

The Carmel Pine Cone

BULK RATE
U.S. POSTAGE
PAID
CARMEL, CA
Permit No. 149

Volume 95 No. 46

On the Internet: www.carmelpinecone.com

November 13-19, 2009

YOUR SOURCE FOR LOCAL NEWS, ARTS AND OPINION SINCE 1915

Anchorwoman rejects \$40,000 settlement offer in dog attack lawsuit

■ Still deals with emotional trauma two years later

By KELLY NIX

A LOCAL TV anchorwoman whose dog was mauled to death by a black Labrador in Pacific Grove two years ago has rejected a \$40,000 settlement offer from the Lab's owner, according to records.

In documents filed Oct. 28 in Monterey County Superior Court, KCBA/KION anchor Olga Ospina, 38, said that the \$40,001 offered by Lab owner Donna Bazan is "nowhere near reasonable" for the July 25, 2007, attack in front of the P.G. post office that killed her

A Carmel Highlands dog is being called a hero after preventing a neighbor's house from burning down. See page 10A.

Maltese.

In October 2008, Ospina sued Bazan, who lives in Rancho Palos Verdes, for the attack, which occurred when Bazan's Labrador, Samson, jumped through a partially open window of her Ford Explorer and attacked Ospina's dog, Lulu, who died days later.

As of this week, court records indicate both parties failed to reach a settlement in the case and a jury trial was set for December in a Monterey courtroom.

Ospina's attorney, J. Kenneth Gorman, declined to comment on details of the case. Bazan's attorney, William Gavin, didn't return a phone message.

Lasting emotional distress

The new documents, filed by Gorman, reveal insight into the deep emotional issues Ospina claims she's had as a result of the dog attack.

Ospina was apparently so troubled by the event she sought help from a psychiatrist, who diagnosed her with post traumatic stress disorder. The doctor, J. Allen Miller, prescribed Ospina with "anti-anxiety medication, meditation and cogni-



Olga Ospina with her dog, Lulu, before it was attacked in front of the P.G. post office.

tive behavioral therapy," according to documents.

Ospina saw the psychiatrist five

See **OSPINA** page 30A

Cal Am seeks to tighten permit moratorium

By KELLY NIX

UNDER PRESSURE from one state agency to curtail pumping from the Carmel River, California American Water is asking another state bureaucracy for permission to stop installing new water meters throughout the Monterey Peninsula — even for customers who have managed to obtain water permits.

While virtually all new water hookups have been banned in the Monterey Peninsula since 1995, the latest action would cut off new water for even those few projects that have a water permit but have not yet installed a meter.

On Nov. 5, Cal Am requested the California Public Utilities Commission to issue the ban in response to a cease and desist order imposed by the State Water Resources Control Board requiring Cal Am to drastically reduce diversions of the Carmel River, the Peninsula's main water source.

Although the SWRCB cease and desist order — which kicks in next year — also has a provision banning new water, Cal Am said if it doesn't stop new water connections now, it would make it harder to meet provisions of the order when

Taking away the tiny bit of new water that remains

See **PERMITS** page 12A

Tunney nominated for NFL Hall of Fame

By KELLY NIX

THE PRO Football Hall of Fame in Canton, Ohio, is a shining tribute to legendary players and coaches who have made extraordinary contributions to the game.

This year's Hall of Fame nominees include San Francisco 49ers receiver Jerry Rice and Dallas Cowboys running back Emmett Smith.

But not since the Hall of Fame opened in 1963 has a referee ever been inducted.

That could change if veteran NFL referee and 2010 Hall of Fame nominee Jim Tunney of Pebble Beach is selected when the Hall of Fame committee picks a handful of enshrinees Feb. 6, 2010, the day before Super Bowl XLIV.

"It's a wonderful honor," Tunney, who

See **TUNNEY** page 12A

Sun-blinded driver hits two in crosswalk

By MARY BROWNFIELD

FORMER DESIGN review board chairman Keith Paterson and his wife, Karen Chrisman, took a morning stroll last Sunday that ended in blood, broken bones and an ambulance ride after a sun-blinded motorist ran them down in a crosswalk.

"We were doing a health walk and crossed the street, and it turned out to be very much not a health walk," recalled Paterson. "We were walking quietly along, minding our own business, and this lady coming up Ocean decided she was going to attack us."

Chrisman and Paterson were in the east crosswalk at Lincoln Street heading north on Ocean Avenue just before 10

See **DRIVER** page 12A

MANDURRAGO GETS FINAL ANSWER: NO

By MARY BROWNFIELD

AFTER PUTTING off its decision a month to consider developer John Mandurrago's offer to make some changes to his plans for condos, apartments, retail space and a split-level underground garage in place of the old bank building at Dolores and Seventh, the Carmel City Council voted without much drama last week to deny his application.

The project has been in the works for more than eight years, and Mandurrago filed suit against the city in February in an attempt to compel it to approve his plans. A judge dismissed the case, ruling that it was premature because he had not received a final permit decision from the city, so Mandurrago took his case to the California Appellate Court, where it has yet to be heard.

See **MANDURRAGO** page 13A



NFL Hall of Fame nominee Jim Tunney today (above) and in the 1980s, keeping an eye on 49ers quarterback Joe Montana

PHOTOS/COURTESY JIM TUNNEY

Wolfe pup attacked by raccoons — twice

By MARY BROWNFIELD

A TERRIER named Pepe tangled with raccoons in the front yard of his Dolores Street home twice in three weeks, sustaining bites, and the requisite trip to the veterinarian, each time. Pepe's owner, David Wolfe, kicked at the raccoons to break up the fights but managed to escape injury, despite being shoeless.

The first altercation occurred around 10 p.m. Oct. 19, when his 38-pound, 6-year-old terrier went outside to the

See **ATTACK** page 14A

Pledge banned and then suddenly restored by water board chair

By KELLY NIX

THE CHAIR of the Monterey Peninsula Water Management District board this week "directed" that the 10-second-long Pledge of Allegiance no longer be recited at the beginning of each board meeting to save time, sparking sharp comments from her colleagues.

Kristi Markey, who has been on the water board since

See **PLEDGE** page 13A