

Money can't buy love,
but it can buy time
See Friday Edition

Oregon Daily Emerald

Friday, December 13, 1985

Eugene, Oregon

Volume 87, Number 67

OIC makes 'major concessions' in brief

By Mary Lichtenwalner and Gary Jimenez
Of the Emerald

The Oregon Investment Council recently pulled an unexpected move in the ongoing South African divestment lawsuit with the ASUO, filing a legal brief that indicates the council is "giving up" on a number of points, said ASUO President Lynn Pinckney on Thursday.

The OIC conceded that the State Board of Higher Education should control its own endowment funds and dropped any mention that divestment is an unconstitutional intrusion of state government into foreign relations. Also, the OIC no longer claims the state's prudent investment rule prohibits consideration of moral and social factors in making investments.

Lawyers for the OIC still contend that students do not have the right to sue, and they continue to claim that divestiture violates the prudent investor rule.

"These are major concessions by the OIC," said attorney James Campbell, who is handling the litigation for the ASUO.

Campbell said he received the brief Wednesday

but was surprised by its content.

"The OIC had urged all five (points) but they just abandoned three of them," he said.

The brief presents the OIC's response to the ASUO's appeal of the original court decision.

The ASUO filed its suit in 1978 asking that the OIC divest of all State Board of Higher Education investments in South Africa. Lane County Circuit Court Judge George Woodrich ruled against the plaintiffs last December, saying that divestment would violate the state's prudent investment rule.

The rule requires that all state officers invest state funds in the most stable manner providing the highest return.

Throughout the 1984 trial Campbell tried to prove that divestment is not a violation of this investment principle.

Pinckney said she is encouraged by the OIC's move. "What it means is there are fewer things to prove," she said.

Richard Wasserman, assistant Attorney General, refused to comment when questioned about the

reasoning in excluding the claims.

"Litigation strategy is confidential. I'm in control of it; nobody will talk about it," he said.

The Attorney General's office, the legal counsel for the OIC, contends the ASUO does not have legal standing to bring the suit. In the original suit, the court ruled that the ASUO does have standing.

The Attorney General's rationale is that a complaint cannot be filed unless there is injury to a protected interest, Wasserman said. The ASUO has not suffered injury, he said.

Wasserman, who works for the appellate division of the AG's office, drafted the brief.

"If we prevail on this point, the case is over," Wasserman said.

The only other point on which the OIC can win the case is if it proves divestiture will lead to adverse financial effects.

Wasserman said the state's defense of the OIC does not suggest apartheid is morally right or wrong.

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Two students battle to 'save' neighborhood

By Julie Freeman
Of the Emerald

They are not out to save the world, just a small piece of it known as Eugene's West University neighborhood.

Stephen Chrisman and Paul Sturtz, two University students, have mounted a campaign to stop the destruction of various shops and restaurants that stand in the way of new hospital parking lots.

But according to Sturtz, this is not just a simple David vs. Goliath story, with Sacred Heart General Hospital playing the role of the giant, destined to be defeated by one, or in this case two, unlikely opponents.

Since the summer of 1984, a great deal of local attention has been directed at Sacred Heart's plans to increase the parking spaces available for its employees and patients. The plan would include the destruction of buildings that Sturtz and Chrisman say provide the area with its unique character.

Included in the list of targeted buildings are the Mayflower Theatre, Tom's Tea House, the Peking Mandarin Restaurant and The Courtyard, a small cluster of shops and restaurants on 13th Avenue that provides space for Poppi's restaurant and Lenny's Nosh Bar.

Sacred Heart owns The Courtyard and the 11th Avenue property and recently purchased the Peking Mandarin Restaurant lot. The hospital also bought out the remaining 14 months of Tom's Tea House restaurant's lease and has made clear that it does not intend to extend the leases of the courtyard businesses, which expire at the end of March 1986.

Currently only Poppi's restaurant has a lease that extends past that date. The Mayflower building was

purchased by the hospital last year.

"I don't think people realize that with those businesses near the Mayflower Theatre, on that strip of 11th Avenue, and the courtyard gone, what we're going to have is just this Disneyland Mainstreet, U.S.A., and nothing else," Sturtz says. "We are not going to have a West University Neighborhood anymore."

'This is not a two-man fight by any means. I know that we are not the only two people worried about this.'

— Paul Sturtz

Chrisman, a fourth-year architecture student, says he believes there are other ways for Sacred Heart to expand its parking without knocking down buildings.

But he says that Sacred Heart first needs to be more concerned about its role in the West University neighborhood, which extends from 18th Avenue to 11th Avenue on one side and from Kincaid Street to Willamette Street on the other.

"They (the hospital) are a very important part of the neighborhood. And they are a part of it. They are not just an island unto themselves," Chrisman says. "They have to work with the neighborhood."

"As architect you learn that you have to respond to what's there (in the area) and how to work with it."

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Stephen Chrisman and Paul Sturtz

DC-8 crashes in Newfoundland, killing 258

GANDER, Newfoundland (AP) — A DC-8 charter full of U.S. soldiers returning from the Middle East crashed and exploded Thursday near Gander International Airport, killing all 258 aboard and scattering gifts and weapons across snow-covered woods.

Families and friends learned of the disaster as they assembled for a brass-band welcome at the headquarters of the 101st Airborne Division at Fort Campbell, Ky.

Cause of the 6:45 a.m. (5:15 a.m. EST) crash remained under investigation, but the White House said preliminary reports showed no indication of sabotage or an in-flight explosion.

sion in history's eighth-worst aviation disaster.

The charred cockpit voice and flight recorders were recovered and will be taken to Ottawa for analysis, said Peter Boag of the Canadian Aviation Safety Board, who was directing the investigation.

The charter flight operated by Arrow Air of Miami carried members of the 101st Airborne who were being rotated home after six months service in the multi-national peacekeeping force in Egypt's Sinai peninsula.

Military authorities said it might take a day or two to notify all the next-of-kin, as long as a week to positively identify remains.

remains.

CBC television showed debris smoldering in the snow beneath tall evergreens in sparse, hilly woods where the plane went down about a half-mile from the runway near Gander Lake.

Airport manager John Pitman said the aircraft carried 101,000 pounds of fuel on takeoff.

Canadian Transport Minister Don Mazankowski said the plane climbed no higher than 1,000 feet before crashing.

Transport Canada spokesman Bruce Reid, returning from a helicopter tour over the site, said there was no suggestion that the plane exploded in flight.

"Where it came down, it obviously

exploded on impact. Everything in the area is charred," he said.

Children's clothing — apparently intended as gifts — and pieces of gray fuselage were strewn across the ground at the north end of Gander Lake.

At Fort Campbell, base commander Maj. Gen. Burton Patrick told a news conference an Army team would help transfer remains from Newfoundland to Dover Air Force Base in Delaware, where identification of the bodies could take up to a week.

In Washington, White House spokesman Larry Speakes said initial reports indicate "no evidence of sabotage" or an explosion in flight.