

LOCAL NEWS

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DA Carr’s volatile decision

What are we to make of Santa Clara County District Attorney Dolores Carr’s drawing a line in the sand because of her discontent with a judge? Carr instructed her deputies last Friday to file blanket “affidavits of prejudice” in all cases handled by Superior Court Judge Andrea Bryan, who harshly criticized a prosecutor and dismissed a high-profile child molestation case earlier this month. The affidavits will force criminal cases to be switched to different judges. In effect, the boycott will compel Bryan, a 58-year-old Pete Wilson appointee, to be reassigned to civil court.

Full disclosure: I support Carr’s challenger in the June election, Deputy DA Jeff Rosen. Having said that, I can offer three points of analysis for those scoring at home:

A) The Carr announcement played well internally. It’s important to understand that many prosecutors felt Judge Bryan had been unfair to Deputy DA Troy Benson, who had handled the molestation case against defendant Augustin Uribe. Bryan accused Benson of a “web of deceit” after he testified about how the videotape of a physical examination of the victim came to light. A number of deputy DAs felt Benson had been guilty only of negligence or sloppiness.

With Carr’s recent decision to relax the office dress code and answer so-called “quality of life” complaints, it’s unlikely the deputies’ union would openly oppose her re-election bid. But the decision to blackball Bryan publicly goes down well with the troops. In an office that has faced stern public criticism from the Mercury News and the state bar, it’s seen as standing up for one of your own.

B) The move will be taken as intimidation. It’s tempting to read the DA’s action simply as taking her marbles and going home because she doesn’t like the game. It’s more serious than that. A public announcement by such a powerful player in the justice system has the effect of intimidation. And it will be seen that way by judges: Cross us and you can be frozen out.

While Carr has offered no bill of particulars, sources have said prosecutors were unhappy with several of Bryan’s decisions on allowing evidence. They might have an argument. But judges are keenly aware that judicial rules hamstringing Bryan in defending herself.

The California Supreme Court has frowned on blanket affidavits. In a 1974 case that involved a San Bernardino County judge who was habitually challenged by the public defender’s office, the court said the blanket nature of the filings “reflects a measure of impropriety.” It went on to say that a showing of prejudice required a good-faith belief that the judge would be biased “in each particular case.” A blackball, of course, doesn’t attempt to distinguish between cases.

C) Carr had other ways of delivering the message. The DA, a former judge herself, reportedly had been rebuffed in her attempts to move Bryan from her assignment. But there were other avenues of protest open to Carr.

One method used by prosecutors has been to ask deputies to prepare to file affidavits in certain cases with certain judges – but not on a blanket basis. Like a solid hit in hockey, this would still deliver the message. (And historically, the tactic at times has been countered by a forceful presiding judge who would assign a judge the DA liked even less.)

By going public, Carr has chosen the nuclear option, one that disturbs the delicate equilibrium of any courthouse. And with her usual tone-deaf style, she’s made herself look spiteful in the bargain.

Contact Scott Herhold at sherhold@mercurynews.com or 408-275-0917.

PROPOSITION 8 TRIAL

Both sides claim victory

Testimony ends; ruling on same-sex marriage ban is expected this spring

By Howard Mintz

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SAN FRANCISCO — The Proposition 8 trial ended on Wednesday, having provided an unprecedented glimpse into the social conflict over whether same-sex couples should have the right to marry and serving as the first stage of a prolonged legal battle that all sides insist is destined

for the U.S. Supreme Court.

Perhaps not surprisingly, both foes and supporters of California’s ban on same-sex marriage came away convinced of the same thing: that they won the nearly three weeks of skirmishing in the first federal court trial to tackle the same-sex marriage question.

“The American public has gotten a sense of what the facts are,” said David Boies, who, along with former Republican U.S. Solicitor General Theodore Olson, was enlisted to represent same-sex couples in the

ONLINE EXTRA

For updated coverage and to read blogs from all the court coverage, go to www.mercurynews.com/samesexmarriage.

challenge to Proposition 8. “We’ve exposed to daylight the paucity of arguments on the other side.”

Andrew Pugno, counsel for Proposition 8, said all the plaintiffs did in the trial was “put on a spectacular show” that belongs in a political de-

bate over same-sex marriage but is “irrelevant” to the legal issues.

There are still a few loose ends in the case before Chief U.S. District Judge Vaughn Walker decides the legality of Proposition 8, the 2008 voter-approved law that restored California’s ban on the right of same-sex couples to marry. The two sides have a month to file legal briefs. Walker then plans to hold closing arguments, indicating Wednesday that he would “tee up

See **PROP. 8**, Page 7

SAN JOSE’S PROJECT HIRED



PAULINE LUBENS – MERCURY NEWS

California National Guard Spc. Alvin Ramlu, at home in San Mateo with his wife, Alena, was injured by a suicide bomber in Afghanistan and suffered a traumatic brain injury. He now lives with its long-term impact, as well as with post-traumatic stress disorder.

For vets, help back from the brink

Wounded Warrior Workforce program aims to put those traumatized by war into jobs

By Bruce Newman

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When they come, the attacks arise suddenly and out of nowhere, anxiety and depression striking Alvin Ramlu’s world like thunder and lightning. “It can be anything,” he says. “Loud noises. Somebody talking rude. Negative things really affect me. And I’m terrified of flying now.”

Worst of all are the nights he awakens to find himself aggressively grabbing his wife, Alena, in his sleep. The battlefield in Afghanistan is no longer just a bad dream to Alvin Ramlu. It’s so real it has climbed into his bed.

“Everyday life seems like it’s different for me now,” he says. “I know for a fact that I’m



Ramlu did his tour in Afghanistan as part of the California National Guard. Back home now, he has gotten help from Project Hired, which helps vets find jobs.

not the same person I was when I went over there.”

And yet Ramlu — a specialist in disarming roadside bombs — is not complaining. After

IF YOU’RE INTERESTED

The conference, which is free for veterans, will take place today at Project Hired, 1401 Parkmoor Ave., Suite 125, San Jose. For more information, go to http://projecthired.org/wwseminar_veterans.html.

an Afghan suicide bomber’s blast in 2006 left him with a traumatic brain injury and post-traumatic stress disorder, the San Mateo High graduate was so severely disabled that he could hardly get out of bed.

Ramlu will stand before a large group of people in business suits today — a prospect he finds more harrowing than confronting the Taliban — recounting his journey from disability and despair to determining his own future. With Silicon Valley companies such

See **VETERANS**, Page 6

NATIONWIDE TALENT SEARCH

Lynbrook High notches first double in Intel science contest

Two seniors are finalists, with one from Harker, one from Palo Alto

By Sharon Noguchi

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Two seniors at San Jose’s Lynbrook High School have been named finalists in the prestigious Intel Science Talent Search, part of a record-setting showing that fortifies local schools’ standing as science and technology superpowers.

It was the first time any California school placed two finalists of the competition, known as the junior Nobel Prizes for their rigor and stature. California scored other firsts in the 68-year-old contest, by placing eight finalists. Four were from the South Bay: David Liu and Raman Nelakanti of Lynbrook, Namrata Anandof The Harker School and Lynnelle Ye of Palo Alto High.

The teenagers’ work will likely advance Internet search engines,



GARY REYES – MERCURY NEWS

Raman Nelakanti, 17, is hoisted by his friends after he and David Liu, 18, were announced as two finalists in the Intel Science Talent Search at a special assembly at Lynbrook High School in San Jose.

knowledge of far-off galaxies and clean energy.

In the 12 years since Intel took over sponsorship of the contest from Westinghouse, the South Bay

has placed a total of only three finalists. Intel staff annually surprise finalists by showing up on campus

See **STUDENTS**, Page 6

MEDICAL MARIJUANA

S.J. to weigh legalizing dispensaries

Pot stores have surged in city, even though illegal

By John Woolfolk

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San Jose officials groped for direction in the legal haze surrounding medical marijuana dispensaries Wednesday as dozens of advocates rallied at City Hall to urge an ordinance permitting them to provide the drug to patients — while others urged a moratorium.

Illustrating the confusion, Mayor Chuck Reed pondered just how little the city could do under current city and state laws to stop qualified patients from growing pot in their backyards without permission, just as they could grow a tomato plant.

“If my wife got sick, and I was the caregiver, I could go out in my backyard, I could plant it and grow it and be in compliance with state

See **POT CLUBS**, Page 7

Students

Continued from Page 1

to award oversized checks. At lunchtime Wednesday, a posse of presenters and photographers converged on Lynbrook's quad, as the awards were handed out to the accompaniment of the school band. "This was an incredible surprise," said David, who had counted himself out of the running when he heard Tuesday night that some finalists back east had received advance phone calls. Earlier this month, Intel announced that 28 Californians had placed as semifinalists, the most in the contest's history. Only New York, with 105, landed more semifinalists.

But proportionally, Californians cleaned up in the next stage, with 29 percent of its semifinalists advancing to finals, compared with 10 percent in New York.

Science incubator

Lynbrook's statistics are even more impressive. Six out of eight of its entries were named semifinalists. And now two of those six are among the nation's top young scientists.

The strong showing is a tribute to the science-project prowess built by teacher Amanda Alonzo, who parlayed a two-year, \$30,000 Intel grant into a seven-year incubation project for budding researchers.

"I'm thrilled," she said Wednesday. "These guys proved to me that our future is really bright and a lot of our problems are being solved today by young people. We can't forget that when we're thinking about budgets and



GARY REYES — MERCURY NEWS

David Liu, 18, left, and Raman Nelakanti, 17, were Lynbrook High School's — and California's — first double finalists in the Intel Science Talent Search.



COURTESY INTEL

Lynnelle Ye, of Palo Alto High School, will join the other three South Bay finalists in Washington, D.C., in March.



COURTESY HARKER

Namrata Anand, of The Harker School, was one of four students from that school named to the semifinal round.

recessions."

Among those challenges are green energy. Raman researched a more efficient way to produce hydrogen, a source of clean energy, by growing a kind of algae without oxygen. David took out his frustration over organizing a family photo album by creating an algorithm that recognizes concepts—what he calls "semantic images" but what the casual viewer would

call a tree or building—and thus leading to a method of searching for photos.

It works so well that he took his creation to NASA/Ames Research Center in Mountain View, where he did an internship, to help researchers there search for breaks, often caused by third-party digging, in oil pipelines in Alaska. "We found out that my algorithm can recognize tractors with 95 percent ac-

curacy," David said. Tractors along the pipeline signify construction activity. Until now, pilots flying over the pipeline area searching for digging equipment sent in thousands of photos that required a lot of time to inspect.

UCSC mentor

Namrata's project analyzed the chemical composition of stars of Andromeda, a galaxy similar to ours, and of its dwarf satellite galaxies. It could aid in the search for extraterrestrial life. She was mentored by Raja Guha-thakurta, an astronomer at the University of California-Santa Cruz.

Lynnelle's title, "Chomp on graphs and subsets," while initially sounding approachable, if not entertaining, to the layperson, turns out to be rather complex. Her research adds to knowledge of graph theory and game theory, with applications in neural networks, the Internet and other developing technology, she reports.

And for those readers who don't already feel a bit inadequate upon reading this, consider that Lynnelle won a gold medal at the U.S.-China math olympiad, placed in a short-story contest, won an art honorable mention and won the novice division of a debate contest.

The four Intel winners will fly to Washington, D.C., in late March for the finals, tours of the Capitol and a chance at the grand prize of \$100,000 from the Intel Foundation.

But Wednesday, after the fanfare, reality intervened. Raman had a computer science test to take, and he and the other winners returned to classes.

Contact Sharon Noguchi at 408-271-3775.

Veterans

Continued from Page 1

as Cisco and Google lined up to attend the conference and put veterans back to work, the Wounded Warrior Workforce initiative is a watershed event for Project Hired, a San Jose nonprofit devoted to helping the disabled find jobs.

After scraping by on donations and grants since 1978, Project Hired recognized in 1994 that soldiers returning from a nearly unbroken succession of conflicts since the end of the Cold War were forming a generation of veterans with special needs. Many were living on the streets, or like retired Army Staff Sgt. Joseph Taylor, in shelters.

Companies are afraid

After 14 years of service, Taylor was stationed in Germany when he was hit in the head by a tank lid, which damaged his teeth and left him clinically depressed. When he returned home, he had trouble holding a job and his marriage fell apart. "I no longer had a home, didn't have a car, didn't have any money, didn't have a job, and I was ill," he says.

Project Hired taught him how to fill out job applications and compose a resume, then it gave him jobs as a telephone operator and a medical clerk. Six weeks ago, the Department of Veterans Affairs hired Taylor to drive a shuttle bus at its Palo Alto facility. "I love my job, love being around veterans," he says. "There are opportunities to help people, and I can express my gratitude to them for their service."

Joanne Delano served 20 years in the Navy as an aviation structural mechanic. After she retired, Delano was sentenced to two years in Val-



PAULINE LUBENS — MERCURY NEWS

National Guard Spc. Alvin Ramlu works as a switchboard operator at a VA hospital. Like many combat vets, Ramlu has struggled to re-integrate to life back in the U.S.

ley State Prison for Women at Chowchilla for vehicular manslaughter. With arthritic knees and feet, plus a prison record, she was practically unemployable. Project Hired gave her a job as a medical clerk, and six months later the VA hired her as an operator.

"When you call the VA or one of its clinics, you're talking to one of our employees," says Gwen Ford, director of business operations and development for Project Hired. All of them are disabled, and 26 percent are vets. "Those jobs tend to be a steppingstone. When we get them trained, the VA has a tendency to hire them from us."

That process isn't as easy as Ford makes it sound. Many veterans suffer from severe brain injuries that make it difficult for them to find a place in the corporate world. "Sometimes all it takes is a little extra accommodation to make it work," says Ford. "But people are afraid."

She refers to such busi-

ness fears without a trace of irony, though Ford's own son has been diagnosed with post-traumatic stress disorder following two tours with the Army in Iraq. Staff Sgt. Tyrone Ford is currently fighting the Taliban in Afghanistan. His mother is fighting to make sure her son and those who serve with him will have a life worth coming home to.

Diagnosed cases of PTSD have risen dramatically among veterans of the wars in Iraq and Afghanistan. "There is no front line in this war," Ford explains. "Everybody is being shot at, seeing the mass killings and the bombings of their friends. Nobody is protected."

A little patience

On Monday, the military agreed to review cases of veterans who previously made disability claims for post-traumatic stress to determine whether they were improperly denied benefits.

"These aren't hopeless cases," Ford says. "Most of

them just need a little patience."

Ramlu is still in the National Guard, and talks about the possibility of going back to Afghanistan. He's an example of a soldier who required time to adjust to working in an office after the daily adrenaline cocktail of disarming bombs under fire. He has worked for more than a year in the call center at the Project Hired office at the VA hospital in Palo Alto.

"We didn't think he was going to make it when we first hired him," Ford recalls. "He was acting out. He was not showing up for work. He was short-tempered. We thought we were going to have to let him go. And that probably would have destroyed his self-confidence."

Ramlu's harrowing experience in Afghanistan was not particularly unusual, and his re-entry into civilian life is similar to that of many returning veterans. He was riding in the back seat of a Humvee when he saw an old man driving his car straight for the three-vehicle military convoy.

When the man blew himself up, the car disintegrated, and Ramlu says the bomber's body flew about 200 meters before it landed in pieces. The impact knocked Ramlu out for about 30 seconds, and when his Humvee turned around, it began taking rocket-propelled grenade fire. Soldiers from another Humvee were burned and lying by the side of the road.

"Their eyes were burned from the fire," Ramlu says. "When I went to pull them out, I pulled the skin off one guy's hand and saw the skin coming off his face."

Now he's trying to adjust to a 9-to-5 life. It will take a little time.

Contact Bruce Newman at 408-920-5004.

INTEL FINALISTS AND THEIR PROJECTS

Namrata Anand, 17, The Harker School: "A spectral analysis of the chemical enrichment history of red giants in the Andromeda galaxy field (M31) versus its dwarf spheroidal (dSph) satellites." Potential benefit: Can help astronomers come to certain conclusions about Andromeda, a galaxy similar to ours; scientists can use the pockets of high metallicity that Namrata identified to continue the search for extraterrestrial life.

David Liu, 18, Lynbrook High: "Semantic image retrieval and interactive exploration of large image collections." Potential benefit: Could enable unmanned aerial vehicles to better process camera feeds for navigation; could quickly correlate medical images with known disorders; could enable powerful Web image search engines.

Raman Nelakanti, 17, Lynbrook High: "Inducing anaerobic conditions using sulfur deprivation for hydrogen production in *Chlamydomonas reinhardtii*." Potential benefit: Will help advance clean energy by making hydrogen production more efficient.

Lynnelle Ye, 18, Palo Alto High: "Chomp on graphs and subsets." Potential benefit: Adds to our knowledge of graph theory and game theory, with applications in neural networks, the Internet and economics.

ONLINE EXTRA

■ To watch a video and for links to how to get updates on the contest, go to www.mercurynews.com/extra.

■ For a full list of Intel Science finalists, go to www.societyfor science.org/STS.

MASS TRANSIT

BART earns more time on airport connector

By Denis Cuff

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A powerful Bay Area transportation commission agreed Wednesday not to pull the plug on BART's application for \$70 million in federal job stimulus funds for a rail extension to the Oakland airport while BART tries to prove the project is not discriminatory.

However, the Metropolitan Transportation Commission said that BART must show progress toward winning federal approval for the grant by Feb. 17 or the commission will consider killing the transit district's application by opposing it.

If that happens, the commission would ask the United States government to provide the \$70 million to many financially struggling Bay Area transit systems for operations and maintenance.

The decision followed a spirited meeting attended by 250 residents divided over the project.

In the end, the commission voted 11-5 to continue supporting BART's grant application at least until Feb. 17, rather than withdraw support for the project and effectively doom BART's chance of receiving the money.

The Federal Transit Administration warned 10 days ago that it will deny the job stimulus grant by March 5 unless BART can conduct a study showing that the people-mover system to the Oakland airport does not discriminate against low-income and minority residents.

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