

Celebrity spokesmen accused of deception

1 TALLAHASSEE, Fla. — Dick Clark and Ed McMahon will have to defend themselves against a lawsuit filed by the state Monday that accuses American Family Publishers of trying to dupe people into believing they've won \$11 million.

The celebrity spokesmen are among those accused in the lawsuit of taking part in an "unethical, oppressive, unscrupulous" tactic to sell magazine subscriptions.

Attorney General Bob Butterworth claims the company's sales pitch had dozens of elderly people flying to Tampa to collect prizes they had not won.

"In their zeal to sell magazines, American Family Publishers and its high-profile pitchmen have misled millions of consumers," Butterworth said. "They have clearly stepped over the line from advertising hype to unlawful deception."

Florida is the first state to file charges of deceptive advertising against the sweepstakes publisher and its spokesmen.

Time Customer Service Inc., which handles the sweepstakes entries and magazine orders for American Family Publishers, also was named a defendant.

The lawsuit comes three days after two Georgetown University Law Center professors filed a class-action lawsuit in Maryland against American Family Publishers on similar charges.

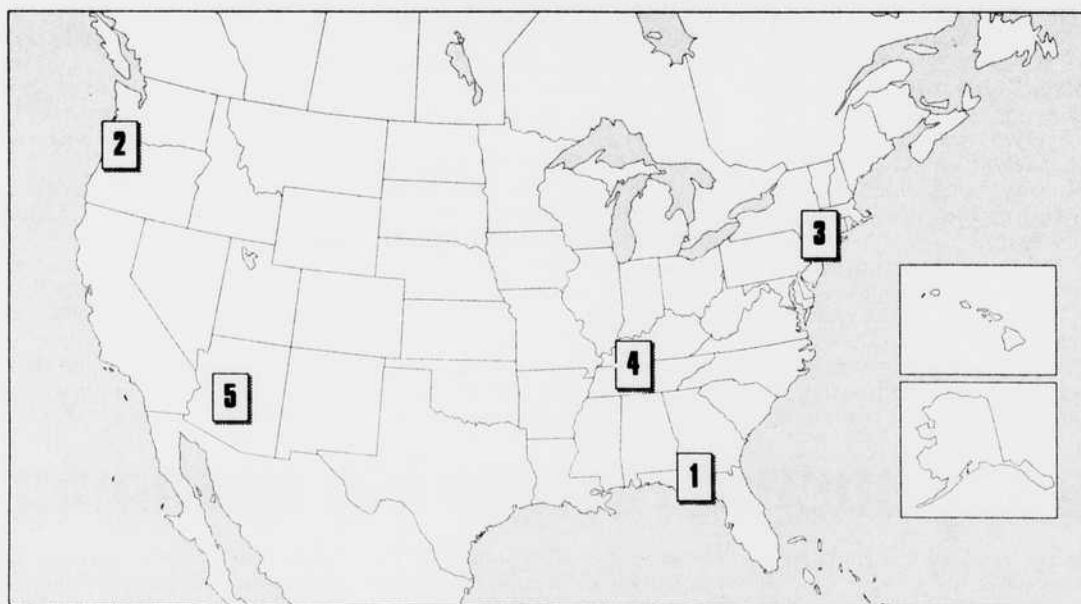
In a statement, American Family Publishers said they've paid out more than \$77 million in prize money and their mailings are not designed to entice people to fly to Tampa, the return address listed on the entry.

"Our mailings are not deceptive and are not written to be. In fact, the language used in our mailers is purposefully clear and is understood by those who read them," the statement said. "Nor are they designed to defraud."

The company said McMahon was unavailable for comment.

Dick Clark was out of the country on vacation. A spokeswoman at Dick Clark Productions in Burbank, Calif., said no one could comment.

Butterworth said each of the



millions of sweepstakes entries the company mails to Floridians could be a potential \$15,000 violation, meaning fines could be in the hundreds of millions of dollars. The state also wants the court to ban the company from using the marketing device in the future.

Portland proposes third runway site

2 PORTLAND — A prison and three golf courses lie in the path of a proposed third main runway at Portland International Airport after a plan to cross the environmentally sensitive Columbia Slough was scrapped.

The 11,000-foot runway is part of a proposed master plan that goes out for public comment next month.

"Right now it's a concept that needs a lot of discussion," said Darrel Buttice, Port of Portland spokesman.

The pressure comes from the Federal Aviation Administration, which says Portland needs a third runway before it doubles its passenger count, as predicted in the airport's 2020 master plan now being prepared.

The airport has two long runways. Closing either one for repaving or emergencies results in backups. The south runway is just over 11,000 feet and the north runway is 10,174 feet, but long-term plans show future exten-

sions to 11,988 feet.

The proposed runway would cross the Broadmoor and Colwood National golf courses, and would interfere with "a couple of holes at Riverside Golf Course," said Craig Smith, senior airport planner for the port.

"I think that with a few adjustments, those holes will stay playable."

Some critics suggested a shorter runway, possibly 9,000 feet or less.

Longer runways, however, are needed as a safety factor for large, fuel-laden jets heading overseas.

Dow gains 2.5 percent in Wall Street surge

3 NEW YORK — Following a powerful rally in Southeast Asia, the Dow Jones industrial average shot up 201.28 points Monday, roaring through 8,000 and then 8,100 for the first time this year. Broader indicators set records.

In its highest close since Dec. 8, the Dow gained 2.5 percent in heavy trading to finish at 8,107.78. It was the fourth-biggest point rise ever, but the percentage gain was far from record levels, and the average of 30 blue-chip stocks still had more than 150 points to climb to reach the all-time high of 8,259.31 set Aug. 6.

Records were shattered by the Standard & Poor's 500, which had

its first close ever above 1,000, and by the New York Stock Exchange composite index.

The market overall gained \$183.5 billion, to go above \$9.5 trillion, as measured by the Wilshire Associates Equity Index, the market value of NYSE, American and Nasdaq issues.

Wall Street's surge followed a rally fed by optimism that Asia's financial crisis is easing. Key indexes in Hong Kong, Singapore and Indonesia surged up 14 percent. London's main indicator, the Financial Times-Stock Exchange 100, closed just below 6,000, a rise of more than 2.5 percent and its fourth straight record high.

New standards help reduce jury confusion

4 NASHVILLE, Tenn. — Seeking to make jury duty more bearable and ensure sound verdicts, the American Bar Association on Monday adopted two dozen standards for "enhancing jury comprehension and minimizing jury confusion."

Among other things, the standards would allow jurors to take notes and even question witnesses in complex cases.

The ABA's policy-making House of Delegates approved the new standards for civil, or non-criminal trials, by a voice vote.

Similar ABA standards have long existed for criminal trials.

While only advisory, they often are relied on by state and federal judges.

"These are a resource for lawyers and judges," said Gregory Joseph, a New York City lawyer who led the task force that drafted the standards. He said the civil jury currently is under attack because of a perception that jurors have problems deciding complicated cases.

There are few formal rules in state and federal courts for the treatment of juries. The new civil trial standards are aimed at filling in the gaps without taking discretion away from individual judges.

Under the standards, trial judges may give jurors, "in cases of appropriate complexity," notebooks with copies of the judge's instructions, selected exhibits and certain material evidence. The notebooks also would include paper so that jurors may take notes.

The notebooks would be collected at the end of each trial day until the jury begins its deliberations, when the notebooks also would be available. All juror notes would be collected and destroyed once a trial ends.

Many courts already allow such practices. However, few judges have allowed jurors to submit written questions for witnesses — an innovation urged by another of the ABA standards.

Former governor sentenced to prison

5 PHOENIX — Former Gov. Fife Symington was sentenced to 2 1/2 years in prison Monday for lying to get millions of dollars in loans to shore up his collapsing real estate empire.

The sentence completes a fall from grace that drove the two-term Republican from office. After the sentencing, Symington hugged his wife, Ann, saying, "Could've been worse." His youngest son, Tommy, sobbed uncontrollably nearby.

The judge ordered Symington to pay a \$60,000 fine and serve five years' probation after his release from prison. Strand ordered Symington to turn over his passport Monday and report to prison March 20.

— Compiled from AP wire reports

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