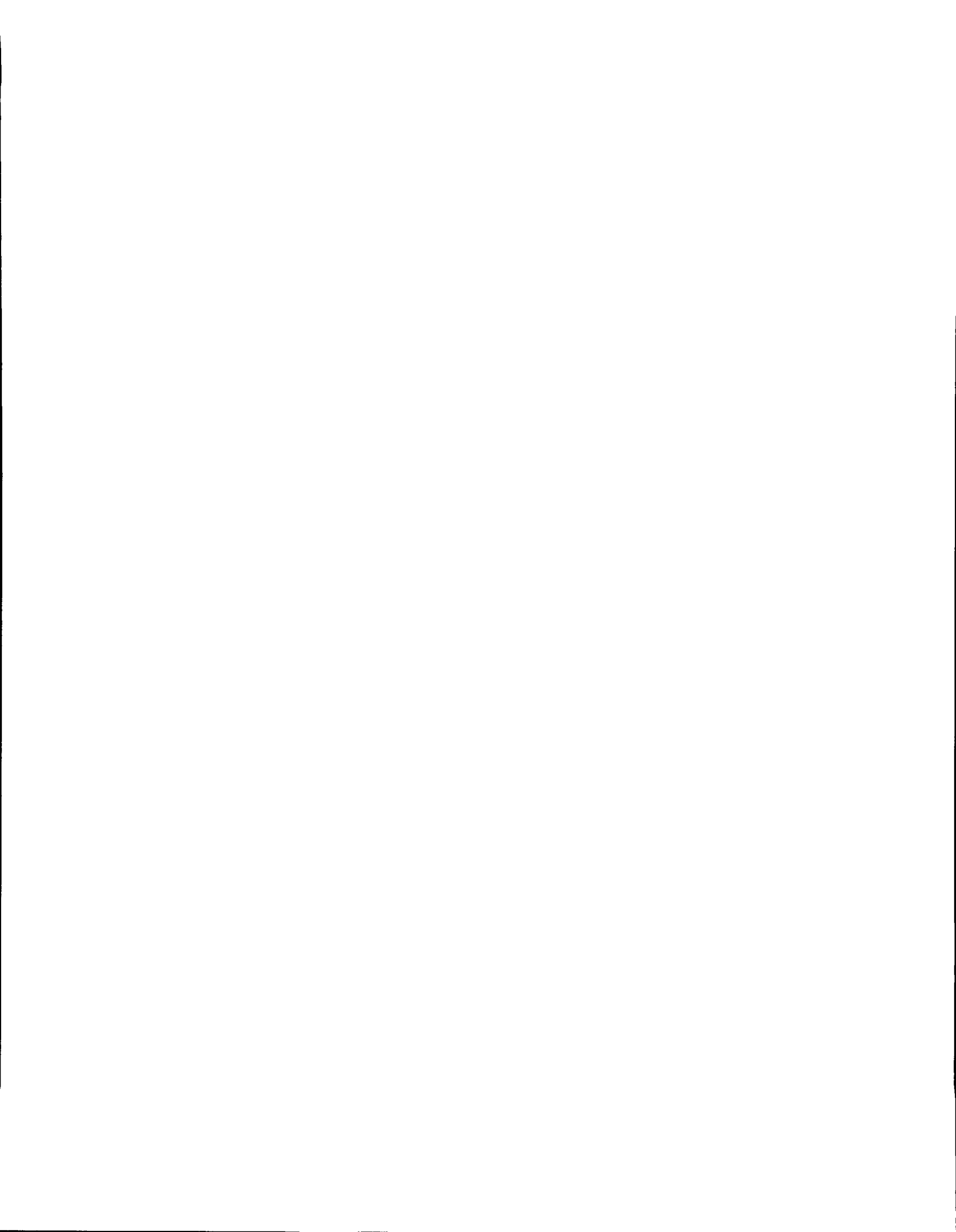
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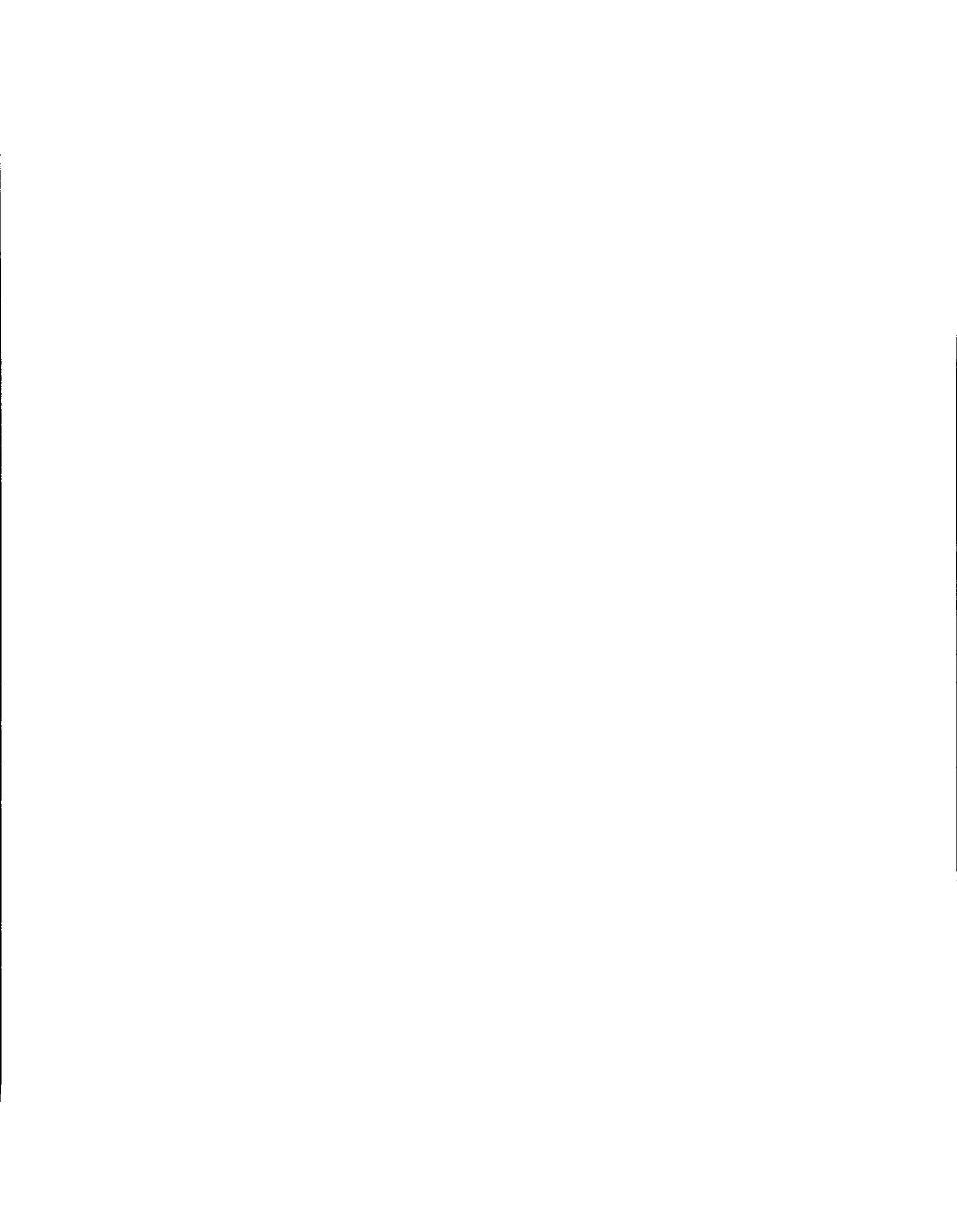
T H A N K S F O R T R A V E L I N G 

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*O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.*  
Opposition No. 91190886  
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TUESDAY

WEDNESDAY

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WE'LL TAKE CARE OF YOU  
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**W.O.M.** WOMEN GET IN FREE  
ON WEDNESDAY

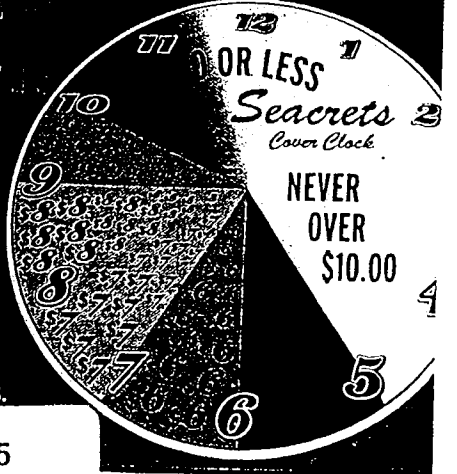
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**Seacrets Bar & Restaurant**  
**10% off all retail products**  
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Cover Specials valid  
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Ocean City 

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- 40 Dining Destinations
- 35 Shopping Opportunities
- 35 Exciting Activities



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- Fishing Guide
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- Events Calendar
- Ferry Schedule
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P 43906

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For Advertising Information contact  
 Sarah Geraghty 410-723-3007 or 1-800-422-0742  
 1264 Perimeter Pkwy.,  
 Virginia Beach, VA 23454-5689  
 www.vgnet.com

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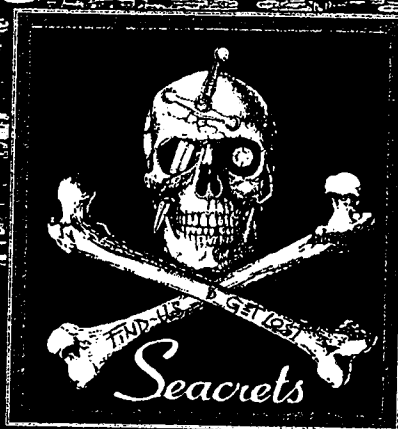
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*Great Food,  
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# Ocean City **FREE VISITORS GUIDE**

From The  
**BEACH**  
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**GREENS!**

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- Shopping, Dining and Amusements
- Fishing, Golfing, and Things To Do
- Event Schedules, Maps and More!



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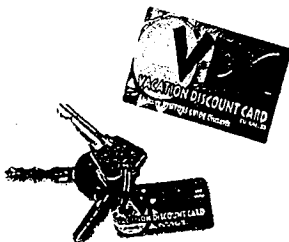
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# DEPARTMENTS

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Two VDC's with each passport...  
one for your wallet &  
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Randy Thompson  
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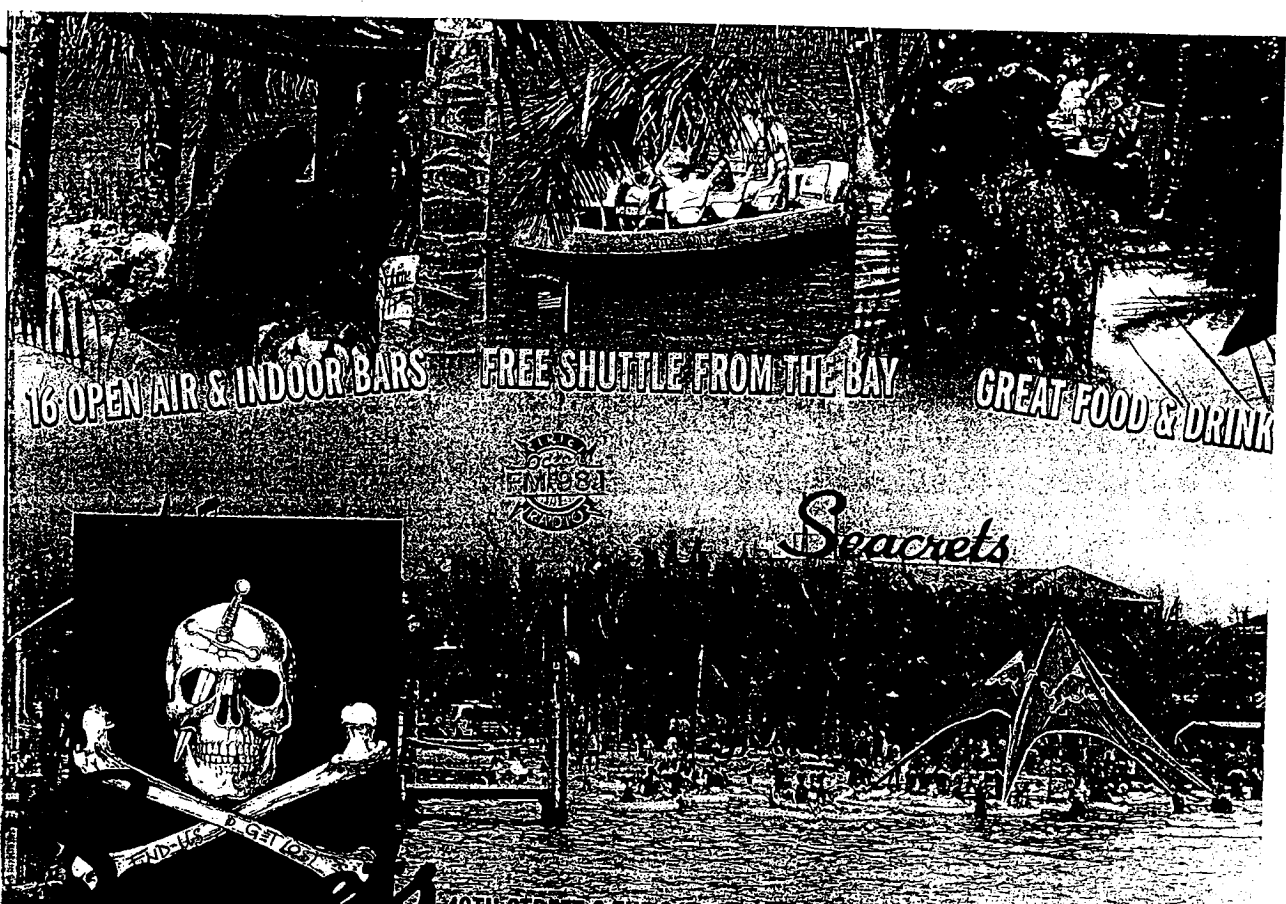
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MONDAY TUESDAY WEDNESDAY  
 40th STREET & THE BAY - OCEAN CITY, MD - 410-524-4900 - WWW.SEACRETS.COM

**NO COVER UNTIL 10PM!**

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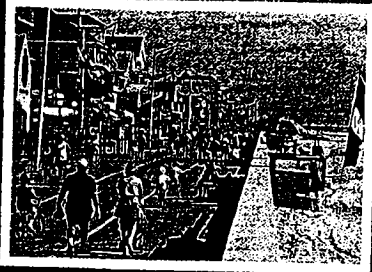
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# Ocean City VISITORS GUIDE

M A G A Z I N E



Boardwalk Feature Page 14

Vol. 4 • No. 1  
1998/1999

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GOLFING GUIDE

COMPLETE GUIDE  
TO REGIONAL  
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CALENDAR OF  
EVENTS SCHEDULE

AREA DINING  
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VALUABLE  
BONUS  
COUPONS  
INSIDE

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P 43912

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# Ocean City VISITORS GUIDE MAGAZINE

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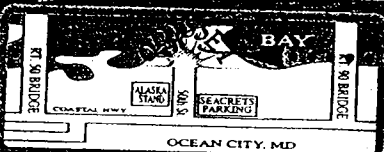
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# Seacrets' Legacy: Celebrating 10 Years of Success!

"Chicken Man" loved the Jamaican atmosphere, but he did not want to leave Ocean City. So he designed and built Seacrets, Ocean City's version of Jamaica. Now his guests can stop by for Seacrets' Beach Parties, enjoy a drink at the Boat Bar, and select from a unique menu that includes Jerk Chicken and other island delights. One visit to Seacrets, Jamaica, USA, will show anyone "Chicken Man's" secrets to 10 years of success!

For its first two years, Seacrets was a private club that admitted locals only. Gold cards were issued to residents of Ocean City — the true locals. They could enjoy the tiki torches and palm trees, outdoor seating and bars, the unique menu featuring Jamaican specialty dishes and the feeling of being on vacation while traveling only a few minutes down the road. Guests of locals could enjoy the bayfront dream come true. They were issued passports upon entrance, which allowed them to indulge in the fun for a day.

In the third year of operation, the restaurant and bar added an inside dining room and bar. Still following the Jamaican theme, this addition introduced the possibility of the Ocean City getaway remaining open year-round. Also, with the added space, the club began to broaden its exclusive membership. From this point, Seacrets has continued to get bigger and better with time. Each year, something new and exciting awaits the visitors to the most exclusive establishment on the Eastern Shore!

In year five, Seacrets went into high gear. The addition of an entire beach area gave the place an even more amazing look. The beach area nearly doubled Seacrets in size, allowing room for several new bars, including the famous Boat Bar. Many new tables for drinks and dining were added into the beautiful landscaping. The bay became a haven for fun and relaxation as many rafts were anchored out in the water for visitors to enjoy! During your visit to Ocean City, stop by Seacrets during the day and take a seat on a raft. The delightful staff of waitresses will serve you drinks while you float and enjoy the sunshine!

Even while approaching 10 years of success, "Chicken Man" hasn't become lax in his innovative ideas for enhancing Seacrets. His goal is (and always has been) to ensure that everyone who visits Jamaica, USA, is having a good time. Therefore, there is something for everyone at Seacrets. Encompassing 140,000 square feet of paradise on

the bay, Seacrets features several locations to eat, drink and have fun! There are 10 bars in all, six of which are open air. The menu is as unique as the setting, including everything from munchies, to sandwiches, to great Jamaican specialties.

Live entertainment is on stage every night, and beach parties get the crowd going every day! Be sure to catch a Lunasea or Dark Side Party — Seacrets celebrates the full moon and the new moon every month! Happy Hour is Monday-

Friday 4-7pm. Catch this amazing place on the web at [www.seacrets.com](http://www.seacrets.com).

Seacrets is open for lunch, dinner and late-night fare year-round. If you didn't know it was there you would never suspect that right at the end of 49th Street you would find such an exciting and beautiful place! Plenty of free parking is available.

Be sure to come back each year and see what the "Chicken Man" has done this time. Whatever it is, you are guaranteed not to be disappointed!

*Find Us and Get Lost*

**Seacrets**  
Find Us & Get Lost  
For Locals Only - And Those Who Want They Way  
Bar & Grill

140,000 sq. ft. of paradise on the bay

BEACH PARTIES  
LIVE ENTERTAINMENT  
OPEN FOR LUNCH & DINNER YEAR-ROUND  
49th Street In The Bay  
Plenty Of Free Parking  
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# MENU GUIDE

TO AREA RESTAURANTS

\$5.00



COMPLETE MENUS  
FOR THE AREA'S  
TOP RESTAURANTS FOUND IN THE  
**VISITORS GUIDE**  
MAGAZINE

P 43915

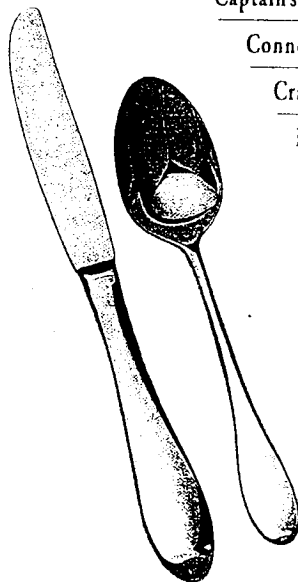
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# Menu Guide to Ocean City!

The Menus included herein are representative samplings from the area's best restaurants. Please pick up your free copy of our Visitors Guide to find their ads. We hope this Menu Guide has been helpful to you in selecting dining choices. If it has, please let your host/hostess know that.

## 48th Street

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### ROOM COPY ONLY.

To order your copy of the Visitor's Menu Guide, please send \$5 plus \$2 for shipping and handling to VistaGraphics, Inc., 1724 Virginia Beach Blvd., Suite 108, Virginia Beach, VA 23454.

Look for your FREE copy of the Visitors Guide Magazine. Menus and prices are subject to change.

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P 43916





Bar & Restaurant

49th Street in the Bay  
 Ocean City, MD  
 (410) 524-4900

## FOR STARTERS

- Jerk Chicken *house specialty - must try*
- Cream of Crab *lotsa crab*
- Conch Chowder *unique*
- Dotsy's Delight *de bes crab dip*
- Jamaican Fries *mercy, mercy*
- Onion Rings *crispy, thin*
- Clams Casino *classic*
- Smoked Tuna *too good*
- Steamy Shrimps *lotsa spice*
- Littleneck Clams *raw or steamed*

## SALADS & HEALTHY STUFF

- West End Caesar *topped with jerk chicken*
- House Salad *greens & tings*
- Jumbo Salad *big*
- Munchie Plate *fresh veggies & cheese*
- Ceviche
- Penne Pasta Salad
- Black Bean Hummus

## PIZAAAAH

Jamaican Style  
*de only kind we make, not de ordinary, extraordinary! Try sum*

## COLD SANDWICHES

- Seacret Tuna Salad *no cans in dis kitchen*
- Kingston Club *turkey & stuff*
- Shrimps Salad *great!*
- Roast Beef *de big sandwich*

- Messa Veggaroll *vegetarian tortilla wrap*
- West End Hoagie *Italian sub, torpedo, etc.*
- Twisted Chicken Salad *taste de difference*

## HOT SANDWICHES

- Crab Cake *a big one packed wit crab*
- Jerk Chicken Breast *no ordinary chicken sandwich*
- Tuna, Tuna, Tuna *always fresh*
- Burgers *1/2 lb. dun yer way*
- Mr. Bigs Dog *1/2 lb. spit & grilled*
- Garden Variety Burger *healthy choice*
- Fresh Fish *enuf said*
- Jamexican *black bean burger wit de works*
- Turkey Burgers

## SPECIALTY DRINKS

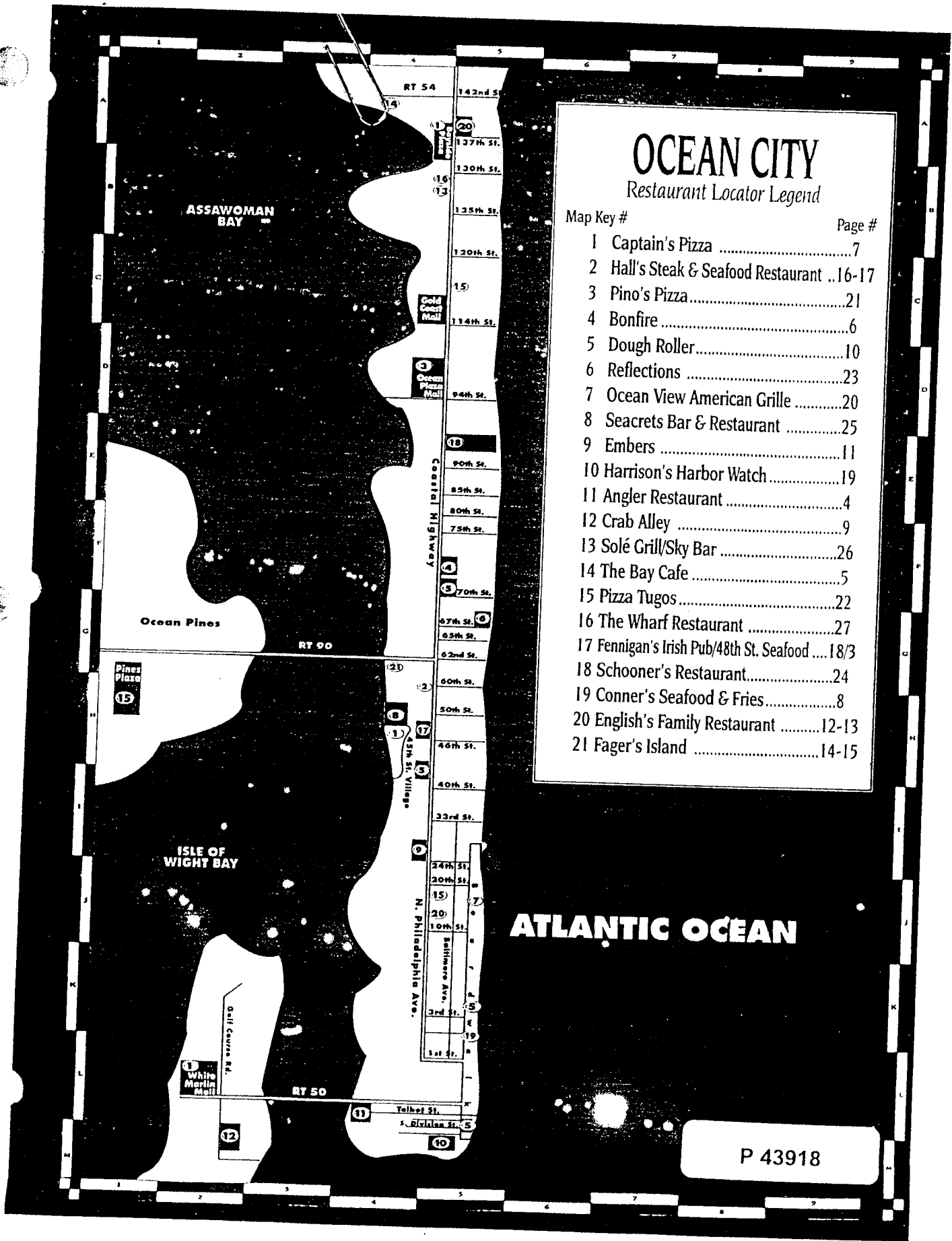
- Rum Runner
- Pina Colada
- Dirty Banana
- Sting
- Seacret Sunset
- Big Bamboo
- Red Stripe

## DON'T FORGET TO TRY OUR SWEET DESSERTS

Cuisine:.....Jamerican  
 Hours: .....Open Every Day 11 AM  
 Lite Fare: .....til 1 AM  
 Credit Cards:.....All Major  
 \$\$: .....Moderate  
 Dress: ..... P 43917 .....Casual

Find us and Get Lost at 49th Street in the Bay

SEE OUR AD IN THE OCEAN CITY VISITORS GUIDE



# OCEAN CITY

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**ATLANTIC OCEAN**

P 43918



SECRETS TRIAL EXHIBIT 331

2004-2005

# RESTAURANT & MENU GUIDE

OCEAN CITY

Menus From  
The Area's  
Top Restaurants

VGNET.COM

ROOM COPY - DO NOT REMOVE

PLAINTIFF'S  
EXHIBIT

331

ALL STATE LEGAL SUPPLY CO

P 43919

*O.C. Seacrets, Inc. v. HotelPlan Italia S.p.A.*  
Opposition No. 91190886  
Offered by Opposer

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Rundy Thompson  
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OCEAN CITY RESTAURANT & MENU GUIDE

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Virginia Beach, VA

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vgnet.com

P 43920

# SEACRETS BAR & RESTAURANT

49TH STREET IN THE BAY

(410) 524-4900



Dine on the bay—  
Island Style!  
16 Bars  
Live Entertainment  
Nightly  
Kids Menu



## MENU SAMPLING

### HOUSE SPECIALTY DRINKS

**Pain in De Ass** Layers of frozen rum runner & pina colada...  
**Raging Bull** Orange Rum mixed with Raging Bull.  
**Piña Colada** A frozen mixture of rum, coconut & pineapple. Seacret Sunset A delicious blend of Spiced Rum, guava & juices. **Sing Smirnoff** Vodka & Ting (a lightly carbonated citrus drink)  
**Dirty Banana** Frozen blend of banana & coffee liqueurs, cream & ripe bananas. **Rum Runner** A fruity frozen rum thing.  
**Big Bamboo** A combination of three select rums & a Seacret blend of fruit juices.

Too much to say in one ad please call 410-524-4900 to speak to our receptionist who will answer any questions!

### Beginnin's

**Jerk Chicken** De house specialty. Marinated in our special jerk sauce and cooked perfectly to a golden brown. Served wit honey mustard.  
**Jamaican Fries** Big heaping basket fried golden crisp. Sprinkled wit spice.  
**Smoked Tuna** Fresh tuna, smoked to perfection in Seacret's own kitchen. Sliced and served wit red onions, capers, and a Dijon sauce.  
**Fried Oysters** Eight succulent oysters deep fried and served wit cocktail sauce.  
**Spicy Steamed Shrimp** A half pound to tease, or a full pound to fill the belly. Served wit cocktail sauce.  
**Dotsy's Delight** A flavorful blend of much much crabmeat mixed wit cream cheese, onion and horseradish seasoned just right. Served wit crackers for dippin'.  
**Spicy Onion Rings** A basket full of crispy ones.  
**Clams Little Neck** Baker's dozen (13). Get 'um steamed or raw.

### Hot Soups

**Cream of Crab** Seacrets own...Lotsa crabmeat!  
**Maryland Crab Soup** Jumbo lump crab wit tomato and veggies.

### Cool Salads

**House Salad** Some mixed greens, tomatoes, cucumbers, onions, carrots, and croutons. Just the right size to start off lunch or dinner.  
**Jumbo Salad** Same as de house but more. Add some peppers, fruit and cheese. Add jerk chicken, chicken salad, or tuna salad.  
**West End Caesar** Fresh romaine lettuce wit Parmesan cheese and croutons. Dressing be on de side, Mon! Get it wit a tuna sand. Get it wit a chicken breast.

Dressin's: Honey Mustard, Pepper Parmesan, Fat Free Balsamic, Ranch, Garlic Vinaigrette, Feta Cheese Vinaigrette, Blue Cheese, Thousand Island and Oil & Vinegar.

**Fruit Platter** Watermelon, Cantalope, Grapes, Honeydew, Pineapple. Served wit a creamy-sweet dip.  
**Munchie Plate** Some veggies, some cheese, and some dip to please.

### Outta De Oven

**Jamaican Pizza** Our basic pizza made wit tomatoes, green onions, seasonings, and both mozzarella and cheddar cheeses. Your choice of toppin's be: Pepperoni, Sausage, Mushroom, Broccoli, Bacon, Onion, Black Olives, Sweet Peppers, Pineapple and Jalapeno. Jerk Chicken or Shrimp available.  
**Caribbean Quesadilla** Jamaican style wit jerk chicken, salsa, & cheese wrapped in a white tortilla shell baked to perfection and served wit sour cream, guacamole, lettuce and tomato.  
**Crab Toast** A must try item that be fillin' enough for 2 to share. Pizza shell crust topped wit lotsa crabmeat, cheese, and imperial sauce.  
**Clams Casino** Topnecks baked wit butter (special, of course) & topped wit bacon and mozzarella cheese. Take a gamble wit these and win every time.

### Sandwiches

All sandwiches served wit chips & pickles on your choice of Kaiser, white, wheat, or grain bread.  
Some sandwiches can be served in a low carb tortilla wrap or on a bed of lettuce with tomatoes, pickles & crackers instead of bread.

### Cool Runnin's

**Shrimp Salad Sand** Only big shrimp here... large succulent shrimp served on a Kaiser roll and wit a side of Seacrets own tartar sauce.  
**West End Hoagie** Salamì, Cappicola, and Virginia baked ham wit lettuce, tomato, onions, provolone cheese and a bit of balsamic vinaigrette served in a sub roll.  
**Club Seacrets** Roasted turkey & crisp bacon wit lettuce, tomato, mayonnaise and cheese on a kaiser roll. Ya best be hungry for dis big 'un.

**Twisted Chicken Salad** A Spicy version of traditional chicken salad wit BBQ sauce & jalapeños.  
**Tuna From De Sea** Tuna salad made from fresh local tuna. No cans here in Jamaica, U.S.A.  
**Roast Beast** Big pile of succulent roast beef wit swiss cheese, lettuce, tomato, and onion on a kaiser roll. Served wit our own special tiger sauce.  
**Veggie Rollup** Carrot, cucumbers, onions, pickles, sprouts, lettuce, tomato, cheese and feta cheese vinaigrette all wrapped up in a flour tortilla.

### Hot Runnin's

**Tuna Steak Samich** Fresh local tuna filleted and grilled to your delight. Served wit pepper parmesan dressing. Served as a sandwich or a platter.  
**De Burger** A half pound of ground beef cooked your way and served on a kaiser roll.  
**De Dog** It's a big 'un. Split and grilled. Add onions and relish if you like.  
**Spicy Chicken Breast** A big 'un, marinated jerk style and grilled juicy and tender.  
**Jamexican** Black bean burger wit pepperjack cheese. Served wit guacamole and salsa.  
**Portobello Samich** Grilled portobello wit herb cream cheese, sprouts and carrots.  
**Crab Cake Samich** Maryland crabcake made wit only jumbo lump meat.  
**Pulled Pork Sand** Jerry says dis be it, Mon! Soon-to-be-famous real pulled pork sand served wit vinegar-based BBQ sauce.  
**Tenderloin Sand** 6 oz. Tenderloin beef topped with sautéed red onions cooked to your liking.  
**Cajun Fried Mahi Sand** Fresh from the sea. 6 oz. of Cajun fried mahi served wit Seacret's own tartar sauce.

### Kids Menu

Prices and menu items subject to change.



16 OPEN AIR & INDOOR BARS

FREE SHUTTLE FROM THE BAY

GREAT FOOD & DRINKS



Seacrets



49TH STREET AT THE BAY ON ALBANY, MD 410-524-4900 WWW.SEACRETS.COM

MONDAY

TUESDAY

WEDNESDAY

NO COVER UNTIL 10PM!

S.I.N NITE

Service Industry Nite  
BRING YOUR PAY CHECK FROM YOUR SERVICE JOB AND YOU GET IN FREE!

NO MORE THAN \$5.00 COVER FOR EVERYONE

W.O.W. WOMEN GET IN FREE  
ON WEDNESDAY

& EVERY WEDNESDAY, THURSDAY, FRIDAY, SATURDAY, & SUNDAY

BEAT THE COVER CLOCK

- ARRIVE AT SEACRETS BETWEEN 5PM and 6PM and cover = \$5
- ARRIVE AT SEACRETS BETWEEN 6PM and 7PM and cover = \$6
- ARRIVE AT SEACRETS BETWEEN 7PM and 8PM and cover = \$7
- ARRIVE AT SEACRETS BETWEEN 8PM and 9PM and cover = \$8
- ARRIVE AT SEACRETS BETWEEN 9PM and 10PM and cover = \$9
- ARRIVE AT SEACRETS ANYTIME AFTER 10PM and cover = \$10 OR LESS!



**V**  
VACATION DISCOUNT CARD  
Seacrets Bar & Restaurant  
10% off all retail products in any of our boutique shops.  
Not valid with any other offers. Must present VDC to receive offer.

Cover Specials valid May 14-Sep. 26, 2004  
After Sep. 26 call for details.

P 43922

**SEACRETS TRIAL EXHIBIT 332**



**BEVERAGES**

**ON TAP**

Coors Light  
Yuengling  
Bud Light

**DOMESTIC**

Miller Lite  
Coors Light  
Rolling Rock  
Natural Light  
Bud Light  
Budweiser  
O'doul's

**WINES**

(by de Cup)  
Chardonnay  
White Zinfandel  
Merlot  
Cabernet Sauvignon  
Pinot Grigio

**SODA & JUICE**

Coke \* Diet Coke  
Sprite \* Ginger Ale  
Ice Tea \* Hot Tea  
Coffee (reg. or decaf)  
Orange Juice  
Grapefruit Juice  
Pineapple Juice  
Cranberry Juice

(charge for refill)

We also have: Mike's Hard Lemonade

**HOUSE SPECIALTIES**

**RUM RUNNER**  
A frosty frozen rum thing

**PAIN IN DE ASS**  
Layers of frozen rum runner & pina colada... the house specialty

**PINA COLADA**  
A frozen mixture of rum, coco lopez & pineapple

**SEACRET BUNSET**  
A delicious blend of Spiced Rum, guava & juices

**DIRTY BANANA**  
Frozen blend of banana & coffee liqueurs, cream and ripe bananas

**BTING**  
Smirnoff Vodka & Ting (a lightly carbonated citrus drink)

**BIG BAMBOO**  
A combination of three select rums & a seacret blend of fruit juices

**OTHER TINGS...**

Tables are reserved for food service only... During peak hours, we respectfully ask that upon completion of your meal, you retire to one of our bar areas so that we may serve fellow diners.

**NO DIVING !!** Shallow water at Seacrets !

Please do not feed the seagulls - it can be very, very messy. Thanks.

In Jamaica, there are three speeds...  
Slow, Damn Slow, & Reverse.  
So if the food be commin' out a little slow... it be much, much betta den reverse.

**"BEACH PARTIES" "BEACH CONCERTS"**

5-9 pm... on de beach every day  
9p-1a... on de beach every night

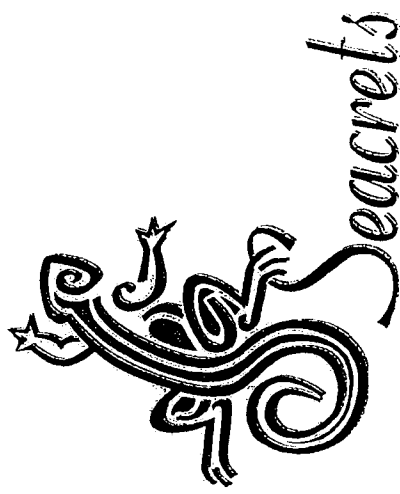
**"LIVE" REGIONAL & NATIONAL ACTS**

10p-2a...in de Niteclub every night  
Hours: Mon thru Sat: 11am - 2am  
Sunday: 12 noon - 2am

Happy Hour is Sunday through Friday  
4pm-7pm (excluding holidays)

Check out the boutique for awesome Seacrets' apparel & souvenirs.

We accept Discover, Visa, Mastercard, & American Express.  
No Separate checks, please.  
No substitutions, please



Jamaica U.S.A.  
49th Street in de Bay  
410-524-4900  
www.seacrets.com

P 43923



PLAINTIFF'S EXHIBIT

332

ALL STATE LEGAL SUPPLY CO

**BEGINNINGS**

**JERK CHICKEN**  
 De house special... in our special... perfectly to a... red w...  
 Jamaican dipping sauce... \$5.95

**JAMAICAN FRIES**  
 Big heaping... \$3.95

**SPICY ONION RINGS**  
 A golden... \$4.95

**DOTS & DASH**  
 A flavorful... \$4.95

**MUNCHIE PLATE**  
 Some veggies, some cheese, and some... \$5.95

**STEAMED SHRIMP**  
 A half pound to taste, or a full pound... \$9.50

**SMOKED TUNA**  
 Fresh tuna, smoked to perfection in... \$7.50

**HEALTHY FININGS**

**HOUSE SALAD**  
 Some mixed greens, tomatoes, cucumbers, carrots, & crowns.  
 Just the right size to start off your meal... \$3.95

**JUMBO SALAD**  
 Same as de house but more of it... \$9.25

**DRESSINGS:** Honey Mustard, Ranch, Garlic Vinaigrette, and Fat Free Balsamic

**HEALTHY FININGS**

**VEGGIE ROLLUP**  
 If you like veggies then dis be your meal ticket. Carrots, cucumbers, onions, pickles, sprouts, lettuce, tomato & cheese all wrapped up in a flour tortilla... \$4.50

**WEST END HOAGIE ROLLUP**  
 Sliced ham, provolone cheese and a bit of balsamic vinaigrette wrapped in a flour tortilla... \$5.95

**CLUB SECRETS**  
 Roasted turkey & crisp bacon with lettuce, tomato, mayonnaise & cheese on a... \$6.50

**SHRIMP SALAD ROLLUP**  
 Shrimp, cucumber, mango, tomato, and... \$9.25

**SMOKED CHICKEN SALAD**  
 Smoked chicken, traditional chicken... \$9.25

**VEGGIE ROLLUP**  
 If you like veggies then dis be your meal ticket. Carrots, cucumbers, onions, pickles, sprouts, lettuce, tomato & cheese all wrapped up in a flour tortilla... \$4.50

**OUTTA DE OVEN**

**JAMAICAN PIZZA**  
 Our basic pizza made with homemade... \$6.95

**CLAMS CASINO**  
 Six topnotch baked... \$8.50

**QUESADILLA**  
 Jamaican style with... \$8.25

**CRAB TOAST**  
 A must try item that be fillin' enough for 2 to share. Pizza shell crust topped with... \$9.75

**COOL RUNNING**

All sandwiches served with chips & a choice of... \$6.50

**SHRIMP SALAD ROLLUP**  
 Shrimp, cucumber, mango, tomato, and... \$9.25

**SMOKED CHICKEN SALAD**  
 Smoked chicken, traditional chicken... \$9.25

**VEGGIE ROLLUP**  
 If you like veggies then dis be your meal ticket. Carrots, cucumbers, onions, pickles, sprouts, lettuce, tomato & cheese all wrapped up in a flour tortilla... \$4.50

**WEST END HOAGIE ROLLUP**  
 Sliced ham, provolone cheese and a bit of balsamic vinaigrette wrapped in a flour tortilla... \$5.95

**CLUB SECRETS**  
 Roasted turkey & crisp bacon with lettuce, tomato, mayonnaise & cheese on a... \$6.50

**SHRIMP SALAD ROLLUP**  
 Shrimp, cucumber, mango, tomato, and... \$9.25

**SMOKED CHICKEN SALAD**  
 Smoked chicken, traditional chicken... \$9.25

**HOT RUNNING**

All sandwiches served with chips & a choice of... \$6.50

**TUNA STEAK SANDWICH**  
 Fresh local tuna, filleted and grilled to your delight. Served with pepper... \$8.25

**DE BURGER**  
 A half pound of... \$6.95

**DE DOG**  
 It's a big... \$4.50

**SLICY SLICED SANDWICH**  
 Sliced... \$4.50

**PORK BBQ SANDWICH**  
 Marinated pork with... \$6.50

**AMERICAN**  
 Beef, bean burger with pepper jack cheese served with guacamole & salsa... \$6.25

**RED SNAPPER SANDWICH**  
 Fresh from de sea, grilled to perfection and served with a mango salsa... \$8.95

P 43924

**AFTER EFFECTS**

**FUDGE CAKE**  
 Rich fudge apple cake topped with vanilla icing... \$3.50

**KEY LIME CHEESECAKE**  
 Cool and refreshing... \$3.50

**VISIT OUR "NEW" ICE CREAM STAND**  
 Secret is now serving soft ice cream cones and shakes. We don't serve it to de table - it drip faster than de waitress can run - enjoy your dessert in our courtyard area.





**BEGINNIN'S**

**JERK CHICKEN**  
De house special...  
perfectly to a...  
Jamaican dipping sauce.

**JAMAICAN FRIES**

Big heapin' of...  
spiced with special...

**SPICED ONIONS**

A...  
with special...

**POTATO & ONION**

A...  
with special...

**MUNCHIE PLATE**

Some...  
with special...

**CLAM LITTLE NECK**

Bigger's dozen (13). Get um steamed...  
\$8.50

**STEAMED SHRIMP**

A half pound to feast, or a full pound...  
about these shrimp! Served with cocktail sauce. Half pound... \$9.50  
Whole pound... \$17.50 There are cheaters...  
large and tasty.

**SMOKED TUNA**

Fresh tuna, smoked to perfection in...  
with red onions, capers, & a Dijon mustard... \$17.50

**HOT SOUPS & COOL SALADS**

**CREAM OF CRAB**  
Seacrest own... Lotta crabmeat!... \$30

**MARYLAND CRAB**

Jumbo lump crab w/ tomato & veg... \$30

**HOUSE SALAD**

Some mixed greens, tomatoes, cucumbers, onions, carrots, & crowsars.  
Just the right size to start off your meal... \$3.50

**JUMBO SALAD**

Same as de house but more of...  
cheese... \$6.25 Add jerk chicken...  
\$9.25

**DRESSINGS:**

Honey mustard, Fat Free...  
Garlic Vinaigrette, Ranch, Fat Free...  
(All served on the side)

**QUITIA DE OVEN**

**JAMAICAN PIZZA**

Our basic pizza made with homemade...  
seasonings, & a blend of mozzarella & cheddar...  
toppings be: pepperoni, sausage, mushroom, broccoli, sweet peppers,  
pineapple & jalapeno... add \$1.00 each.  
Jerk chicken or Shrimp... add \$2.50

**CLAMS CASINO**

Six topneck baked...  
and mozzarella cheese. Take a gambit...  
time... \$8.50

**QUESADILLA**

Jamaican style with jerk chicken...  
on a shell tortilla...  
lettuce... \$8.50

**CRAB CAKES**

A multi-layered item that be fillin' enough for 2 to share. Pizza shell crust  
topped with special crabmeat, cheese, & imperial sauce... \$9.75

**COOL RUNNING'S**

All sandwiches served with chips & a pickle on your choice of lettuce, white, wheat, or  
gran bread. Some can be a LIGHTER RUNNIN', which comes on a bed of lettuce with  
tomatoes, pickles & green onions instead of de bread.

**CLUB SEACRESTS**

Roasted turkey & crisp bacon...  
on a kaiser roll. Ya best be hungry for dis big un... \$6.50

**SHRIMP SALAD ROLLUPS**

Only de big shrimp here... large and succulent shrimp served on an Old Bay  
wraps... \$9.25

**TWIGGED CHICKEN SALAD**

A Spicy blend of traditional chicken salad with honey, garlic, & jalapenos...  
\$6.25

**JAMAICAN SEASIDE**

A Spicy blend of fresh local Jamaican...  
\$6.25

**ROCKY MOUNTAIN**

A Spicy blend of...  
\$6.25

**WESTERN MONGIE ROLLUP**

Salami, coppied...  
\$5.95

**VEGGIE ROLLUP**

If you like veggies then...  
\$4.50

**HOT RUNNIN'S**

It will chip, & a pickle on your choice of lettuce, white, wheat, or  
gran bread. Some can be a LIGHTER RUNNIN', which comes on a bed of lettuce with  
tomatoes, pickles & green onions instead of de bread.

**CHICKEN**

It will chip, & a pickle on your choice of lettuce, white, wheat, or  
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**BREAST**

It will chip, & a pickle on your choice of lettuce, white, wheat, or  
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**CHICKEN**

It will chip, & a pickle on your choice of lettuce, white, wheat, or  
gran bread. Some can be a LIGHTER RUNNIN', which comes on a bed of lettuce with  
tomatoes, pickles & green onions instead of de bread.

**BREAST**

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**FOR DE KIDS**

- CHEESE CHICKEN TENDERS... \$5.25
- FRIES & KIDIE FRIES... \$5.25
- FRIED SHRIMP & KIDIE FRIES... \$6.50



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## PLATTERS

(Served 5pm - 11pm)  
Two Maryland crab cakes made with de finest jumbo lump crab meat...\$24.95  
and a special blend of spices, Cole Slaw, & a Roll.

### CRAB CAKE PLATTER

Two Maryland crab cakes made with de finest jumbo lump crab meat...\$24.95

### GRILLED TUNA PLATTER

An 8 ounce cut of yellowfin tuna grilled to perfection and topped with garlic butter...\$15.95

### JERKED HALF CHICKEN PLATTER

An 8 ounce half of chicken slow roasted to perfection... every bite be mouth watering...\$12.95

### RED SNAPPER PLATTER

Dis fish be a fresh one... an 8 ounce grilled snapper served with a hot, an mustard sauce...\$15.95

### CRAB IMPERIAL PLATTER

Only de best selection of crab meat here blended together with our special sauce make this six ounces of imperial one to try...\$19.95

### RIBS PLATTER

Jamaican style ribs smothered in Bar-B-Que sauce and deliciously baked...\$14.95

### JAMAICAN STIR FRY PLATTER

Do stir-fry Jamaican style. Some veggies, some rice with your choice of chicken...\$12.95, steak...\$13.95, or shrimp...\$14.95. Topped with special sauce. (No Combo, please)

## AFTER EFFECTS

### FUDGE CAKE

Rich fudge style cake topped with vanilla icing...\$3.50

### KEY LIME CHEESECAKE

Cool and refreshing... 'um good...\$3.50

### VISIT OUR 'NEW' ICE CREAM STAND

Secrets is now serving soft ice cream cones and shakes. We don't serve it to de table - it drip faster than de waitress can run - enjoy your dessert in our courtyard area.



## BEVERAGES

**ON TAP**  
Coors Light  
Yuengling  
Bud Light  
**DOMESTIC**  
Miller Lite  
Coors Light  
Rolling Rock  
Natural Light  
Bud Light  
Budweiser  
O Daults (non alcoholic)

**IMPORTS**  
Wines by de cup  
Chardonnay  
White Zinfandel  
Merlot  
Cabernet Sauvignon  
Pinot Grigio

We also have: Mike's Hard Lemonade  
Sodas & Juice: Coke, Diet Coke, Sprite, Ginger Ale, Ice Tea, Coffee, Tea, Orange Juice, Grapefruit Juice, Pineapple Juice, & Cranberry Juice. (charge for refills)

## HOUSE SPECIALTIES

**RUM RUNNER**  
A fruity frozen rum thing

**PAIN IN DE ASS**  
Layers of frozen rum runner & pina colada... the house specialty

**PINA COLADA**  
A frozen mixture of rum, coco Lopez & pineapple

**SECRET SUNSET**  
A delicious blend of Spiced Rum, guava & juices  
We accept Discover, Visa, Mastercard, & American Express  
No Separate checks, please.  
No substitutions, please

**DIRTY BANANA**  
Frozen blend of banana & coffee liqueurs, cream and ripe bananas

**STING**  
Smirnoff Vodka & Ting (a lightly carbonated citrus drink)

**BIG BAMBOO**  
A combination of three select rums & a secret blend of fruit juices  
Live Bands & Beach Parties  
Everyday !!  
Happy Hour is Sunday through Friday 4pm-7pm (excluding holidays)

Check out the boutique for awesome Secrets' apparel & souvenirs.

Tables are reserved for food service only... during peak hours, we respectfully ask that upon completion of your meal, you retire to one of our bar areas so that we may serve fellow diners.

**NO DIVING !!** Swallow water at Secrets! Please do not feed the seagulls - it can be very, very messy. Thanks.

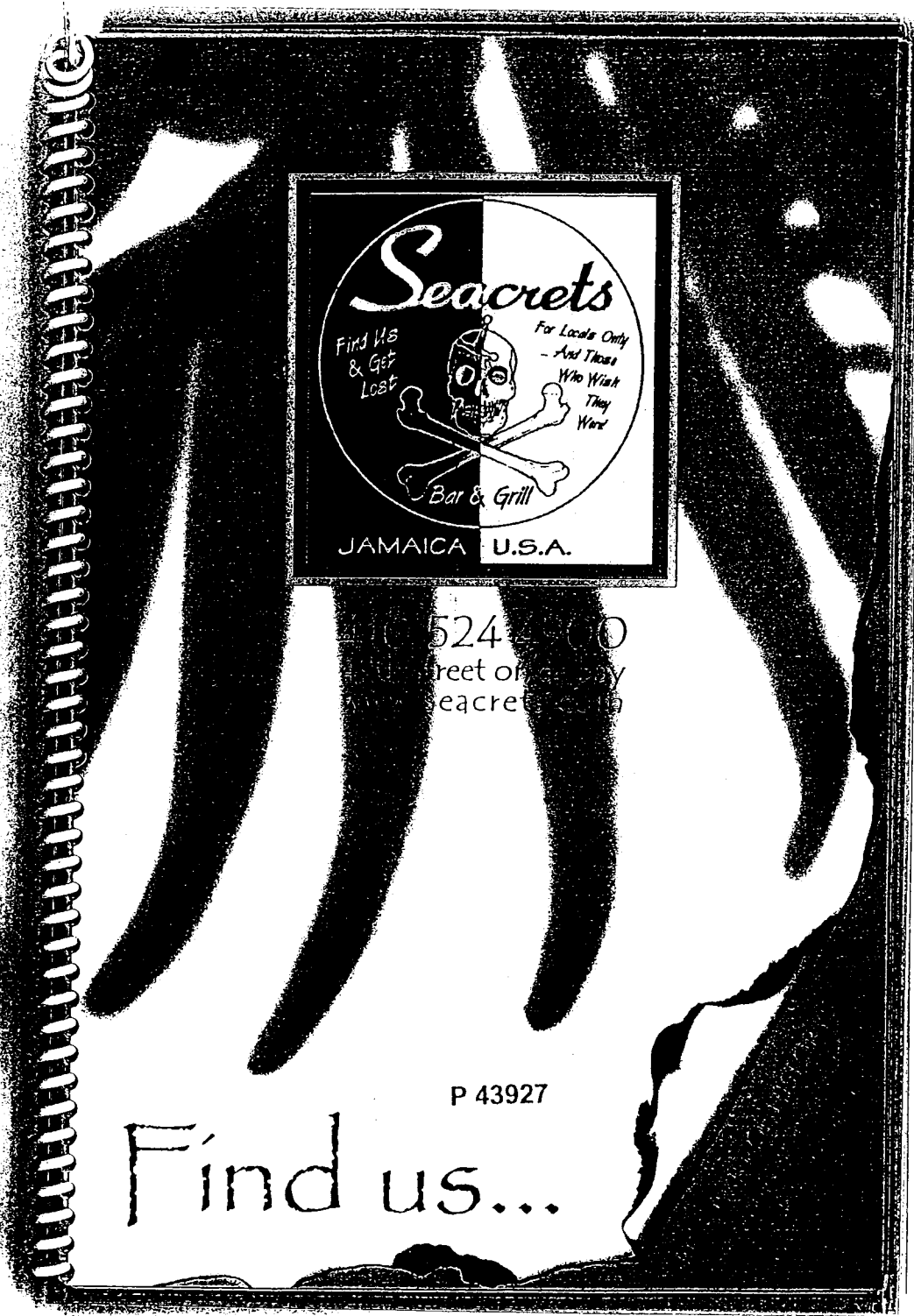
In Jamaica, there are three speeds... Slow, Damn Slow, & Reverse. So if the food be commin' out a little slow... it be much, much better den reverse.



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**SEACRETS TRIAL EXHIBIT 333**



*Secrets*

Find Us & Get Lost

For Locals Only - And Those Who Wish They Were

Bar & Grill

JAMAICA U.S.A.

524-2000  
 Street of ... by  
 secrets.com

P 43927

Find us...

PLAINTIFF'S  
 EXHIBIT  
 333  
 ALL-STATE LEGAL SUPPLY CO

O.C. Secrets, Inc. v. HotelPlan Italia S.p.A.  
 Opposition No. 91190886  
 Offered by Opposer

BOAT MOORINGS

ROCK BAR

MAIN BAR

RED DECK

BAR TEN

SHIPPING COMPANY RESTAURANT

COAT CHECK

MARLEY HALL NITE CLUB

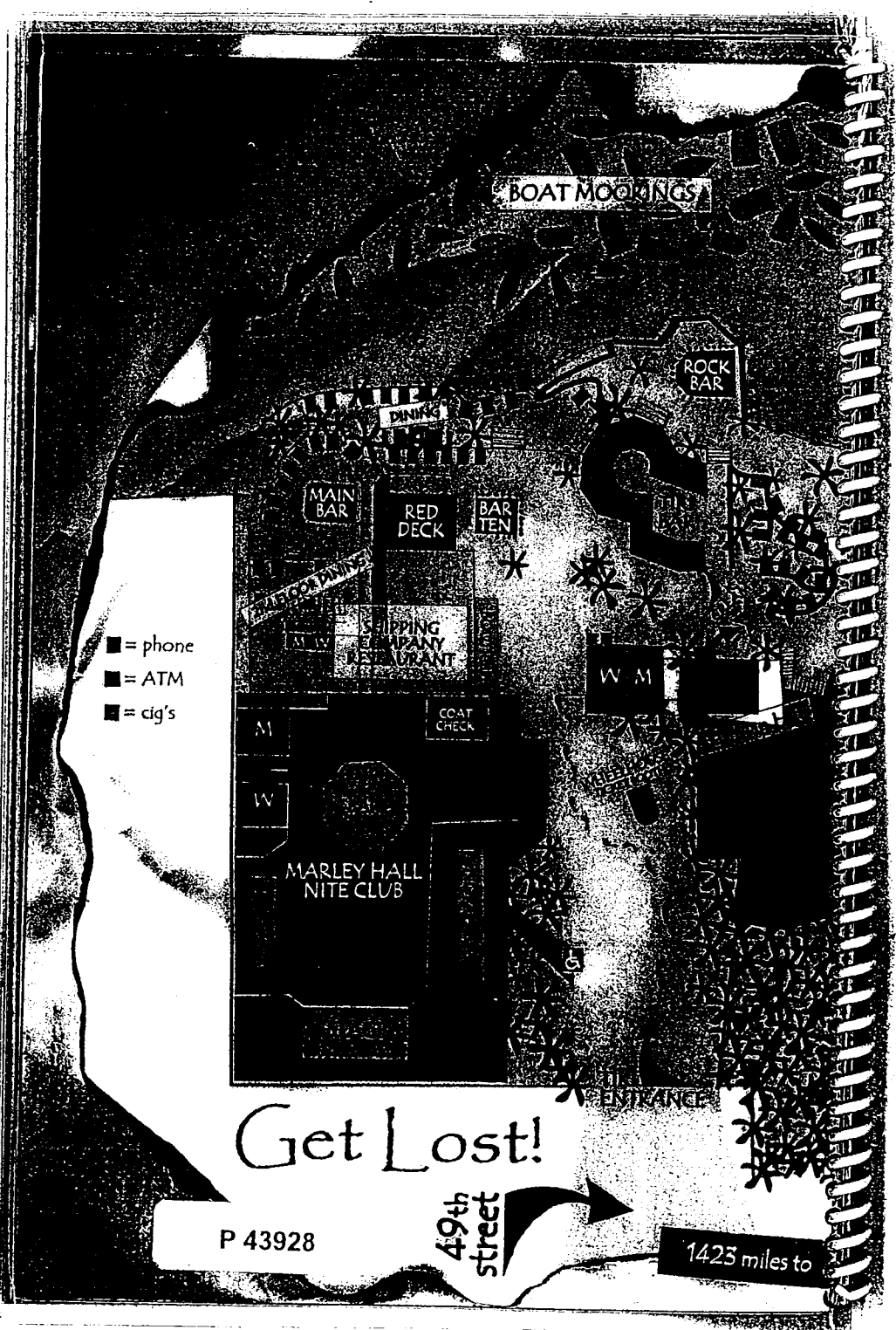
- = phone
- = ATM
- = cig's

# Get Lost!

P 43928

49th street

1423 miles to







# COOL SALADS

Salad with tomatoes, onions, tomatoes, cucumbers, & green onions. In small right size to go. \$5.95

Some fresh some cheese & some... please. \$5.95

## Jumbo salad

Same as de house but more. Add some peppers, fruit & cheese. \$8.50  
Add jalapeno, chicken, chicken salad, or tuna salad. \$8.50

# QUIN DE O

## AMERICAN PIZZA

on base pizza with tomato sauce, olives, mushrooms, mozzarella cheese. \$8.95

You can get...  
Sausage, mushrooms, Bassa, olives, peppers, Pineapple. \$10.95  
Jersey... \$10.95

in style...  
white...  
with...

## CRAB TOAST

Crab toast with...  
enough...  
crispy...  
with...

## PEANUT CASINO

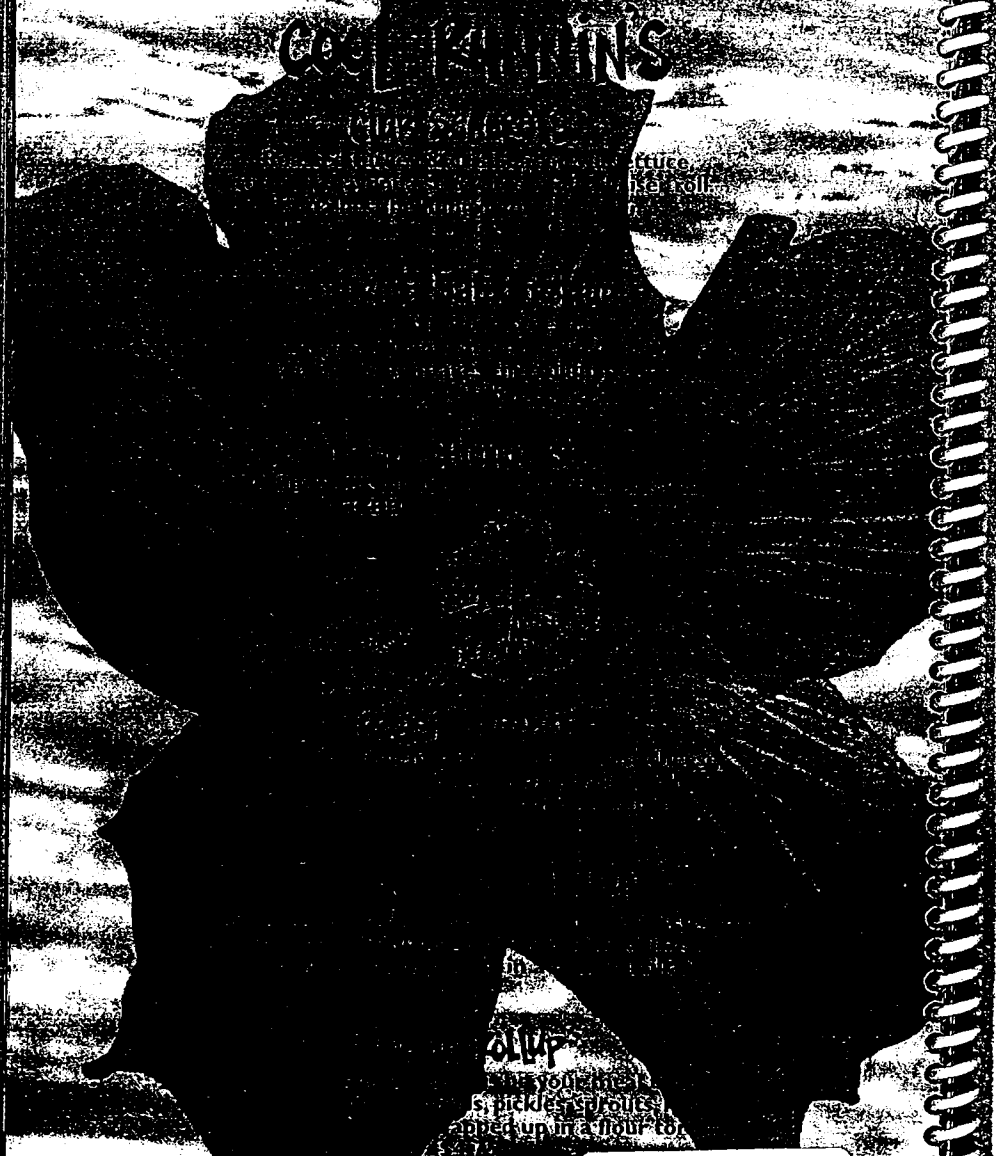
Peas baked with butter (special...  
& topped with bacon & mozzarella cheese. Take...  
these & on every...  
\$8.75

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...and a pickle  
on your choice of Kaiser, white  
Some folks like LIGHTER RUNNING  
lettuce with tomatoes instead of de Bread.

# COCKTAILS



...and you get  
pickles, sprouts  
tapped up in a flour to

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# HOT RUNNIN'S

## Hot Chicken Sandwich

Fresh delicious chicken fillet & grilled to your preference.  
Served with pepper jack cheese & dressing.

## de p... ..

A half pound of ground beef on  
your way & served on a Kaiser roll.  
Add cheese or bacon for \$1.50

## de doc...

... ..  
Add onions & jalapeno if you like. Add cheese for \$1.50

## Spicy Chicken Breast

... ..  
Add cheese for \$1.50

## Jamaican

Black bean burger with pepperjack cheese  
Served with guacamole & salsa

## Port...

Grilled port... ..  
cream cheese, onions & jalapeno

## Chili Jack Sandwich

Maryland crab cake made with only Maryland crabmeat

## Rib-eye Sandwich

6oz. of rib-eye steak served with...

## Waldorf Malt Sandwich

Served with special sauce

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When the **SUN SETS...**  
The **MOON SHINES**  
ON



**LUNASEA 2002 DATES DARKSIDE**

5/26	6/24	5/12	6/10
7/24	8/22	7/9	8/8
9/21	10/21	9/6	10/6
11/20	12/19	11/5	12/3

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# AFTER EFFECTS

## FUDGE CAKE

Lotsa chocolate here! A chocolate lover's dream.  
\$3.50

## RUM CAKE

Yellow cake dronched in Myers  
& Malibu Rum wit butter cream icing.  
\$3.50

## ICE CREAMMM

Seacrets is now serving soft ice cream cones.  
We don't serve it to de table  
~ it drip faster than de waitress can run ~  
Enjoy your dessert in our courtyard area.

# BEVERAGES

## SODAS & Juice

Coke, Diet Coke, Sprite, Ginger Ale, Iced Tea, Hot Tea,  
Coffee, Orange Juice, Grapefruit Juice, Pineapple Juice,  
Cranberry Juice, & Red Bull  
(charge for refills)

## ALCOHOLIC BEVERAGES

Mike's Hard Lemonade  
Bacardi Silver

## STOLICHNAYA CITRONA

### DOMESTIC

Miller Lite  
Coors Lite  
Natural Lite  
Bud Lite  
Budweiser  
O'douls  
(non alcoholic)

### ON TAP

Coors Lite  
Yuengling  
Bud Lite

### IMPORTS

Red Stripe  
Heineken  
Corona

### WINES by de cup

Chardonnay  
White Zinfandel  
Merlot  
Cabernet Sauvignon  
Pinot Grigio

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