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It's all over but the tents and the scaffolding



Soon after Sunday's final round in the U.S. Open, the caddies and the crowds departed, leaving behind large grandstands to be dismantled (left), equipment to be packed and tents to be struck. Much longer lasting will be the benefit to the local economy, not only from the money already spent, but from future visitors drawn to the Monterey Peninsula by glowing TV coverage on ESPN and NBC. In the days after the Open, for example, the Pebble Beach Co. reported a 40 percent boost in future bookings.

Election leaves Blakeslee just a few votes short

■ But uncounted ballots probably favor Laird

By KELLY NIX

WITH ALMOST all the results in for the state Senate seat vacated by Abel Maldonado, Republican Sam Blakeslee is within a razor's edge of the majority he needs to beat Democrat John Laird. But the ballots remaining to be counted are mostly in Laird's backyard, which makes another round of voting Aug. 17 likely.

As of Thursday, there were about 7,500 ballots in five counties left to be counted, with nearly 1,600 of them from San Luis Obispo and Santa Barbara counties, where Assemblyman Blakeslee, who lives in San Luis Obispo, has very strong support.

However, most of the other uncounted ballots — about 5,300 — are from Monterey and Santa Cruz counties, where Laird has more supporters. Laird is a former assemblyman and mayor of Santa Cruz, and lives in Aptos.

Laird's camp was optimistic late Thursday that Blakeslee wouldn't manage the 50 percent plus one required for him to win.

"It looks like there is going to be a runoff," Laird

See **ELECTION** page 17A

ARTIST AND ART DEALER DUKE IT OUT IN COURT

BY CHRIS COUNTS

A LOS Altos artist wants payment for two paintings he claims were sold by Canapo Gallery, a Carmel business specializing in art from Italy, Spain, France and Latin America. In response, the gallery owner is refusing to pay until he receives two portraits he claims the artist owes him.

At stake in the case is a \$2,500 commission and \$322 for the cost of two frames. While the amount hardly seems like a sum worth waging a lengthy court battle over — as well as the negative publicity the case could generate for an established business — Canapo Gallery owner Carlos Porras said he's determined vindicate himself in court.

"I have never tried to defraud anybody," Porras said.

The artist, Gilbert Marosi, insisted he won't give up his legal fight until he is paid.

Meanwhile, two other artists have taken Porras to court over what they say was his failure to pay commissions on their work. Also, a former Carmel gallery owner who alleged fraud against Porras won a judgment against him 11 years ago — and is still waiting to get paid.

Delays mark case

According to court documents, Porras sold two of Marosi's paintings last year but never paid him \$2,500 in commission. Porras does not deny that he owes the artist

\$2,500. Instead, he is refusing to pay the commission until the artist gives him two portraits that he created of Porras. The gallery owner said he and Marosi verbally agreed that the portraits would be part of the deal.

Marosi admitted creating the portraits, but he insisted he created them as gifts. And when Porras failed to pay him his commission on the two paintings that sold, he decided to keep the portraits.

Marosi sued Porras Feb. 5 and prepared to face him

See **DISPUTE** page 11A



This portrait of Carlos Porras by Gilbert Marosi is at the center of a legal dispute.

Lawsuit: Harper's family helped him steal

■ Mom and ex-wife accused of 'looting' doctor's estate

By KELLY NIX

THE MOTHER and ex-wife of a man charged in a lawsuit with cheating a Carmel senior out of millions of dollars are now being accused of taking part in the alleged scheme.

On Feb. 18, attorney Frank Hespe filed suit in Monterey County Superior Court alleging Charles Harper stole millions from his then-client, Lawrence Loftus, including taking out big loans in Loftus' name. Hespe also alleges Harper physically abused the 87-year-old retired internist.

Harper, 48, "immersed" himself in Loftus' life, only to bilk the senior out of his entire life savings, including draining Loftus' bank account of \$960,000 in cash and forcing his home into foreclosure, according to the lawsuit.

Now, Hespe is alleging members of Harper's family also stole from Loftus.

"The money Harper allegedly stole may have ended up in his mother's name and his ex-wife's name," Hespe told The Pine Cone Monday. "There are checks floating around that are made out to them. We think they have some legal liability as well."

On June 18, Hespe filed a motion to amend the lawsuit against Harper to add Harper's mother, Helen Harper, and ex-wife, Amanda Harper, as defendants.

"Defendants Helen Harper and Amanda Harper assisted and conspired with defendant Charles Harper to convert [Loftus'] funds and to loot his estate," according to court documents.

The Harpers are accused of financial elder abuse, breach

of fiduciary duty, conversion, constructive trust and undue influence. Charles Harper is individually accused of physically abusing and isolating Loftus.

The Pine Cone called Helen Harper and Charles Harper, but their numbers were not accepting messages. A number for Amanda Harper was unlisted.

The suit alleges Harper stole property from Loftus' Scenic Road home, including antiques, artwork and automobiles, and that his mother and ex-wife "participated" in Harper's scheme and took some of Loftus' personal items.

"Funds and assets improperly obtained from [Loftus] were acquired by defendants Helen Harper and Amanda Harper and remain in possession of said defendants ...," Hespe alleges in the amended complaint.

Loftus was forced to liquidate his personal property to pay

See **HARPER** page 10A

Stern judge gives Pollacci the max

By PAUL MILLER

NOMINALLY, FRIDAY'S proceedings in a Salinas courtroom were about sentencing Tom Pollacci for his first rape conviction.

Last month, a jury concluded Pollacci raped a Colorado woman, referred to as Jane Doe 5, at his family's Pacific Grove liquor store in April 2008.

But the man who has long been known as an alleged rapist in his home community also had his entire life on trial. And the verdict was: Pollacci should be put away for as long as possible.

"Mr. Pollacci has a well known, long lasting and enduring reputation as a rapist," said Monterey County Superior Court Judge Russell Scott before pronouncing the sentence.

In deciding whether to put Pollacci on probation or send him to prison — and if prison, for how long — Scott was allowed by state law consider not only the circumstances of the immediate conviction, but what the law calls "aggravating factors."

And Scott said there were plenty of those.

"He has engaged in conduct that indicates a serious danger to society," Scott said. "He is an individual who preys on women, is eager and willing to control and destroy their lives and the lives of people close to them without a thought and on an impulse."

Scott also said Pollacci showed a great deal of "sophistication" and forethought in planning his attacks. And he quoted a letter from a woman who said she was one of Pollacci's earlier victims.

"He has no reason to live a productive life due to his family, who is willing to take care of him," wrote the woman,

See **POLLACCI** page 14RE

Price saves the day for photography program

By MARY BROWNFIELD

WHEN NANCY Budd, executive director of the Center for Photographic Art in Sunset Center, stood up to speak to the Carmel City Council during its budget meeting last week, she faced a difficult task: Convincing the council to give money to her program for budding photographers. But after she made her pitch, a member of the audience unexpectedly responded.

"At the risk of seeming almost frivolous, given the gravity of what we have to consider these days relative to budgets, I'm going to present you with something that's kind of easy and pleasant to consider," she said. "And that is the opportunity to fund a program that involves bringing high-school students here to Carmel to have

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