ND experts offer praise for Alto

By KAREN LANGLEY
News Writer

Garrett has argued cases before Alto, who was nominated Oct. 31, by Bush to fill the seat vacated by Justice Sandra Day O'Connor and will face confirmation hearings starting Jan. 9. "Alito is tremendously well-qualified," said, "It's hard to imagine anyone with more qualifications. Alto has had more experience serving as a federal judge than perhaps anyone in history before serving on the Supreme Court."

Alito received high grades at Princeton University and Yale Law School, where he served as editor of the Yale Law Journal. He then clerked for a Federal Court of Appeals judge, a common step taken by talented young lawyers, Garrett said. Alto went on to work as a federal prosecutor in the Department of Justice.

He was appointed to the Federal Court of Appeals before his 40th birthday. "It is worth noting that he was unanimously confirmed by both Republicans and Democrats," Garrett said. While Garrett and Nagle have studied Alto's rulings, some of their knowledge of the nominee comes from personal experience. Garrett argued a church-state case before Alto in the Philadelphia Court of Appeals in 1988.

"Alito was very gracious and encouraging," he said. "I was a young lawyer, and he was very patient." Nagle first encountered Alto while representing the U.S. Postal Service in a sovereign immunity dispute with the state of Pennsylvania.

"He's just a wonderful guy, brilliant and tremendously well respected," Nagle said. Alto's demeanor only increases his potential as a Supreme Court justice, Nagle said.

"He is well-grounded and thoughtful, which is precisely the correct temperament you'd want in a judge, and exactly what you'd want in a Supreme Court justice," he said.

The methodical manner in which Alto takes on cases has also drawn attention from experts. "His approach is very careful, technical, not at all flamboyant," Garrett said. "He's not stating from the hip in his opinions."

see ALTO/page 4

National journalists tackle media explosion

By KATIE STUHLREHERE
News Writer

The Advisory Committee of Notre Dame's Gallivan Program in Journalism, Ethics and Democracy discussed the uncertain future of journalism with students, faculty and visitors Monday as they addressed the question, "What will it take for journalism to survive the information revolution?"

The seven members of the committee, all Notre Dame graduates who currently hold prominent and diverse positions in the American media, drew upon their various experiences in the field to explain the increasing adaptations the industry must make to survive in a world which is becoming more dependent upon the Internet and corporate ownership.

Professor Bob Schmuhl, director of the Gallivan Program, posed the central question that weighed on the minds of many young journalists at the beginning of the discussion — with the rise of Internet media outlets, blogs and downsizing of print and broadcast staffs, will there even be jobs in traditional journalism in the future? Although several panelists expressed frustrations with recent changes in how news is gathered and distributed, the majority of the speakers projected an optimistic view of the future of journalism.

Tom Betag, senior executive producer of ABC News' "Nightline," responded that although bloggers and Internet sources have encroached upon traditional journalists' work, Gallivan said.

see GALLIVAN/page 4

see ARRESTS/page 6

U.S. culture cultivates negative body image

By LISA SCHULTZ
News Writer

The solution to ending America's obsession with thinness is a change in cultural attitudes, Dr. Joan Kilbourne said Monday in her talk to Notre Dame students addressing the effects of advertising's portrayals of women.

Kilbourne, a world-renowned speaker and author of the recent book "Can't Buy My Love: How Advertising Changes the Way We Think and Feel," kicked off student government's Eating Disorders Awareness Week by speaking to an audience of about 200 in DeBartolo Hall.

Kilbourne said advertising was one aspect of a toxic health environment. "Advertisements are quick, cumulative, and, for the most part, unconscious," Kilbourne said. "What they are selling is an image."

Kilbourne said the average American is exposed to 3,000 advertisements daily, and her presentation utilized many images to illustrate her point. The crowd of mostly women gasped when Kilbourne revealed that Julia Roberts' face had been

see EATING/page 4

Police say football arrests up

By MEGAN O'NEIL
Saint Mary's Editor

Citing a late kickoff time Saturday, police said they wrote a high number of alcohol-related citations and made several arrests before and during the Tennessee football game.

Patrolling the parking lots prior to the start of the game, Notre Dame Security/Police (NDSP), South Bend Police, St. Joseph County Police and Indiana State Police made five custodial arrests and issued 26 citations, including five NDSP, NISP Assistant Director Phil Johnson said Monday.

"Of those 26 citations, some were for minors consuming alcohol, minors in possession of alcohol, false identification and inducing a minor to consume alcohol," Johnson said.

The five arrests were for public intoxication, and one of those individuals was also found to have a controlled substance in his possession, Johnson said. He declined to specify how many of those cited or arrested in the parking lots were students.

The numbers are comparable to those during the UNC game on Oct. 12, when police made six arrests and wrote 23 alcohol-related citations.

"These are typical of a game that begins at 2:30 p.m. when people have a higher blood-alcohol content," Johnson said.

Tailgates begin at roughly the same time for each home game and increase, said, and a late kickoff results in addi-

see CLC/page 6

Campus Life Council

Group passes dance restrictions

By MARY KATE MALONE
News Writer

Members of the Campus Life Council pounded through a list of to-dos at Monday's meeting, resulting in the approval of a resolution meant to clamp down on themes, dress codes and advertising for dance dorms.

The resolution requires that all dance themes be respectful to the entire community and that the music be played. The Security Office approve posters and T-shirts for dances.

It also suggests that students be surveyed before their dorm's...
Dubya and the unborn

There were a lot of little crosses on South Quad this weekend. This happens periodically. As I'm sure we've all quite aware, the crosses represent the abortions performed in the U.S. in years past, they have been a protest from a vocal minority to the evil majority in government. Today, though, it's time. Time to acknowledge the obvious.

There is, finally, no evil majority holding good people and their good old-fashioned values down. There hasn't been for years. The party with the anti-abortion plank has controlled both houses on Congress for how long now? The party with the anti-abortion plank has controlled both houses on Congress for how long now? It's a right to life plank, but symbolically, today, let's take stock of who our political friends or rather enemies - really are.

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

QUESTION OF THE DAY: WILL YOU CHANGE YOUR SPRING BREAK PLANS AFTER RECENT PIRATE ATTACKS?

Christina Hedges and Christine Duboe seniors off-campus

Carolyn Torres graduate student off-campus

Brian Kelley graduate student off-campus

Suzanne DeBerry graduate student off-campus

Josh Creamer junior Keough

Sade Murphy freshman Pangborn

No, because we are going to Tybee Island and not getting arrested this year.

"Yes, I will definitely be going on a cruise now."

"There are no pirates at the North Pole."

"I'm a law student. I don't have spring break plans."

"Not if they look like Johnny Depp."

"I wasn't planning on being on a ship anyway. You'll be more cautious."

OFFBEAT

Cheerleaders arrested after sex in bar restroom

TAMPA, Fla. — Two Carolina Panthers cheerleaders were charged after their arrest at a bar where witnesses told police the women had sex in a restroom.

Renee Thomas, 20, of Pittsboro, N.C., and Angela Keathley, 26, of Belmont, N.C., were taken to Hillsborough County Jail early Sunday.

Witnesses said the women were having sex in a stall with each other, angering patrons sitting in line to get into the restroom at the club in the Clamshell district.

Thomas was charged with battery Sunday after allegedly striking a bar patron when she was leaving the restroom, then landed in even more trouble after police said she gave officers a driver's license belonging to another Panthers cheerleader who was not in Tampa.

Thomas, who made the trip to Florida for Sunday's game between the Panthers and Tampa Bay Buccaneers, was released from jail on $500 bail before police learned she was not the person she claimed to be.

Ship blasted pirates with sonic weapon

MIAMI — The crew of a luxury cruise ship used a sonic weapon that blasts ear-splitting noise in a directed beam while being attacked by a gang of pirates off Africa this weekend, the cruise line said Monday.

The Seabourn Spirit had a Long Range Acoustic Device, or LRAD, installed as a part of its defense systems, said Bruce Good, a spokesman for Seabourn Cruise Line. The ship was about 100 miles off Somalia when pirates fired rocket-propelled grenades and machine guns as they tried to get onboard.

The subsidiary of Carnival Corp. was investigating whether the weapon was successful in warding off the pirates, he said.

Information compiled from the Associated Press.

IN BRIEF

Senior vice president for Global Communication Kathryn Reimann will give a lecture entitled "Ethics and Compliance at a Large Public Company" at 7 p.m. today in the Jordan Auditorium.

Michael McConnell of the American Friends Service Committee will speak at 7:30 p.m. Wednesday at the Center for Social Concerns about his experiences with war and the draft.

Andre Connors, senior curator of the National Hispanic Cultural Center in Albuquerque, N.M., will give a lecture titled "Graphite Text: The Enduring Power of a Well-Designed Message" at 7 p.m. Wednesday in the Annenberg Auditorium in the Sute Museum.

The Saint Mary’s Spanish Club is hosting a salsa night from 8 p.m. to 10 Wednesday in the Saint Mary’s Student Center. Music, dancing, and games included.

The Notre Dame volleyball team faces the University of Saint Louis at 7 p.m. Wednesday in the Joyce Center.

The film “2001: A Space Odyssey” will be shown at 10 p.m. Thursday in Browning Cinema as part of the Physics and Film Series. Tickets are $6 general public, $5 faculty/staff, $4 seniors and $3 all students. To purchase tickets, call 574-631-2900 or visit http://performingarts.nd.edu to purchase tickets.

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

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

CORRECTIONS

The Observer regrets itself as a professional publication and strives for the highest standards of journalism at all times. We do, however, recognize that we will make mistakes. If we have made a mistake, please contact us at 631-6414 so we can correct our error.

Matthew Smedberg Associate Photo Editor

A Notre Dame Landscaping Services worker removes a bottle Monday that was duct taped to the statue during the weekend.

A bottle is seen duct taped to the statue during the weekend. (ERICK SAELS/The Observer)

Local Weather

TODAY TONIGHT WEDNESDAY THURSDAY FRIDAY SATURDAY

LOW 60 LOW 58 LOW 43 LOW 32 LOW 43 LOW 50

HIGH 65 HIGH 60 HIGH 72 HIGH 50 HIGH 55 HIGH 60

Atlanta 80 61 Boston 59 44 Chicago 66 48 Denver 65 36 Houston 94 89 Los Angeles 65 57 Minneapolis 63 44 New York 64 49 Philadelphia 66 46 Phoenix 66 62 Seattle 48 39 St. Louis 79 60 Tampa 85 68 Washington 72 49

The Observer • PAGE 2

Tuesday, November 8, 2005
Admissions rules face scrutiny

By KELLY MEEHAN
New Writer

The question of how to attract more applicants to Saint Mary's — a recurring concern for the College — sparked discussion at Monday's Board of Governance (BOG) meeting.

Admissions Commissioner Annie Davis spoke to and sought feedback from the Board about potential changes in the College's admissions policies.

Davis reported that the Board of Admissions had suggested, but has not approved, two initiatives aimed to increase the number of applicants and excite prospective students about Saint Mary's. The first objective would be to calculate a student's cumulative ACT score through the combination of her best performance on each of the four sections of the test, rather than through assessment of the best mean score, Davis said. This is an effort to increase the student's average score, which would allow her to receive a larger scholarship.

During the admissions process, the College does not include religion courses taken by a student when factoring an alternative grade point average (GPA) based solely on her academic courses, such as math and English, Davis said. The Board of Admissions has proposed to now include religion courses as a part of this GPA. But this change would not impact a student who has not taken any such course.

Davis said these efforts would be used as promotional tools to alleviate concerns voiced by parents who wondered why their daughter's religion courses were not factored into the revised GPA.

Some BOG members were reluctant to support the proposed changes, saying these policies would prove unappealing to students who attended public schools.

"I don't think it is fair," BOG Chief of Staff Monica Lindblom said. "Admissions are being judged in two different ways." Junior Class President Heidi Gospipper disagreed with Lindblom.

"This is not meant to be a spirituality thing," she said. "Religion is an academic course and students should get credit for it."

Student body president Kellye Mitros also agreed with the Board of Admissions' recommendations.

"I remember thinking to myself, why would I waste eight hours of courses that mean nothing when I go to college?" Mitros said.

Davis said that she would take the Board's ideas back to Admissions for further evaluation of the proposed policy changes.

In other BOG news:

- An increased anticipation for Saint Mary's Heritage Week, scheduled for the second week of January, was apparent as Mitros reported on the progress of the event's planning.

"We are hoping to make this a whole week of spirit," Mitros said. "It will be an event filled week that celebrates our pride and heritage."

Contact Kelly Meehan at kmeeh01@smu.org

Members of the Board of Governance discuss the current Saint Mary's admissions standards at the meeting Monday.

New 'Shirt' president says teamwork is key

By KAREN LANGLEY
New Writer

Following discussions of "The Shirt" project's goals and methods at recent Council of Representatives (COR) meetings, the new "The Shirt" president, Rich Fox, was introduced at Monday's meeting.

Fox described his intentions to create a "Shirt" committee to deal with the project's design, marketing and unveiling ceremony.

"My past experiences have shown that everything works well when you have a strong team and committee around you," Fox said.

The proposed committee would include Fox, two design coordinators, two marketing coordinators, two unveiling coordinators and a Web designer.

The design coordinators would deal with issues relating to "The Shirt" itself, while the marketing coordinators would promote "The Shirt" both to students and the rest of the Notre Dame community, Fox said. The unveiling coordinators would arrange programming for the April unveiling of "The Shirt" at the Bookstore.

"The committee will provide a sounding board to bounce ideas off and allow me to focus on higher-level, more important issues that the president should be focusing on," Fox said.

Fox was introduced by the 2005 president of "The Shirt" project, Katie Fox (no relation).

"He has lots of enthusiasm for the project and great new ideas," Katie Fox said. "I am confident Rich will continue the success of the project."

Katie Fox explained the two-part process of selecting "The Shirt" project's new president. "Applications were available online and advertised in The Observer," she said. "Rich was one of the first-round finalists selected ... We had a final round of interviews and then asked Rich if he would accept the position, given approval."

The interviewing panel was made up of Katie Fox, Director of Student Activities Brian Coughlin, "The Shirt" project advisor Ryan Willerton, Financial Management Board president Michael Marshall and COR representative James Leto.

Rich Fox was approved without opposition.

Contact Karen Langley at klangle1@nd.edu

The Boston Consulting Group

BCG invites you to our Information Session and Case Interview Workshop

Wednesday, November 9th, 2005
6:00pm to 8:00pm
CCE, McKenna Hall: Auditorium

All majors encouraged to attend.
Undergraduate and Master Students, non-MBA

BCG
www.bcg.com
Arrests
continued from page 1

Tional alcohol consumption. Although there were two reported incidents of marshmallow throwing, 23 people — 12 students and 11 nonstudents — were ejected from the stadium for reasons related to alcohol. One of those students was transported to St. Joseph Hospital, Johnson said.

There were also two arrests made in the stadium, neither of them students, Johnson said. He said one was for public intoxication and the other was for public indecency. "The person arrested for public indecency was urinating on some golf carts outside the public safety office," Johnson said.

A University employee reported being pushed as she left LaFortune during the game at approximately 3:30 p.m., Johnson said.

"The person attempted to take her purse," Johnson said. "The subject was described as a male, white, white T-shirt, black pants, long dark hair and stubbly beard. And this person was not hurt and nothing was taken from her." The man fled and was not apprehended, Johnson said.

Contact Megan O'Neel at moneel@aintymarys.edu

Eating
continued from page 1

transplanted on a body double for the "Pretty Woman" poster. This fact helped prove one of Kilbourne's points — no woman can become what she sees in advertisements.

"Failure is inevitable," Kilbourne said. She listed stereotypical features of a supermodel, and her audience laughed when she said, "Indeed, she has no pores." This trend in advertising is making women feel shame about eating. In addition to the typical gull trip that comes out of the confusion of being simultaneously "virginal and experienced."

"The ménage à trois we're now made to feel ashamed of is with Ben and Jerry," she said. Another visible trend is the segmentation of women's bodies, where advertisements depict only one part of a woman's body, Kilbourne said.

"This creates a climate in which women are seen as things, objects," she said. "When women are objectified, Kilbourne said, abuse becomes socially acceptable. "The most dangerous thing to do is mix sex and violence," she said. Student Senate Gender Issues committee chair Ali Wishon, the lead coordinator behind the Eating Disorders Awareness Week events, said she hoped the lecture would "get the discussion started."

Wishon said she left Notre Dame for three semesters to deal with her own eating disorder, and she said when she returned to campus she realized it was an environment in which eating disorders aren't talked about. "Notre Dame is quite possibly the most difficult place to struggle with an eating disorder," she said.

Other events for the week — themed "Shaping Perfection" — include a lecture at 7 p.m. Wednesday entitled "Facing the Freshman (or Sophomore, Junior, or Senior) 15: Strategies to Assess the Causes and Reverse the Problem" in South Dining Hall's Oak Room, as well as a discussion at 8 p.m. Thursday entitled "360 Degrees: Perspectives on Eating Disorders" in North Dining Hall's Room F.

Contact Lisa Schulz at lschulz@nd.edu

Alito
continued from page 1

This care for precedent and the law causes Alito to refrain from exhibiting a political ideology. Garnett said, noting that more liberal judges agree with the lack of political preference shown by Alito's rulings.

"You don't get the impression that he has an agenda he's trying to use his position to promote," he said. "He would really bristle at any suggestion that he did have a political ideology!"

Garnett said Alito's record has shown him to be a conservative judge, but hardly an extremist.

"I'd put him with [new Chief Justice John] Roberts, a judicial conservative but well within the mainstream of judicial thinking," Garnett said.

It is possible to get a sense of how Alito approaches cases from his long record of judicial work, Garnett said.

"He shows judicial modesty," Garnett said. "You get a sense in the church-state opinions that he takes religion seriously."

Alito's record will protect him from some of the criticisms that plagued Miers' nomination, Garnett said.

"I think the point of contrast ... is he has this long record of judicial experience and a long record of dealing with constitutional questions that Ms. Miers did not have," Garnett said, explaining that Alito's history is indicative of how he approaches legal questions.

Alito has had much more judicial experience than either Roberts or O'Connor did before their appointments, political science professor Donald Kommers said.

Kommers called Alito's career on the federal bench "broad and more illustrious" than Roberts', but said O'Connor had greater political experience before her appointment to the Supreme Court.

"Does prior political experience at the state or federal level add anything to the qualifications of a Supreme Court nominee?" he said. "I expect it does if it helps a justice to temper law's abstractions with political realism."

Alito's views on federalism are similar to those of Roberts and the late former Chief Justice William Rehnquist, Garnett said.

"Justice Alito would believe there are limits on federal power," he said.

There was no dispute among Garnett, Kommers and Kommers about Alito's chances for confirmation, as all three predicted that he would soon be a Supreme Court justice.

"Alito will be approved, but only after unfair and aggressive questioning by the Senate Judiciary Committee," Kommers said. "In my judgment, the Senate should not permit interest groups to testify on nominees." These interest groups threaten senators' independence in selecting judges and push senators to make judicial candidates commit to positions on constitutional issues that interfere with their own independence, Kommers said.

Though Garnett is certain Alito will be approved, he too voiced concern about the role of interest groups in the confirmation process.

"There could be a messy fight because interest groups on both sides will use the fight as a way to make money through overheated rhetoric," he said. "There may be more 'no' votes than Chief Justice Roberts had, but [Alito] will still be confirmed."

Contact Karen Langley at klangley@nd.edu

Notre Dame Center for Ethics and Culture's Catholic Culture Series Presents...

VA L OR, FE S SILO W, AN D SAC RIFIE C E: T OL K IEN 'S C AT H O LIC MYTH

"J.R.R. Tolkien: A Catholic Writer for Our Uncatholic Age"

Professor Ralph Wood
University Professor of Theology and Literature at Baylor University
Tuesday, October 25
7:30 pm
138 DeBartolo Hall

Also Coming ...

Tuesday, November 1
Professor Joseph Pearce: "Tolkien: Truth and Myth"
Professor of Literature at Ave Maria University

Tuesday, November 8, 2005
Professor Mary Keys: "Tolkien's Literary Politics of Friendship and Humility"
Assistant Professor of Political Science at the University of Notre Dame

Tuesday, November 15, 2005
Mr. Greg Wright: "Missing the Spirit: The Scourging of the Shire, Tolkien's Catholicism, and Peter Jackson's Return of the King"
Writer in Residence at Puget Sound Christian College

For more information go to ethicscenter.nd.edu
INTERNATIONAL NEWS

President Fujimori arrested in Chile

SANTIAGO - Former Peruvian President Alberto Fujimori was arrested Monday on charges of torture and massacre.

Some believe he simply mishandled his new role as President as he tried to return to Peru to run for re-election after five years in exile in Japan.

Fujimori, target of an international arrest warrant, now faces extradition from Chile to Peru.

French youth identify with rioters

LE BLANC MESNIL — Shooting over each other to be heard, the young tougher sort of city suburb was again for the fifth time in a week after city transit workers struck at 2 a.m. and burned cars.

Police said they had to contribute to health care.

French Youth

Other

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Others

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domains over the past several years, established journalistic institutions still perform valuable roles in society that cannot be replaced. "People simply do not have the time to experience all these things for themselves," Beitig said. "They need editors to weave this stuff down into what they need to know as a citizen. Even more important, there is a serious credibility problem with Internet sources. If someone established like Tom Brokaw says something, you can probably believe it." 

Anne Thompson, chief financial correspondent for NBC News, echoed Beitig's sentiments. "It's not only an issue of credibility, but bloggers also do not have the same resources that journalists like us have," Thompson said. "They don't necessarily have money for travel expenses, research assistants, well-connected sources and other things like that needed to produce quality news." 

Bill Mitchell, director of publishing and online editor at the Poynter Institute for Media Studies, highlighted the increasing frequency of changes occurring in the journalism world as a result of the influence of new technologies, regardless of traditional journalism's influence. "The expansion of online news consumers of news allows traditional publications and networks to now utilize multiple vehicles for disseminating their content," McMeel said. "For example, a news outlet would have a presence online. We need local voices and credible figures to survive because no one can do our jobs like we can." 

John McMeel, chairman of Andrews McMeel Universal, said although struggles with corporate ownership can be difficult, the information revolution should not be viewed as a completely negative phenomenon. "With all these new sources of news, it becomes more and more difficult to determine the veracity of news available to the public," McMeel explained. "Yet, I think the answers lie with the students in this room and young consumers of news. You will find a new approach because you grew up in a different age and will know how to get consumers to give us what we want — their time."

Mitchell outlined three specific groups he thought would demand such a new approach to distributing news — consumers who consistently pay for news, consumers who believe in their craft as a public service and advertisers who want to see the ads run in a respectable and widely-circulated publication.

Contact Katie Stuhldreher kstuhldr@nd.edu

Ursula Williams
You're thought of Today and Every Day.

Love and Miss You,
Your Friends

Thinking About Your Summer? Thinking About Doing Things? Want to Cut Your Tuition?
If you're thinking to yourself... Then Come & Hear About a Great Opportunity: Summer Service Learning Programs November 8 6:00 – 7:00 PM CSC Classroom

CSC Center for Social Concerns

CLC continued from page 1

dance to see what themes would be desirable for the specific time period.

The proposal was the brainchild of the Social Concerns task force, which has been investigating the nature of hall dances for the last several months. Recognizing that some past dances have "represented poor judgment and a lack of consideration and respect by the dance organizations," the group decided to make provisions for the current manual. Social Concerns task force chair Jacques Nguyen said, "With hall dances already underway, our task force thought we should look into this and see if there were things that could cause us problems and the names thing was decency," Nguyen said. "The resolution is hopefully pretty straightforward. The dance manual never talks about appropriateness for dance themes."

The resolution was passed unanimously. It will be sent to Vice President of Student Affairs Father Mark Poorman next, although student body president Dave Baron said that Assistant Director of Student Activities Peggy Huntau also will receive a copy since she will be responsible for making the adjustment to the dance manual.

In other CLC news:

- Hall Presidents Council co-chair Dan Zenker told members the empty seats in the student section of the pep rally were the result of last-minute changes made by Joyce Center officials and members of the Student Activities Office.
- "Student Activities, along with Joyce Center officials, met last week to implement a new ticketing system for fans," he said. "They also created a 6,000-seat limit for student fans. I would have said don't reserve that many seats for students, because all the seats were not filled."

Zenker said he doubts the remaining two pep rallies will attract 6,000 student fans. "I'm going to meet with Student Activities to iron these things out," Zenker said. "There was a miscommunication last week. They're trying to do different things to get fans into the Joyce Center in the most effective way."

Contact Mary Kate Malone at mmalone3@nd.edu

"The resolution is pretty straightforward. The dance manual never talks about appropriateness for dance themes."

Jacques Nguyen social concerns task force chair

N. Grape Road
Denali jacket

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A thick fleece coat is perfect for winter. Ask any yak.

300 Weight Polartec® fleece provides exceptional warmth. Wear it on its own or zip it into a shell for wet-weather protection.
MARKET Recap

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IN BRIEF

Unions join to fight Delphi wage cuts DETROIT - Six unions that represent workers at Delphi Corp. said Monday they are banding together to fight proposed wage and benefit cuts at the auto supplier, a sign Delphi may face a strike as it pushes in bankruptcy court for concessions.

The unions represent the vast majority of those workers, or about 120,000. Other unions in the group are the International Union of Electrical Workers-Communications Workers of America, the United Steelworkers, the International Brotherhood of Electrical Workers, the International Association of Machinists and Aerospace Workers and the International Union of Operating Engineers.

"Delphi's contract proposals to our unions, together with CEO Steve Miller's public statements, clearly reveal senior management's contempt and disdain for the hard-working people who have played a vital role in making Delphi the world's leading automotive parts manufacturer," the unions said in a joint statement.

Gividant sues Johnson & Johnson NEW YORK - Medical device maker Guidant Corp. sued Johnson & Johnson on Monday in an attempt to force it to complete a $25.4 billion acquisition of Guidant, which has been stalled by a series of recalls.

The suit signals the two sides have failed to renegotiate the acquisition which had been slated to close last week as part of the deal will likely dissolve. Shares of Indiana-based Guidant tumbled nearly 5 percent in early trading Monday, before recovering slightly. J&J shares rose.

Meanwhile, Guidant's problems mounted as it reported sharply lower third-quarter earnings on Monday and disclosed it was under investigation by the Securities and Exchange Commission. Moody's Investors Service changed the direction of Guidant's rating review to possible downgrade from direction uncertain because the transaction didn't occur as planned.

CHINA

Product piracy continues to grow

In a formal request made through the Geneva-based World Trade Organization, the United States has asked Beijing to outline what it is doing to fight piracy, in what could be a bid to economic sanctions if Washington sees the information in a trade case against China.

The issue has taken on greater urgency with the issue has taken on greater urgency with the anti-piracy conference pressed to confront the problem, but said not enough was being done to protect legitimate businesses or consumers. The fastest growing problem is in the area of Internet-based crime, said Louis M. Beigel, III, assistant director for the Federal Bureau of Investigation's Cyber Division.

About 40 percent of the 500 commercial piracy cases now under FBI investigation involve China, he said. Those cases span a wide range of industries, including apparel, music, movies, games, software and even drugs.

Most critical are pharmaceuticals imported into the U.S. and sold to the most vulnerable in society," Beigel said. "Theft in the trade sector and intellectual property are emerging as global threats."

Agency: Wal-Mart knew of illegality

The lawyer who asked that the affidavit be unsealed said it shows Wal-Mart knew it had illegal janitors in its stores.

"The sworn testimony in the affidavit establishes that top Wal-Mart executives conspired with contractors to exploit undocumented immigrants," said James L. Iannone, a New York attorney leading a class-action lawsuit on behalf of former janitors.

Wal-Mart denied there was any, but Iannone said that it contained "bits and pieces of information from larger conversations."
Since 1954, the size of the United States’ tax code has increased by almost 500 percent. Tax regulations created by the Internal Revenue Service have increased in volume by 939 percent, and in April 2006, Americans will spend a combined total of 6.5 billion hours at an estimated cost of close to $500 billion, in order to simply pay for the privilege of footing Washington’s bill.

It is time for the FairTax. Perhaps you have heard of the FairTax by now. It is a comprehensive plan for the dissolution of the IRS that would replace all income taxes with an embedded personal consumption tax. According to the website of Americans for Fair Taxation (www.fairtax.org), the FairTax would abolish “personal, estate, gift, capital gains, alternative minimum, Social Security, Medicare, self-employment and corporate taxes.” In their stead would be a 23 percent national sales tax on all consumption goods: a simple, one-time tax that is collected at the retail level.

However, the FairTax is unlike the current sales taxes that exist in this country. These taxes are imposed on top of already embedded income tax and corporate costs. In the FairTax Book, written by libertarian radio personality Neal Boortz and Congressman John Linder, a loaf of bread is used as an example to illustrate these hidden costs. For every loaf of bread, the seed producers pass tax costs onto consumers. The shipping company does too. In fact, processors, bakers, distributors and grocery stores all pass a portion of their income tax burdens onto consumers, no matter how rich or poor they are. Eliminating these costs initially, by eliminating the income tax altogether, would reduce the market price of all products by an average of 22 percent. Don’t take my word for it, though. Take the word of the Harvard Economics Department. So when these costs are abolished, the FairTax is added and returns the prices of consumption goods to — you guessed it — exactly where they are today. The difference is, of course, that people who are purchasing these things keep every last penny of their paychecks. For low-income families, this would mean an immediate average increase in pay of 25-30 percent.

If you are trying to think of ways in which to oppose this plan, I need to know one thing: why? The federal government would still steal — I mean, collect — the same amount of tax revenue as it does today under the FairTax. The FairTax does not cut funding from any cherished socialist programs like welfare or Social Security. It is merely a new way for the federal government to pay for its existence.

But wait, it gets better. The FairTax Act of 2005 (yes, it has already been written and is ready to be passed) also contains mechanisms for a “pre-bate.” Based on government figures, the federal government would calculate the “annual consumption allowance” of a household — that is, the amount of money that household can be expected to spend on the necessities of life for that year — and refund the money. Every household in America gets a tax refund, every year.

In case you had not noticed, wealthy individuals tend to spend more money than poor individuals on consumption goods; thus, the wealthy would end up paying more in taxes than the poor. Most people seem to like this idea.

Finally, the economic impact would be astounding. Driven by the "increasing burden of taxation and Social Security payments, combined with rising state regulatory activities and labor market restrictions," American businesses have been seeking out "tax havens" in other countries with much friendlier tax structures. The media buzzword for this phenomenon is "outsourcing," and believe it or not, our government has been causing it all along. Most companies would rush to bring jobs back to the United States, and their American workers would keep all of the money they earn.

The FairTax is a typical libertarian solution to a greater social problem. Instead of promising more regulations, like many Republicrats typically do, we reduce them. It is a novel concept, I know. The results would be revolutionary.

The FairTax is not a panacea. It does not lower taxes, and it does nothing to curb the spending orgy. The Republicans have been having in Washington. It does not stop pork barrel spending, nor does it re-evaluate how federal money is spent. The responsibility for affecting change in those areas falls squarely on us, as voters.

However, the FairTax would be an enormous stake in the heart of the monstrosity that is the IRS. It is thought to be easy enough to make any libertarian win the happy and sleep better at night. We need the FairTax now.

Scott Wagner is the president of the college Libertarians Club. He writes political satire for the Web site The Enduring Vision and thinks you should go read it. He can be contacted at swagnerl@nd.edu. The views expressed in this column are those of the author and not necessarily those of The Observer.
LETTERS TO THE EDITOR

Cab experiences frustrate

I would like to respond to your Nov. 4 article about cab companies. I am very frustrated with the way that some cab drivers have been treating by local cab companies. In my cab-riding experiences, the prices quoted in the article were incredibly low. I have ridden with three cab companies on the list and have never been charged less than $6 per head and as much as $13 per head. I have also never ridden with a driver that lets the meter run. I hate the fact that because I am a student, many drivers take advantage of me to argue about prices. I mark up their prices when I ride with them, if the drivers wish to receive more tips as mentions in the article, they should stop marking up their prices for students. I can guarantee that I will never tip a driver who has cheated me, because the way I see it, I have already given him a tip whether I wanted to or not. I am also concerned with the way drivers treat students. My first truly bad experience was with Michiana Taxi, the company mentioned in your article. The driver ordered to per­suse two more students to squeeze in with six students in it. When I protested because there weren’t enough seatbelts for eight passengers, the driver responded that 90 percent of students don’t care about seatbelts, espe­cially when we’re drunk. I told him that he still couldn’t have any people in the cab because it endangers our safety. He gave in and drove us home and dropped me off last. After I paid him, he condescendingly told me that I was lucky that he was a nice guy because any other cab driver would have kicked me out of the cab for giving him lip about the seatbelts like the story then called me a “bitch” and drove off. I went inside my apartment and called Michiana Taxi’s number. The dispatcher hung up on me a total of three times when I tried to tell him my story and told me that I needed to learn to talk respect­fully to others, and he also called me a “bitch.”

My second bad experience was with Express Cab. I was coming home from a bar with a group of friends when a guy friend protested the high price the driver was charging us and attempted to nego­tiate a lower one. The driver immediately slammed on the brakes and remained stopped in the middle of the street, insisting that it was the right price. He then called me immediately. He finally agreed to let him stay in the cab, but refused to start driving again until we all paid him the full amount he demanded in cash. What angers me the most about these experiences is that both drivers were willing to sacrifice their passengers’ safety in exchange for a bigger profit. I have been afraid to challenge the inflated prices, and these experiences have rein­forced that fear. It shows me that if I dare stand up for myself, I will be walking home and subjected to insults not only from the driver, but also from the cab company itself.

If most of the cab companies’ business during the school year does indeed consist of Notre Dame stu­dents, then perhaps they should start treating their major clientele with a little more respect. Until then, I’ll be taking the bus.

Kristin West
Freshman
Olivia Campus
Nov. 7

Racism still alive

In response to Stephanie Yoshida’s [Nov. 7] “Grouping is natural” letter to the editor, I would agree that Notre Dame is a self-segregated cam­pus. However, Yoshida and I have some very different viewpoints on this issue which I would like to discuss. I do not agree with Yoshida’s argu­ment that people from a particular ethnic group inherently have more similar interests. Certainly, there are cultural similarities in many cases among whites.

However, from personal experience I would say that an Asian-American from Minnesota normally has fewer common interests with an Asian-American from California than he or she shares with an American Indian. So, the idea that self-segregation at Notre Dame occurs along racial lines due to shared interests is undoubt­edly flawed.

What I do find common to both groups lead to self-segregation on cam­pus but I personally feel that it is the idea that there is a different reason for this phenomenon. The reason that I am not to suggest is more cynical than the reasons presented by Yoshida.

Racism in America is still alive and among some people quite strong. This also applies to the Notre Dame campus. The number of racist remarks I have heard since arriving on campus only a few months ago is staggering.

With this, my theory is revealed as to why there is self-segregation on campus. In an effort to place them­selves in a comfortable and fully accepting environment, ethnic minorities are almost forced to self-se­gregate into their own groups.

I have not claimed that Notre Dame is a completely racist campus; how­ever, complete racism is not neces­sary to cause discomfort for those who are targeted. Students form self­segregated groups because they know they will not be unfairly judged just because of their race within these groups.

I feel that the problem at Notre Dame is the racist tendencies that many students have without even realizing it. So, the best solution is to closely examine our own thoughts about race and to hopefully realize that race should not be an issue when interacting with or talking about other people.

Jeff Tate
Freshman
Fisher Hall
Nov. 7

More uninformed Democrat drivel

I used to find it absolutely amazing that in this coun­try, two people could dig the same set of facts and come away with such differing opinions. After Joe Falco’s [Nov. 7] column titled “Bushing around the corner” I am profoundly unprepared that another poorly researched, poorly argued opinion piece came from another “Bush-hater.”

Falco says that “African-Americans disproportionately constituted one in every three hurricane victims.” In 2000, the United States census reports that of the 48,241,044 African-Americans, 325,947 of them are African-American. New Orleans has 20 square miles below sea level. Do the math.

Falco also talks about Scooter Libby’s indictment in the C.I.A. leak. What should disgrace everyone is not that some analysis was supposedly out, but that the special prosecutor used this as a possibility to entrap administration officials. Libby is not being charged with the original accusations, but instead with obstruction of justice. The little details indicate this was never really about violating the Espionage Act, but about political motives. Libby was left for President George W. Bush “stealing” the election in 2000.

Finally, Falco mentions that nominating a “conserv­ative ideology” should distract the nation well into 2006. Judge Samuel Alito, Jr. has been confirmed. First Amendment and abortion rights are reassuring and well­argued. In Planned Parenthood of Central New Jersey v. Farmer, Alito found that a Pennsylvania law banning partial birth abortion was unconstitutional in light of the recent Supreme Court ruling in Stenberg v. Carhart. In Illinois v.2, 365 F.3d 730, 4th Dist. 2003; 266 F.Supp. 13 decided that the police department could not force Muslim police officers to shave their beards when the department allowed other police officers to keep their beards for religious reasons, not religious ones. These decisions are not the rants of a manorial, conservative ideologue driven by political motives or an out­of-tune Democrat.

Bob Polchow
Senior
S. Edward’s Hall
Nov. 7

A simple proposal

The issue of self-segregation has been played out in the pages of The Observer recently — both of the authors of this letter are among those whose opinions have been published. We have a small propos­al for this University, for which we seek the guidance and support of the entire Notre Dame community.

Initially coming from different sides of the current controversy, merely a small detail in the larger picture of diversity here, we met over coffee Wednesday evening as two students hoping to further the discussion about the self-segregated nature of Notre Dame.

Karim Saada
Freshman
Fisher Hall
Nov. 7

The Observer
It came to my attention the other day that I might not actually have anything to say. Really. This realization emerged out of the fact that a large portion of the things that I say are actually quotes from movies. Thinking of this terrified me for a moment — until I realized that I was in no way the sole victim of this phenomenon.

Quoting movies is a part of our cultural climate, particularly as college students, but I began to wonder — why do we do it? And, more specifically, why do some movies become chosen film shruberies while others don’t?

To clarify this discussion, there is a difference between classic movies that get quoted, such as “Casablanca,” “Gone with the Wind,” and more current films. These films are like great literature and are part of our cultural heritage rather than a source of amusing quotes. If you say, “Here’s looking at you, kid,” it is possible that you, your parents and your grandparents will know what you’re talking about, regardless of whether they have seen the movie. If you say, “We’re going to get the shmoos out of here,” “My mother was aпередиazer of the Islamic world, uniting the his-

tral sounds. N’Dour’s powerful vocal performance was accompanied by Fahy Salama’s Cairo Orchestra. Together, the music of “Egypt” portrays the unity of the Muslim world and the beauty found within the religion.

The orchestra was incredibly talented, especially the percussion section. There were several individual instrumental solos, which demonstrated the various sounds of that particular instrument. The orchestra also played chants by having only one instrument perform it, thus adding on other instruments playing the same chant in a slightly different style. Salama desires to bridge the link between traditional and modern music from the Orient. He has worked towards this with his Cairo Orchestra, and has succeeded through their collaboration with N’Dour on this album.

N’Dour’s performance portrayed the beauty of Islam, something that most Westerners have never had the chance to witness outside of political and racial agendas. In this manner, N’Dour gave the Notre Dame community, along with the rest of the Western world, the gift of experiencing another part of the world and another religion.

The Grammy N’Dour received for this album suggests that it might be the forerunning work of the West’s appreciation for the musical talents and diversity of the Muslim world. It was a celebration of the diversity and unity of the world’s religions and cultural backgrounds.

N’Dour’s music transcends the boundaries of the Islamic world, uniting the his-

SCENE & HEARD

I don’t know how to say this, but...
Youssef N'Dour prepares for an emotional moment in one of his songs on Sunday. He has worked towards fusing many different styles into a unique sound.

By ANALISE LIPARI
Scene Writer

Krystian Zimerman is the latest in a series of high-profile musicians to be featured at the DeBartolo Performing Arts Center. Hailing from Poland, this award-winning pianist will perform several notable classical pieces at his upcoming concert Wednesday night, including works of Beethoven, Chopin and Ravel.

Zimerman has studied the piano since the age of seven, when he began training under leading musicians at a music conservatory in Katowice, Poland. After graduating 14 years later, Zimerman went on to win several high-profile music competitions. As mentioned in a recent South Bend Tribune article, his victory in the world-renowned Warsaw music International Frederick Chopin Piano Competition in 1975 helped jump-start his fledgling career.

Since that time, Zimerman's touring schedule has expanded dramatically, to all of Europe, America and Asia. Primarily, he has performed and recorded with the Deutsche Grammophon label. Zimerman has also expanded to teaching at the Music Academy in Basel, Switzerland in recent years.

Often praised by both critics and his faithful audience, Zimerman recently was the subject of dedication of Witold Lutoslawski's latest piano concerto.

According to his official biography, Zimerman often makes a conscious effort to play particular pieces of music in their original environment. To Zimerman, performing Mozart in Vienna or Bernstein in New York is a particular priority.

"If I were an actor, I would also not myself the aim of performing Shakespeare in London and Chekhov in Russia," Zimerman said in his biography. While Wednesday's show will not feature any native Illinois music, this kind of appreciation for the roots of his pieces makes Zimerman an unique musical performer.

True to his heritage, Zimerman also incorporates a Polish piece of music into each American performance. Wednesday night's concert will follow suit, featuring several Polish folk dances called polkas. Zimerman's inclusion of Chopin, arguably one of the best Polish composers, also contributes to his efforts to bring more Polish music to this American audience.

Zimerman is also widely known for his collaborations with several respected modern conductors. Working with men such as Leonard Bernstein, Seiji Ozawa and Stanislaw Skrowaczewski has given Zimerman an unparalleled grasp of the more subtle nuances of both conducting and performing music.

"Working frequently and closely with an outstanding musical personality, a master of orchestral sound, was a formative experience for him," Zimerman's biography says of his collaborations with Bernstein. This type of connection with the conductor's viewpoint lends a distinct perspective to Zimerman's performances.

Recently, Zimerman has been the recipients of several international awards for his performances. His alma mater, the Katowice Music Academy, has awarded him an Honorary Doctorate of Arts, the second in the institution's history. He has also been late the recipient of France's "Ordre National de la Legion d'honneur," as well as Japan's 2004 Record Academy award for his 2004 Rachmaninoff recording with the Boston Symphony.

Zimerman's performance this upcoming Wednesday night will serve as a chance for the Notre Dame and Saint Mary's communities to bear a true artist at work at his craft.

Contact Analise Lipari at allipari@nd.edu
Charlotte, N.C. — Mehmet Okur scored seven of his 16 points in the final 31 seconds of overtime, and the Utah Jazz beat the Charlotte Bobcats 96-91 on Monday night.

Andrei Kirilenko added 20 points for Utah, which has won 13 in a row and skirmished with the Jazz, who recovered after blowing a 14-point third-quarter lead.

Primoz Brezec, Sean May and Jannero Pargo scored 13 points each, and Emeka Okafor added 12 points and 11 rebounds for the Bobcats, who were trying to win three in a row for the first time in franchise history.

Okur hit back-to-back jumpers to put the Jazz ahead for good 90-87 late in the overtime period. He was 11-of-17 and good on all foul shots.

The Bobcats, who rallied from a 12-point fourth-quarter deficit to beat Boston on Saturday, came back against the Jazz behind rookies May and Raymond Felton.

May’s 13-foot jumper with 3:38 left cut the deficit to 87-83. On the next possession, Felton stole the ball from Utah rookie Deron Williams in their first head-to-head matchup since last season’s NCAA championship game — leading to Brevin Knight’s jumper that gave Charlotte its first lead at 82-81 with 2.37 left.

In OT, the Jazz continued their 24th turnover, an over-and-back violation, to give the Bobcats the ball with 14 seconds left, but Knight missed a runner at the buzzer to send Charlotte to overtime in four games.

It’s only the third time in NBA history a team has opened the season with three OT games in its first four. The Jazz and the first since the Los Angeles Lakers in 1991.

Charlotte leading scorer Gerald Wallace did not play in the final OT after being cut in the head on a drive to the basket in the second quarter. Guard Kirk Hinrich, who was scoreless in 12 minutes as he continues to be bothered by a left elbow injury, left.

Bobcats coach Bernie Bickerstaff praised Knight and Felton’s backcourt for most of the final 17 minutes because of their defense.

Leading 44-43 early in the third quarter, the Jazz went on a 12-2 run. Kirilenko’s shot in the paint made it 56-45 with 5:43 left. Utah twice built the lead to 14.

Cleveland 105, Toronto 93

TORONTO — LeBron James had 27 points to lead the Cleveland Cavaliers over the winless Toronto Raptors on Monday night.

James added 16 points for the Cavaliers, who salvaged the last game of their three-game road trip.

Chris Bosh had 26 points and 12 rebounds for the Raptors, who are 0-4 for the first time in franchise history.

Cleveland outrebounded Toronto 47-40. The Raptors have been outrebounded 104-65 in their last two games.

Kareem Rush was scoreless in his return to the team that made him the first No. 1 pick, and was fouled. He made the first of two free throws before the buzzer to send the Miami Heat a 128-126 victory over the New York Knicks on Monday night.

Ray Allen had 23 points, 12 rebounds and 11 assists in Miami’s 102-95 win over the New Jersey Nets on Monday night.

New Jersey rallied from two points down in the second half, yet never took the lead.

But Minnesota broke away in the third quarter, holding the Jazz to just 13 points in a season-low 12 points.

Mehmet Okur drives past Sean May for two of his 32 points to help the Jazz beat the Bobcats 96-91 in overtime.

Okur and Emeka Okafor scored 13 points each, and Emeka Okafor added 12 points and 11 rebounds for the Bobcats, who were trying to win three in a row for the first time in franchise history.

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Chris Bosh had 26 points and 12 rebounds for the Raptors, who are 0-4 for the first time in franchise history.

Cleveland outrebounded Toronto 47-40. The Raptors have been outrebounded 104-65 in their last two games.

Kareem Rush was scoreless in his return to the team that made him the first No. 1 pick, and was fouled. He made the first of two free throws before the buzzer to send the Miami Heat a 128-126 victory over the New York Knicks on Monday night.

Ray Allen had 23 points, 12 rebounds and 11 assists in Miami’s 102-95 win over the New Jersey Nets on Monday night.

New Jersey rallied from two points down in the second half, yet never took the lead.

But Minnesota broke away in the third quarter, holding the Jazz to just 13 points in a season-low 12 points.

Mehmet Okur drives past Sean May for two of his 32 points to help the Jazz beat the Bobcats 96-91 in overtime.

Okur and Emeka Okafor scored 13 points each, and Emeka Okafor added 12 points and 11 rebounds for the Bobcats, who were trying to win three in a row for the first time in franchise history.

Okur hit back-to-back jumpers to put the Jazz ahead for good 90-87 late in the overtime period. He was 11-of-17 and good on all foul shots.

The Bobcats, who rallied from a 12-point fourth-quarter deficit to beat Boston on Saturday, came back against the Jazz behind rookies May and Raymond Felton.

May’s 13-foot jumper with 3:38 left cut the deficit to 87-83. On the next possession, Felton stole the ball from Utah rookie Deron Williams in their first head-to-head matchup since last season’s NCAA championship game — leading to Brevin Knight’s jumper that gave Charlotte its first lead at 82-81 with 2.37 left.

In OT, the Jazz continued their 24th turnover, an over-and-back violation, to give the Bobcats the ball with 14 seconds left, but Knight missed a runner at the buzzer to send Charlotte to overtime in four games.

It’s only the third time in NBA history a team has opened the season with three OT games in its first four. The Jazz and the first since the Los Angeles Lakers in 1991.

Charlotte leading scorer Gerald Wallace did not play in the final OT after being cut in the head on a drive to the basket in the second quarter. Guard Kirk Hinrich, who was scoreless in 12 minutes as he continues to be bothered by a left elbow injury, left.

Bobcats coach Bernie Bickerstaff praised Knight and Felton’s backcourt for most of the final 17 minutes because of their defense.

Leading 44-43 early in the third quarter, the Jazz went on a 12-2 run. Kirilenko’s shot in the paint made it 56-45 with 5:43 left. Utah twice built the lead to 14.
TRENTON — Terrell Owens will not play for the remainder of the 2005-06 season.

Owens’ antics land him on sidelines

Associated Press

PHILADELPHIA — Terrell Owens can take his touchdowns and dance somewhere else.

The tempestuous star receiver won’t return to the Philadelphia Eagles this season — or probably ever — because of “a large number of situations that accumulated over a long period of time,” coach Andy Reid said Monday.

Owens was suspended for Sunday night’s 17-10 loss at Washington, and will remain suspended for three more games without pay. After that, the Eagles plan to deactivate him for the rest of the season.

Reid said the outspoken player “had been warned repeatedly about the consequences of his actions.”

“We gave Terrell every opportunity to avoid this outcome,” he said. “Owens was suspended Saturday, two days after he said the Eagles showed “a lack of class” for not publicly recognizing his 100th career touchdown catch in a game on Oct. 23. In the same interview with ESPN.com on Thursday, Owens said the Eagles would be better off with Green Bay’s Brett Favre at quarterback instead of Donovan McNabb.

Owens also was involved in a fight last week with former Eagles defensive end Hugh Douglas, who remains with the team as its “ambassador.” Owens apologized for his comments about the organization in a brief statement on Friday, but he didn’t apologize to McNabb or the team.

“Tell the league has been notified by the players’ union that they will be grieving our right to take this action,” Reid said, “therefore there is nothing more that I can say at this point.”

Owens summoned police to his home in Moorestown, N.J., late Monday because there were some people on his property. Owens said he wanted to be left alone, had no comment and would not contact the news media when he did want to speak, police at the scene said.

Owens’ agent, Drew Rosenhaus, refused to comment. Owens’ relationship with the Eagles took a drastic turn after he hired Rosenhaus and demanded a new contract just one season into the seven-year, $48.97 million deal he signed last summer.

In Brief

Duke tops NCAA’s preseason poll

Duke is back at No. 1 in the Associated Press’ preseason college basketball poll, while defending champion North Carolina failed to even make the Top 25.

Kansas, the preseason No. 1 last year and another regular in the poll, also was not among those teams ranked Monday.

The Blue Devils were a runaway choice for No. 1, the sixth time they have started the season atop the rankings.

North Carolina becomes the first defending national champion not to be in the preseason poll the past season since the Kansas Jayhawks in 1984-89. The Tar Heels lost their top seven scorers from last season, three to graduation and four underclassmen will attempt to enter this year’s NBA draft.

Bolstered by the return of All-America guard J.J. Redick and all-conference center Shelden Williams from a team that went 27-4 and reached the third round of the NCAA tournament, Duke received 61 first-place ballots and 1,785 points from the 72-member national media panel.

Neely headlines Hockey Hall of Fame inductees

TORONTO — Former Boston Bruins star Cam Neely was inducted into the Hockey Hall of Fame on Monday along with late Soviet forward Valeri Kharlamov and Canadian amateur hockey leader Murray Costello.

The 40-year-old Neely, who recently rejoined the Bruins as an alternate captain, had 395 goals and 299 assists in 126 regular-season games in a career cut short by injuries at age 31. The power forward had a Boston-record 55 playoff goals.

“It’s great to be recognized for the way I played the game,” Neely said. “It’s not strictly about goals and assists. It meant as much to me to give a big hit as it did to score a big goal and to leave a mark for being that kind of player is special to me.”

Pete Rose Jr. guilty of steroid distribution

NEW YORK — Pete Rose Jr., the son of baseball’s all-time hits leader, pleaded guilty Monday to charges that he distributed fentanyl, a drug sometimes sold as a steroid alternative, to his minor league teammates.

The 35-year-old Rose appeared before a federal judge and said nothing but “yes, sir” when asked if he understood the charges and plea.

Rose could be sentenced to 21 to 24 months in federal prison and fined up to $1 million under terms of his deal with prosecutors. Assistant U.S. Attorney Paul O’Brien said the sentencing hearing is set for Feb. 20.

“This is a tragedy. Anyone who knows this young man knows he is a very, very fine young man,” Rose’s attorney, Jeffrey Brody, said outside the courthouse. “The use of this stuff is common. It’s used as a sleep aid by many people in sports. And he got caught in a time warp because it was legal up to 2000.”

Terrell Owens warms up for a preseason game Aug. 26. The Eagles announced Monday that Owens will not play during the 2005-06 season.

around the dial

NHL

Bost on at Philadelphia

7:00 p.m., OLN

NCAA Men’s Basketball

Bethune Cookman at Syracuse

8 p.m., ESPN U
2005 ranks among Woods' best years

PGA

The golfer will play four more events this season before winter

Associated Press

ATLANTA — Tiger Woods boarded his plane at midnight for Shanghai, starting a four-week stretch of five events before he can wrap a ribbon around 2005 and decide where it ranks among his 10 seasons on the PGA Tour.

With six victories, two majors and all the top awards, some consider it his second-best year. Others favor his '99 season, when he won eight times — including four in a row — and one major.

He gave himself more chances on the back nine Sunday in the majors this year, a big plus.

Then again, twice he didn't even make it to the weekend.

"It's a toss-up," Woods said after his runner-up finish to Bart Bryant in the Tour Championship.

Considering the state of his game when he left East Lake a year ago, Woods didn't mind this kind of debate.

He used to talk about progress in his swing that only he could see, but hardly anyone believed.

Now he has the best kind of evidence — a green jacket from the Masters, a silver claret jug from the British Open, two more World Golf Championships, and PGA Tour victories at Doral and Torrey Pines against the strongest fields this side of a major.

Woods measures success almost exclusively by the majors, so there was no hesitation when he was asked for a quick assessment of the year shortly after his final putt dropped Sunday afternoon.

"A great season," he said. "To make all the changes that we've made the past couple of years now, and to have this type of contention in the major championships again, that's ultimately where I want to be."

Woods has said the reason he revamped his swing was to get even better than his record-setting 2000 season, when he was perceived as unbeatable.

Along with winning nine times in 20 starts, including the final three majors, Woods only finished out of the top 10 three times.

He is not there yet. Instead of rebuilding his mystique, Woods was a man of mystery this year.

He provided the most dramatic shot of the year on the 16th hole at the Masters, when his chip from behind the green did a U-turn at the top of the ridge, trickled to the cup and paused for two full seconds before falling for birdie.

It was vintage Woods, until he followed that with two sloppy bogeys to lose his two-shot lead and fall into a playoff with Chris DiMarco. Then came his best two swings of the week — maybe the year — to birdie the last hole.

"This year, I think the biggest moment for me was the playoff at Augusta, because I had just played three bad holes in a row, but then I hit my two best golf shots when I absolutely needed it the most," Woods said. "So that was a huge turning point for me this year."

His power was on display all year.

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Street, Howard get top rookie awards

Oakland’s closer is the second straight winner from the A’s

Oakland’s closer is the second straight winner from the A’s

Associated Press

NEW YORK — Huston Street kept the A’s Rookie of the Year award in-house.

Oakland’s poised closer became the second consecutive winner from the Athletics, and Philadelphia Phillies first baseman Ryan Howard won the NL award on Monday.

Street really had to look far for inspiration. The previous A’s winner was his roommate this season, A’s shortstop Bobby Crosby.

“Maybe he rubbed it off,” Street said.

Street, who took over as Oakland’s closer in May, got 12 of 28 first-place votes in ballot-by the Baseball Writers’ Association this year, finishing with 97 points. New York Yankees second baseman Robinson Cano came in second with 57 points, followed by Tampa Bay designated hitter Jonny Gomes with 39.

Called up from the minors for good on July 1, Howard replaced injured starter Jim Thome at first base and led all rookies with 22 home runs. He received 11 of 23 first-place votes and 109 points to beat out Houston outfielder Willy Taveras, who got 78 points. Atlanta right fielder Jeff Francoeur was third with 50 points.

But the top rookies got a chance to play in the big leagues this year and Street believes teammates got injured.

“Things just started falling in,” Street said, “and I heard, surprised by his comfortable margin of victory, never wanting to see anyone hurt or injured, but I just came up and tried to make the most of my opportunities.”

Street is the son of former Texas quarterback James Street, who led the Longhorns to a national title in 1969. The 22-4 (8-3, Pac-10) Longhorns’ second straight season under Octavio Dotel went down May 20 with a season-ending elbow injury and went 5-1 with 23 saves in 27 chances and a 1.72 ERA — second among AL closers to New York’s Mariano Rivera.

“It’s a tremendous honor. Coming into the season my goal was just to stay, one day at a time. Coming out of spring training it didn’t even look like I had a chance to make the team,” Street said. “Rookie of the Year, it’s something that’s pretty cool — you’ve got one chance to get it done.”

Street had 72 strikeouts in 74 1-3 innings, and opponents batted only .194 against him.

“He worked hard,” James Street said. “The biggest thing is he got lucky with the Dodger situation, but he went out and got the job done. I’m awful proud of him, his mom and I both are. I told him, ‘In sports you give you awards for who you’ve worked the hardest, so what are you going to do next year?’ He still got the job done. They can’t take that away from him.”

Now the family has another prize to put in the crowded trophy room at home.

“It’s dominated by dad right now,” the pitcher said, adding that he plans to give the plaque to his parents. “Made my mom cry this morning. It’s obviously a pretty big deal if my mom is crying.”

The day earlier this season, Phillies manager Charlie Manuel compared Howard to young Willie Stargell, the Pittsburgh Pirates Hall of Famer. Howard had long been a touted slugger in the minors, but his path to the majors appeared blocked by injuries to his knee, elbow and lower back.

Howard was called up from Triple-A twice this year, but given a chance to play regularly, he took full advantage and quickly became one of the most dangerous hitters in Philadelphia’s lineup, batting .318 with 63 RBIs in 88 games.

Nearly everyone else was in position to play for a national title. —

The Crimson Tide moved into third place — slightly ahead of Miami — in the BCS Championship Series standings Monday night after winning ‘Bama in position to play for a national title if Southern California or Texas stumbles down the stretch.

The first-place Trojans and Longhorns remain locked into the top two spots and on course to play for college football’s championship at the Rose Bowl on Jan. 4.

USC raised its BCS average to .9042 this week and kept its lead on Texas (.9765). For the first time in the BCS’ eight-year history, the same teams have held the top two spots for the first four standings. USC has been in first for three weeks and Texas one.

And they’re both way ahead of Alabama this week. The Tide has a BCS average of .8814, leaving it barely ahead of Miami (.8805). This is Alabama’s best showing ever in the BCS standings.

The Hurricanes (7-1) defeated fourth-ranked Virginia Tech 27-7 on Saturday to make it possible for both them and the Tide to have the top two spots this week. The Hurricanes have held the third place in the second half of the BCS standings.

“At least we’re not over yet, so being 3 or 4 isn’t a big deal.”

Penn State is fifth, followed by Virginia Tech, LSU, Ohio State, Georgia and Oregon.

Like Miami, all of those teams have won three spots this season, but one of each has a victory over Alabama this week. The Tide was in the Sugar Bowl for the second straight season with the Hurricanes' best showing ever in the Bowl.

Penn State is fifth, followed by Virginia Tech, LSU, Ohio State, Georgia and Oregon.

“Anytime you go undefeated in the SEC and then have to play the SEC championship game on top of that, you’d kind of like to think that’s enough,” Tide quarterback Brodie Croyle said. “All we can do is handle our own business.”

Alabama could become the second straight unbeaten SEC champion to be left out of the BCS title game in favor of the Pac-10 and Big 12 champions. Last year, Auburn had a perfect regular season, but ended up in the Sugar Bowl as USC and Oklahoma played in the Orange Bowl for the national title.

USC and Texas are currently No. 1 and 2, respectively, in the AP, coaches’ and Harris polls. The Harris and coaches’ poll each count for one-third of a BCS average. A compilation of six computer rankings make up the other third. The Trojans and Longhorns have a huge lead in the polls and the computer rankings.

Alabama is third in the coaches’ poll and fourth in the Harris and AP polls. Miami is third in the Harris and media polls and fourth in the coaches’ voting.

USC finishes the season with a game at California on Saturday, then home games against Fresno State (Nov. 19) and UCLA (Dec. 3). Texas plays Kansas at home on Saturday and at Texas A&M on Nov. 25. The Big 12 title game is Dec. 3 and Colorado would be the Longhorns’ most likely opponent.

The final BCS standings are released and the pairings for the Rose, Sugar, Fiesta and Orange bowls are set on Dec. 4.
Bracket continued from page 20

ment. Notre Dame defender Christie Shaner is not worried about the "brackets. "It's a difficult draw, but it's part of the game," Shaner said. "We knew going into the tournament that something like that could happen. We may be at a little disadvantage not playing at our home field ... but they have pressure on them too."

But before the possible quarterfinal matchup between two of the top five teams in the country, Notre Dame has some work to do.

The Irish will play Mid-Continent Conference champion Valparaiso Friday night with the winner moving on to play the winner of Michigan State and Bowling Green Sunday.

"Obviously we have to take one game at a time, because we have [Valparaiso] and if we don't take care of that game, we don't have a Sunday game," Shaner said.

Should Notre Dame survive this weekend, the Irish will move on to play whoever comes out of the bracket that includes Duke, Central Connecticut State and Fairfield. Notre Dame would have home-field advantage in that game as well.

"A lot of girls were looking further into the schedule ... but obviously we can't look that far ahead," Shaner said.

Notre Dame is on a 10-game winning streak heading into the tournament. The Irish have just come off a weekend where they won the Big East tournament, and feel they are picking up their game at the right time. "I think our team has begun to peak," Shaner said. "We had some losses early on in the season but because of those we've only gotten better."

"With each game you see everyone stepping up the level ... it's playoff time."

Notre Dame has the added pressure of last season's NCAA title hanging over its head. With a 19-2 record and having oustpered their opponents 46-1 during the 10-game winning streak, the Irish clearly have the strength on both sides of the ball to repeat as champions.

But Shaner said there is a lot that goes into winning a championship — such as peaking at the right time, good team chemistry and even a little bit of luck.

"I think winning last year was a great thing, but you need a lot of things to go right when it comes to NCAA time," Shaner said.

Irish coach Randy Waldrum could not be reached for comment Monday night.

Contact Bobby Griffin at rgriffi3@nd.edu

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Now, after thoroughly dominating the first two games against the Panthers last Sunday (30-23, 30-15) and then blowing the final three games, the Irish know they must play a full match each time they step on the court.

"I think that we played really well in the first two games. And then we just kind of lost our focus." Ashley Tarutis Irish sophomore

"We'll have no problem with that. We're just focused as a team, and we're ready to take on the NCAA tournament and the Big East tournament."

Tarutis said the loss will motivate them even more.

"I think we realize we lost more than just a conference match," she said. "We lost the possibility of a better seed in the NCAA tournament. That will motivate us to do a lot better in the following games." They still have hope, should they win out and play well in the Big East tournament next weekend.

"This is just one match, and I have so much confidence in our team that we'll be able to bounce back," Tarutis said. "We'll have no problem with that. We're just focused as a team, and we're ready to take on the NCAA tournament and the Big East tournament."

"I think that we played really well in the first two games. And then we just kind of lost our focus." Tarutis said. "And then we just

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NHL
Crosby is dominant in victory

NEW YORK — Sidney Crosby's first goal in Madison Square Garden helped the Pittsburgh Penguins get out of last place. Crosby — the game's first star — scored his fifth goal in his 15th NHL game and Mario Lemieux picked on a familiar opponent in the Penguins' 3-2 victory over the New York Rangers on Monday night.

After starting the season with nine consecutive losses — five in overtime — the Penguins jumped over the New York Islanders into fourth place in the Atlantic Division. Crosby has three goals and two assists through the first four games of the Penguins' longest road trip of the season. And it's no surprise that Pittsburgh is 3-1 with one game left.

"Every game he gets better," Lemieux said. "That's amazing that he just turned 18 and he's our best player night in and night out. It's incredible." Crosby had never been in Manhattan before Sunday, but he looked totally comfortable on the ice.

"It's an historic place," said Crosby, who has points in 13 games. "The atmosphere here ... it's always a challenge to play here so it was nice to get one."

Ziggy Palffer also scored, and Sebastien Caron made 35 saves in his sixth straight start for the Penguins (4-6-5), who rebounded from a 6-3 loss at Boston on Saturday. Lemieux has 61 goals and 71 assists in 68 games against the Rangers. Crosby's goal brought a wide smile to his face.
ACROSS 30 Equale 66 Flip out 47 Elian John, e.g. 48 Yoda, to Luke 31 Lizard: Prefix 49 Jerks 53 Prenatal test, for short 55 Halloween wear 57 Morse Toney-winning role 59 Squared 64 Head-to-head 65 Many an ex-director 67 Elton John, e.g. 68 Melamine in 70 Voka 10 One of the keys to 11 Modern means of search 12 "Measure" for "Manus" 13 Minnesota college 16 Place 18 Towels 20 PC key 23 "Get ... the Church on Time" 27 30-second spot 28 Exam with a perfect score of 2400 30 Part of a chorus line? 31 Lizard: Prefix 32 Actress Lotto 33 Auditorium's shout 34 Jerks 35 Italian sports car, briefly 38 Avia 39 "Nuts!" 40 Event on the horizon 41 Ages and ages 44 Jerks 45 Sana's native 46 Yoda, to Luke Skywalker 48 Prefix with skeleton 52 "Sid, John, e.g. 53 McColler 58 Pokemon 60 Microsoft 62 Like a game in London's Big 63 Japanese wear 64 For answers, call 1-900-265-5565, $1.20 a minute; or, with a credit card, 1-800-614-5554. Annual subscriptions are available for the best of the last 50 years. 1-888-7-ACROSS Online subscriptions: Today's puzzle and more than 2,000 past puzzles, nytimes.com/wordfinder ($34.95 a year). Share tips: nytimes.com/puzzleforum. Crosswords for young solvers: nytimes.com/learning/xwords.

DOWN 1 "This is for Superman" 2 Worms or grubs 3 Setting of the movie "Eight Crazy Nights" 4 Stable bit? 5 Dinkus dropped in pitchers 6 Title subject of a 1975 Truffaut film 7 E = m0 8 "First presented (2/27/1995) 9 Mediterranean sea 10 Voka 11 Leap 12 African nation 13 Wealth 14 "It can't make a difference" 15 "The 14th Amendment 16 Tally mark 17 Stone tool 18 "It can't make a difference" 19 "10/11/02: Long Live the spoils of war!" 20 "It can't make a difference" 21 "It can't make a difference" 22 "It can't make a difference" 23 "It can't make a difference" 24 "It can't make a difference" 25 "It can't make a difference" 26 "It can't make a difference" 27 "It can't make a difference" 28 "It can't make a difference" 29 "It can't make a difference" 30 "It can't make a difference" 31 "It can't make a difference" 32 "It can't make a difference" 33 "It can't make a difference" 34 "It can't make a difference" 35 "It can't make a difference" 36 "It can't make a difference" 37 "It can't make a difference" 38 "It can't make a difference" 39 "It can't make a difference" 40 "It can't make a difference" 41 "It can't make a difference" 42 "It can't make a difference" 43 "It can't make a difference" 44 "It can't make a difference" 45 "It can't make a difference" 46 "It can't make a difference" 47 "It can't make a difference" 48 "It can't make a difference" 49 "It can't make a difference" 50 "It can't make a difference" 51 "It can't make a difference" 52 "It can't make a difference" 53 "It can't make a difference" 54 "It can't make a difference" 55 "It can't make a difference" 56 "It can't make a difference" 57 "It can't make a difference" 58 "It can't make a difference" 59 "It can't make a difference" 60 "It can't make a difference" 61 "It can't make a difference" 62 "It can't make a difference" 63 "It can't make a difference" 64 "It can't make a difference" 65 "It can't make a difference" 66 "It can't make a difference" 67 "It can't make a difference" 68 "It can't make a difference" 69 "It can't make a difference" 70 "It can't make a difference" 71 "It can't make a difference" 72 "It can't make a difference" 73 "It can't make a difference" 74 "It can't make a difference" 75 "It can't make a difference" 76 "It can't make a difference" 77 "It can't make a difference" 78 "It can't make a difference" 79 "It can't make a difference" 80 "It can't make a difference" 81 "It can't make a difference" 82 "It can't make a difference" 83 "It can't make a difference" 84 "It can't make a difference" 85 "It can't make a difference" 86 "It can't make a difference" 87 "It can't make a difference" 88 "It can't make a difference" 89 "It can't make a difference" 90 "It can't make a difference" 91 "It can't make a difference" 92 "It can't make a difference" 93 "It can't make a difference" 94 "It can't make a difference" 95 "It can't make a difference" 96 "It can't make a difference" 97 "It can't make a difference" 98 "It can't make a difference" 99 "It can't make a difference" 100 "It can't make a difference"
**ND WOMEN'S SOCCER**

**Bring on Valpo**

By BOBBY GRIFFIN
Associate Sports Editor

Notre Dame's offense of its national championship will begin Friday night at 7:30 p.m. when the Irish learned Monday when the 2005 NCAA Tournament bracket was announced. The Irish have home-field advantage until the quarterfinals, when they will travel to Portland should both top seeds advance.

It is a difficult draw for the No. 3 Irish, as Portland is the No. 2 team in the country. Despite the tough arrangement, see BRACKET/page 16.

**FOOTBALL**

**Irish move to No. 11 in BCS rank**

By MIKE GILLOON
Sports Editor

Notre Dame moved up three spots in the Bowl Championship Series (BCS) rankings this week, from No. 14 to No. 11, after its 41-21 win over Tennessee Saturday. That three-spot jump could equal approximately $15 million in gains for the University.

Under the current arrangement, Notre Dame has with the BCS, the Irish need to win nine games and finish the season in the BCS top-12 to be eligible for a berth in a BCS bowl — this season, the Orange, Sugar, Fiesta and Rose bowls.

Notre Dame is guaranteed a BCS berth if it has nine wins and finishes in the BCS top six. If selected, the Irish will receive approximately $15 million in a payout normally reserved for a major conference team. Notre Dame is considered a partner in the BCS along with the six major conferences and, therefore, is eligible for the six individual bowls.

The Irish are tied for No. 1 in the Big East leaders have played more games. Notre Dame ranks No. 4 in the conference with 11 wins and sit third in the Big East rankings.

Notre Dame's defense of its national championship will begin Friday night at 7:30 p.m. against Va...