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The Newspaper of Silicon Valley

**PROOF OF PUBLICATION**

**San Jose Mercury News**

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SAN JOSE, CALIFORNIA 95190

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IN THE  
City of San Jose  
STATE OF CALIFORNIA  
COUNTY OF SANTA CLARA

Moffet Field Public Relations  
MOFFET FIELD  
Mountain View, CA 94035

Newspaper Advertisement No. 2699912

STATE OF CALIFORNIA    )  
  ) SS.  
COUNTY OF SANTA CLARA)

The undersigned, being first duly sworn, deposes and says: That at all times hereinafter mentioned affiant was and still is a citizen of the United States, over the age of eighteen years, and not a party to nor interested in the above entitled proceedings; and was at and during all said times and still is the principal clerk of the printer and publisher of the San Jose Mercury News, a newspaper of general circulation printed and published daily in the city of San Jose in said County of Santa Clara, State of California, that said San Jose Mercury News is and was at all times herein mentioned a newspaper of general circulation as that term is defined by Sections 6000 and following, of the Government Code of the State of California, and, as provided by said sections, is published for the dissemination of local or telegraphic news and intelligence of a general character, having a bona fide subscription list of paying subscribers, and is not devoted to the interests or published for the entertainment or instruction of a particular class, professional, trade, calling, race or denomination, or for the entertainment and instruction of any number of such classes, professionals, trades, callings, races or denominations; that at all times said newspaper has been established, printed and published in the said city of San Jose in said County and State at regular intervals for more than one year preceding the first publication of the notice herein mentioned; that said notice was set in type not smaller than nonpareil and was preceded with words printed in black-face type not smaller than nonpareil, describing and expressing in general terms, the purport and character of the notice intended to be given; that the clipping of which is annexed is a true printed copy, was published and printed in said newspaper on the following dates, to-wit:

March 6, 2008

Dated at San Jose, California  
this 11<sup>th</sup> day of September, 2008

I declare under penalty of perjury that the foregoing is true and correct.

Signed.....  
Principal clerk of the printer and publisher of the San Jose Mercury News.

# Mayor seeks new course for plaza

CITY COUNCIL TO CONSIDER OPTIONS MARCH 18

**By John Woolfolk**  
*Mercury News*  
Mayor Chuck Reed said Wednesday that San Jose should seek new management for the struggling Mexican Heritage Plaza, but whether the city runs it or hands control to another non-profit remains to be determined. The city council will have the final say when it meets to consider the plaza's fate the evening of March 18. "I don't think we're at a point where we can predict the right answer," Reed said after meeting of the council's Rules and Open Government Committee, which sets agendas for the full council. Reed said a series of audits and consultant reports, as the city manager last month suggested three options. The city could take over plaza management from the non-profit Mexican Heritage Corp.; turn it into a community-based arts

center run by a new non-profit; or leave it, on a conditional basis, under the control of its current operator. Reed said there is little support for leaving the Mexican Heritage Plaza, but whether the city runs it or hands control to another non-profit remains to be determined. The city council will have the final say when it meets to consider the plaza's fate the evening of March 18. "I don't think we're at a point where we can predict the right answer," Reed said after meeting of the council's Rules and Open Government Committee, which sets agendas for the full council. Reed said a series of audits and consultant reports, as the city manager last month suggested three options. The city could take over plaza management from the non-profit Mexican Heritage Corp.; turn it into a community-based arts

**SAN JOSE**  
He has asked the city manager to prepare a report by Monday with additional details — including costs — for blending options one and two. He said he will then propose recommendations with Councilwoman Nora Campos, whose district includes the plaza. The 55,000-square-foot Mexican Heritage Plaza opened in September 1999, built with \$31 million in city revenue money at a six-acre site on Alum Rock Avenue in East San Jose. With its art galleries, a 500-seat theater, gardens and classrooms, it is the largest redevelopment investment the city has made in downtown San Jose. But the Mexican Heritage Corp. contracted to run it has struggled through leadership changes and repeatedly turned to the city for financial help. Chief Executive Officer

Marcela Davison Aviles has argued the \$438,000 the city provides each year isn't enough and that it actually needs \$1.3 million to operate the plaza. A city-hired consultant said in a January report that the plaza's problems are far greater, including a vision of being a premier regional attraction that is out of touch with residents who would prefer community-based programming. Aviles said Reed's comments Wednesday were encouraging, noting that she has long maintained that the city either needs to give her group more money to run the plaza facilities or run them separately and let her group focus on programming. The present operating model doesn't work, Aviles said. "The model they're suggesting makes a lot of sense."

Contact John Woolfolk at [jwoolfolk@mercurynews.com](mailto:jwoolfolk@mercurynews.com) or (408) 975-8846.

# LAWSUIT | Teen 'can bring her own case'

Continued from Page 1B

The allegations stem from a March 3, 2007, party at a player's home. That night, three De Anza College women's soccer players barged into a room where they believed the drunken young teen, then 17, was being raped as at least 10 people watched. The women took the teen to the hospital and reported she had been raped. But a civil trial wouldn't be easy for the teen, legal expert Steven Clark said. The men's attorneys may ask the woman an uncomfortable question about her sexual history as a way to cast doubt on her contention she did not consent to have sex with the men, he said. While the lawsuit names the men, the teen remains a Jane Doe. Last week, her attorney asked the court to retain that designation because of the publicity surrounding the case. Also, her attorney said the

men took photographs of the alleged assault doesn't mean there is evidence that prosecutors overlooked. Sheriff's deputies refused to confirm the existence of any images, and Keane noted such images wouldn't establish that the sex was not consensual. "The photographs would be duplicative of the testimony of the woman" who took the teen to the hospital and said they saw someone having sex with her, Keane said. It's also unclear how much money she could expect to get from 10 men who attended community college last year, McManis said. Still, in the case, the teen can "tell her own story," he said. "I know there was a lot of 'contamination' about the decision not to charge," McManis said. "The positive thing that can be said here is that she has a civil remedy. She's got a case and a good attorney."

Contact Leslie Gruffy at [leslie@mercurynews.com](mailto:leslie@mercurynews.com) or (408) 920-3845.

**NOTICE OF APPLICATION FOR CHANGE OF OWNERSHIP OF ALCOHOLIC BEVERAGE LICENSE**  
Date of filing: Application, February 18, 2008  
To Whom It May Concern:  
The Honorable the Appropriate State  
The Applicant hereby does hereby apply to the Department of Alcoholic Beverage Control to sell alcoholic beverages at:  
150 ALBUQUERQUE RD  
SAN JOSE, CA 95128-1896  
Type of license requested: 41 - ON-SALE BEER AND WINE - EATING PLACE  
March 6, 2008 7:28:13

SCOTT N. BETHGOLD (SC 9904) Licensed State Attorney  
BRIAN J. STRECHT (CBN 15373) Chm. Criminal Div. &  
HARLEY CHEW (CBN 19993)  
STEPHANIE M. HINDS (CBN 14234)  
Assistant Licensed State Attorneys  
150 Alameda Street, Suite 900, San Jose, CA 95112  
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webpage: [scn.com](http://scn.com)  
UNITED STATES OF AMERICA  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION  
UNITED STATES OF AMERICA  
Case No. CE 07-06457-RJV  
Tham, et al.  
PUBLIC NOTICE OF RECEIPT OF APPLICATION  
MICHAEL WAYNE THAM, Defendant  
NOTICE IS HEREBY GIVEN, that on or about November 29, 2007, on the above captioned case, the Honorable Ronald M. White, United States District Judge for the Northern District of California, entered a Preliminary Order of Protection for the defendant's right, title and interest in:  
a) a Nissan Model, Nissan Model 1444, 742 cc, 5-speed cabriolet, serial number 1444018447 and  
b) 32 records of 7.62 x 7.62 x 54mm caliber ammunition purchased in Title 18, United States Code, Section 924(b).  
YOU ARE HEREBY NOTICED that the United States Marshal is directed to dispose of this property in such manner as the United States Attorney General may direct.  
Payment to 21 U.S.C. § 853(a), if you have a legal interest in this property, you must petition the United States District Court for the Northern District of California, within thirty (30) days of receipt of this notice, for a hearing to adjudicate the validity of your alleged legal interest in this property. If a hearing is requested, a final order will be issued before the Court date indicated in this notice.  
The petition must be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of your right, title and interest in said property; the time and circumstances of your acquisition of the right, title or interest in the property; and any additional facts supporting your claim and the relief sought.  
The petition shall be filed with the United States District Court Clerk, Northern District of California, 275 S. First Street, San Jose, California, 95113 and a copy of the petition served upon Harley Chew, Assistant United States Attorney, Central State Attorney's Office, 150 Alameda Boulevard, Suite 900, San Jose, CA 95112 and upon Stephanie M. Hinds, Assistant United States Attorney, United States Attorney's Office, 440 Golden Gate Avenue, San Jose, CA 95052, San Francisco, California 94102.  
Any hearing on your petition shall, to the extent practicable, and consistent with the interests of justice, be held within thirty (30) days of the filing of your petition. The Court may schedule your hearing on the petition with any other hearings requested on any other petitions filed by any other persons other than the United States Marshal.  
You have the right to be heard in court and present evidence and cross-examine any witnesses who may be called to testify against you.  
IF YOU FAIL TO FILE A PETITION TO ASSURE YOUR RIGHT, TITLE, INTEREST OR DEFENSE TO THE ABOVE DESCRIBED PROPERTY, WHICH TRIGGERS THIS NOTICE, YOUR RIGHT, TITLE AND INTEREST IN THIS PROPERTY WILL BE LOST AND FORFEITED TO THE UNITED STATES. THE UNITED STATES SHALL THEREAFTER CLAIM TITLE TO THE PROPERTY HEREIN DESCRIBED AND MAY WARRANT GOOD TITLE TO ANY SUBSEQUENT PURCHASER OF THE PROPERTY.  
Dated 12/19/07 Respectfully submitted,  
SCOTT N. BETHGOLD, United States Attorney /S/ HARLEY CHEW STEPHANIE M. HINDS  
Assistant U.S. District Attorneys  
February 21, 2008, March 6, 2008 248511

Client Name: MOFFETT FIELD PUBLIC RELATIONS  
Advertiser: LOCAL NEWS/IB004/Peninsula  
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If interested, please email [FreshStart@stanford.edu](mailto:FreshStart@stanford.edu)  
Stanford Prevention Research Center  
Stanford University School of Medicine  
For study participation rights call 1-866-690-7206

**MOFFETT FIELD Restoration Advisory Board Meeting**  
The next regular meeting of the Restoration Advisory Board (RAB) for former Naval Air Station (NAS) Moffett Field will be held:  
On: Thursday, March 13, 2008  
7 to 9:30 p.m.  
At: Moffett Field, Building 943, Mountain View, CA  
Building 943 (Public Affairs Building) is located just before the main gate on NASA Parkway.  
The RAB reviews and comments on plans and activities about the ongoing environmental studies and restoration activities under way at Moffett Field. Regular RAB meetings are open to the public and the Navy encourages your involvement. To review documents on Moffett Field environmental restoration projects, please visit the information repository located at the Mountain View Public Library, 585 Franklin St., Mountain View, CA 94041, 650-903-6337. For more information, contact Mr. Darren Newton, Navy BRAC Environmental Coordinator, at 619-532-0963 or [darren.newton@navy.mil](mailto:darren.newton@navy.mil).

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September 24, 2008

William Schaal  
TN & Associates  
3150 Hilltop Mall Road, Suite 55  
Richmond, CA 94806

*RE: Community Relations Support for Former NAS Moffett Field*

Transmittal: Proofs of publication for paid advertisements announcing the 13 March  
2008 RAB Meeting

Dear Mr. Schaal:

This letter serves to inform you that ads announcing the 13 March 2008 RAB meeting  
were published in the newspapers listed below. Enclosed are proofs of publication for:

- ❖ Sunnyvale *Sun* (Silicon Valley *Community Newspaper*) – published 12 March  
2008
- ❖ San Jose *Mercury News* – published 06 March 2008
- ❖ Palo Alto *Daily News* – published 12 March 2008
- ❖ San Mateo *Daily News* - published 12 March 2008
- ❖ Redwood City *Daily News* - published 12 March 2008
- ❖ Burlingame *Daily News* - published 12 March 2008
- ❖ San Mateo *County Times* – published 12 March 2008

Please note I have sent the originals and one set of copies to Diane Silva for the  
Administrative Record file and one set of copies to Darren Newton. Photocopies are  
included in this package. If you have any questions about this transmittal, please do not  
hesitate to call me at 858-926-4022.

Sincerely,

Tania Fragomeno  
Community Relations, former NAS Moffett Field

Attachments: 1 set of copies

cc: D. Newton, BRAC PMO West  
D. Silva, Records Manager (originals + 1 copy)