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Nepal troops jailed for sex abuse

UN peacekeepers in DR Congo

Some 900 Nepal soldiers are taking part in the DR Congo mission

Six Nepalese soldiers who served in a UN peacekeeping mission in DR Congo have been sentenced to prison for sexual abuse, Nepal's army has said.

The six men, sent to DR Congo as part of a force to protect civilians, will each serve three months in jail.

The junior-ranking soldiers were sent back to Nepal earlier this year after the allegations were made against them.

UN Peacekeepers have been banned from having sex with locals in DR Congo following claims of exploitation.

The case is believed to be one of the first in which soldiers returned to their home country have been prosecuted and sentenced for crimes committed as UN peacekeepers.

Exploitation

The UN introduced a raft of measures to prevent sexual abuse among its troops after accusations emerged that they were using food and money to pay for sex with young girls and women.

The measures include a non-fraternisation policy, curfews and measures to encourage women and girls who have been abused to report the offence.

More than 900 Nepalese soldiers have been taking part in the peacekeeping mission in DR Congo.

A total of 3,000 Nepalese soldiers serve in UN missions worldwide.

In February, six Moroccan peacekeepers working in DR Congo were arrested on suspicion of being involved in sexually exploiting women and girls.

And in neighbouring Burundi in July, two peacekeepers were sacked after having sex with prostitutes and minors.

http://news.bbc.co.uk/2/hi/south_asia/4707965.stm



Ex PM Khin Nyunt sentenced to a 44 years suspended prison term

Khin's two sons are sentenced to 68 and 51 years.

Yangon (AsiaNews/Agencies) – Former Myanmar Prime Minister Khin Nyunt was found guilty on eight charges, including corruption, and sentenced to a 44 years suspended prison term, official sources said.

The sentence was pronounced on July 22 after a trial that apparently lasted only two weeks, just a few days before foreign ministers from the Association of South-East Asian Nations met in Laos to discuss Myanmar's turn to chair the association in 2006.

A source close to the family said that Khin Nyunt would remain under house arrest as he has been seen he was purged from the government last October after clashing with army Chief General Than Shwe.

"Khin Nyunt's trial is a warning that anyone who opposes Than Shwe will be punished; it is also a clear signal that no opposition will be tolerated, even outside the military," political analyst Win Min said.

On Friday, a court in Insein also handed down prison sentences of 68 years and 51 years respectively to two of Khin Nyunt's sons, Zaw Naing Oo and Ye Naing Win.

They were found guilty of export-import violations, diverting public property, bribery and corruption, and have been placed under house arrest.

The status of Khin Nyunt's wife, who is also facing trial, was not immediately known.

The junta arrested hundreds of people during the October purge described as a crackdown on corruption that toppled Khin Nyunt and dismantled his powerful military intelligence network.

About 300 people linked to the former Prime Minister have stood trial, with more than 40 convicted, mainly for economic crimes. Some received sentences of more than 100 years.

Khin Nyunt, who announced military-ruled Myanmar's "roadmap to democracy" in 2003, was seen as a pragmatist favouring limited dialogue with detained opposition leader and Nobel peace recipient Aung San Suu Kyi. He was replaced by junta hardliner General Soe Win.

A western diplomat in Yangôn described Khin Nyunt's suspended sentence as "surprising".

"Everyone had expected him to be harshly sentenced and the trial swiftly wrapped up," the diplomat said.

"Perhaps some high-ranking military officials who rose with him together in the ranks were willing to spare him a little," he added.

It seems however they ignored Khin Nyunt's plea for clemency for his sons.

<http://www.asianews.it/view.php?l=en&art=3781>



India jails 'plane crash plotter'

An Indian court has found an al-Qaeda suspect guilty of planning to crash aircraft into landmarks in London.

Mohammed Afroz Abdul Razzak was sentenced to seven years in jail for plotting attacks against a friendly nation and forging documents.

Prosecutors said he planned to hijack planes and crash them into the House of Commons and Tower Bridge.

Afroz was arrested in Mumbai (Bombay) in 2001. His lawyers say he confessed under duress and will appeal.

The judge in the anti-terrorism court in Mumbai found Afroz guilty of criminal conspiracy, forgery and "committing depredation on territories at peace with India", court officials said.

'Global conspiracy'

The court heard that Afroz checked into a hotel near London's Heathrow airport just before the 11 September attacks in the US.

We have no doubt in our minds that this conviction is wholly illegal and it will be definitely set aside by the honourable court
Defence lawyer Momin Solkar

Prosecutors said the 30-year-old, an educated Muslim from Mumbai, had spent considerable sums of money training as a pilot, both in the United Kingdom and Australia.

Prosecutors say his confessions revealed a global conspiracy by al-Qaeda to carry out suicide attacks in several countries.

Afroz also planned to attack Melbourne's Rialto Towers and parliament in Delhi, prosecutors say.

The court was told that Afroz and seven accomplices booked themselves onto Manchester-bound flights - but for some reason panicked and fled just as they were due to board.

Afroz was arrested in Mumbai in October 2001.

His lawyer, Momin Solkar, said he would challenge the convictions in the Supreme Court.

"We have no doubt in our minds that this conviction is wholly illegal and it will be definitely set aside by the honourable court," he told Reuters television.

Afroz was cleared of conspiracy to wage war on India. The judge also acquitted Afroz's brother helping him.

http://news.bbc.co.uk/2/hi/south_asia/4708615.stm



Ex-corporal jailed for attempt to sway juror

A former army coporal who tried to "attack one of the fundamental pillars of the Irish justice system" by trying to influence a jury deliberating in a criminal trial, has been jailed for four years.

James Walsh (aged 45), of Mountainview Drive, Rathfarnham, was convicted by a jury last Thursday of trying to influence a juror in the trial of the Director of Public Prosecutions v Black and Fitzgerald heard from May 25, 2003 to June 4, 2003 at Dublin Circuit Criminal Court.

Judge Donagh McDonagh at Dublin Circuit Criminal Court refused an application by Mr Walsh's counsel, Mr Peter Finlay SC, for leave to appeal against the severity of the sentence.

Judge McDonagh described Mr Walsh's actions as trying to commit "as serious an attack as can be imagined" on "our justice system".

In addition to this, Judge McDonagh said, Mr Walsh had also levelled accusations at a member of the An Garda Síochána, namely Detective Sergeant O'Hara who had been chief investigating officer in the case, that were baseless and "distasteful".

He said Mr Walsh had also jeopardised the position of an "ex-army comrade", thereby committing a betrayal of "old army loyalty" that he was so anxious present to the court in his own defence.

A jury of four men and eight women convicted Mr Walsh of attempting to influence a juror but acquitted him by perverting the course of justice by calling a brother of one of the juror members and asking him if the man could be "swung".

The brother, who served in the army with Mr Walsh is currently a prison officer. Judge McDonagh said Mr Walsh had jeopardised the prison officer's position by calling him and had given an account of the phone conversation that he found "incredible".

Judge McDonagh said he believed the prison officer's version of the story was "honest and truthful".

Sean Fitzgerald (aged 55), of Dunmore Park, and Jason Black (aged 30), of Tyrnonville Drive, both from Tallaght, were charged with handling a stolen car and setting fire to parts of it on dates unknown between May 20 and May 26, 1999.

The jury in the trial, which had been sequestered in a Dublin hotel when Mr Walsh made the phone call to the prison officer, who was the brother of the foreman of the jury, returned a guilty verdict on both charges against the two men.

They were jailed for five years each on July 29, 2003 by Judge Frank O'Donnell.

<http://breakingnews.iol.ie/news/story.asp?j=150578504&p=y5x579zyx>



Unrepentant killer of Dutch film-maker jailed for life

A Dutch Islamist militant was jailed for life yesterday for the murder of the controversial film director and columnist Theo van Gogh, in the first conviction under tough new anti-terrorism legislation.

Mohammed Bouyeri, 27, an Amsterdam-born Muslim of Moroccan descent who confessed to the murder and pledged to kill again if acquitted or released, received the harshest sentence available to an Amsterdam court. He is not thought likely to appeal, and is expected never to be released.

Article continues

The killing of Van Gogh last November shocked the Netherlands, and ignited a spate of religious and ethnic violence with more than 20 churches, mosques and Islamic schools being firebombed. It also triggered a national bout of soul-searching over multiculturalism and tolerance in Dutch society.

Yesterday's sentencing followed a two-day trial a fortnight ago in which Bouyeri had vowed to take no part, but at which he then declared that he had murdered Van Gogh, a distant relative of the painter, and that he would do "precisely the same" if he had another opportunity.

"I was motivated by the law that commands me to cut off the head of anyone who insults Allah and his prophet," Bouyeri told the court.

Van Gogh, an outspoken iconoclast who regularly denounced Islam, directed a film called *Submission*, about violence against women in Muslim societies. It was written by the Somali-born Dutch politician Ayaan Hirsi Ali.

In the daytime on an Amsterdam street last November, Bouyeri shot Van Gogh seven times as he cycled to his office. In what resembled a ritual killing, Bouyeri then stabbed him, slit his throat, and used the knife to pin an Islamist manifesto to his chest.

Witnesses reported the killer acted coolly, as if "out walking the dog". Bouyeri then engaged in a gunbattle with police, apparently seeking "martyrdom". Police marksmen deliberately disabled him by shooting him in the leg.

Bouyeri was also found guilty yesterday of the attempted murder of eight police officers and two bystanders, illegal weapons possession, and threatening Ms Hirsi Ali.

"I knew what I was doing. I butchered him," Bouyeri told his brother Hassan in a phone call while in custody last January. His conversations were tapped and the transcripts were read out in court. He bragged about committing a "terrorist act".

"I swear to God if they had the death penalty, I would have begged for it," Bouyeri told his brother.

Van Gogh, said Judge Udo Willem Bentinck, presiding over a panel of three judges yesterday, was "mercilessly slaughtered". The murder was political, he said, and aimed at subverting Dutch democracy.

The outrage felt by much of Dutch society at the murder of Van Gogh has brought a tougher government line on immigration and on the integration of Muslims, as well as leading to the anti-terror laws under which Bouyeri was convicted yesterday.

The murder also fed popular hostility towards Muslims, who make up 6% of the population and whose numbers are growing rapidly in cities such as Amsterdam and Rotterdam.

The rightwing anti-immigrant politician Geert Wilders, who like Ms Hirsi Ali has been under armed guard for months because of threats on his life, said Bouyeri was an "Islamic fascist".

"Society must be protected from people like you," he wrote, in an open letter published yesterday in the Dutch press. "The same goes for the Islam that you represent."

Like the 7/7 suicide bombers in London, Bouyeri is a home-grown rebel, born, raised and educated in Amsterdam and living until last November in a tidy area of municipally subsidised housing in the west of the city among predominantly ethnic Dutch.

Dutch prosecutors allege Bouyeri was a member of the so-called Hofstadgroep, or Capital Group, of Islamist radicals, 12 of whom have been arrested for allegedly plotting terrorist outrages. A pre-trial hearing on the 12 is to take place today in Rotterdam.

Despite the life sentence handed down yesterday, there are fears that Bouyeri could continue to try to drum up support from behind bars.

Over the past eight months in custody, he is said to have smuggled inflammatory texts out of his remand centre and to have been preaching extremism inside the jail.

Prosecutors in the case have said they are "afraid" of how he might seek to exert influence in future.

<http://film.guardian.co.uk/news/story/0,12589,1536836,00.html>



Video games pirates jailed

A DOUBLE sentencing at Mold Crown Court in North Wales on Friday has resulted in the imprisonment of two offenders for the illegal trading of computer games and films.

Barry Terence Warren of Merseyside received six months imprisonment. His accomplice, first time offender Paul Gibbons of Manchester received a four-month prison sentence. Gibbons was charged with eight offences under the Trade Marks Act and Warren with 11, seven of which were games related.

According to BHPR, the investigation began back in December last year, when Flintshire County Council Trading Standards Department asked ELSPA to assist in an operation at the Coed Mawr market in Greenfields, Flint.

They were also supported by North Wales Police. An ELSPA investigator made several test purchases of copied games discs from the stall of Gibbons and Warren, and the pair was arrested.

Further observations by ELSPA led to the seizure of two vehicles, one of which proved to be full of counterfeit products.

Michael Rawlinson, deputy director general of ELSPA said: "Piracy is a criminal offence and as these two convictions show, anyone tempted to become involved in this illegal activity faces tough action from the authorities. ELSPA would like to thank all those involved in the successful resolution of this investigation."

The offenders will be brought back to court for a Proceeds of Crime Act hearing at a later date, when the financial issues will be considered. They potentially face the loss of all their illegal earnings and assets as well as additional financial penalties. μ

Looking for a bargain TFT screens in UK. Ebay has never been so much popular for LCD screens. I've bagged myself two 18-inch Eizo Flexcan L680 for £160 with delivery. Now there's an IBM T86-9497 18.1-inch Flat Panel Monitor for sale at a BIN price of £104 including delivery. It is used but you can surely pump out some more juice from it. D-Sub only model with a resolution of 1024x1280. The cheapest LCD monitor award has to go to the Mitac LC552 15-inch monitor at £60 inc. VAT. This model comes with two speakers and is in excellent condition. Maximum resolution is XGA.

<http://www.theinquirer.net/?article=24889>



Editor jailed for mismanagement

An Angolan journalist has been jailed for ten years for mismanaging a regional branch of National Radio, writes Gilberto Neto.

Celso Amaral was found guilty of misusing \$US42 547 in advertising revenue while in charge of the Huila provincial office of the radio. One of the charges against Amaral relates to the purchase, allegedly at highly inflated prices, of two vehicles for official use in neighbouring Namibia.

The Media Institute of Southern Africa (MISA) Angola learnt of Amaral's arrest when it undertook an information-gathering trip to some of Angola's regions at the end of June 2005. MISA Angola was informed that Amaral, a veteran local journalist, has been held at the provincial prison of Comarca since the end of May after being arrested by the criminal police.

The journalist's attorney, Luis dos Passos, could not be reached for comment and MISA Angola continues to investigate the circumstances leading to Amaral's arrest.

A group of police officers allegedly stormed into the radio station in Huila's capital city, Lubango, and presented a document indicating that there were charges against Amaral relating to mismanagement of the station advertising revenues. Angolan National Radio reportedly levelled the charges against Amaral.

Fifty two-year-old Amaral has been working for the provincial radio for over two decades and is known as having the "most beautiful and powerful" voice in the province.

http://www.journalism.co.za/modules.php?op=modload&name=News&file=article&sid=2707&CA_MSSID=0aaf8cd4740f28a83bd19b070c20afc0



Liverpool fan jailed in Bulgaria

Michael Shields' family claim he is a scapegoat

A Liverpool football fan has been jailed for 15 years for the attempted murder of a Bulgarian barman, despite another man admitting responsibility.

Michael Shields, 18, from Wavertree, was accused of attacking the barman by throwing a brick at his head.

Martin Georgiev, 25, suffered a fractured skull and may have brain damage, the Bulgarian court was told.

On Saturday Graham Sankey, 20, an electrician from Anfield, Liverpool, said he carried out the attack.

Graham believed the case against Michael would either be thrown out or adjourned
David Kirwan, solicitor for Graham Sankey

He made his statement in the UK through his solicitor David Kirwan.

Sankey was said to be "in despair" that his confession did not prevent Shields' conviction.

Mr Kirwan said: "Graham believed the case against Michael would either be thrown or adjourned after he came forward to make his confession.

"But, to his total despair, the judge decided to continue trying Michael."

'Quiet as a mouse'

Shields had been holidaying in the Black Sea resort of Varna after watching his team beat AC Milan in the Champions League Final in Istanbul in May.

His uncle, Joey Graney, who was in court when the sentence was passed, said: "Michael was sobbing.

"He's an 18-year-old lad, quiet as a mouse, on his own, going back to a Bulgarian jail. What's he going to do?"

"As far as the Bulgarians were concerned, a local lad had been attacked and they wanted their scapegoat.

Martin Georgiev

Martin Georgiev's skull was fractured in the attack

"They did not care that Graham Sankey has confessed to carrying out the attack. They just tossed that aside."

Shields father Michael said: "Shocking news. It's just disbelief.

"We thought with this statement going to Bulgaria admitting this crime, Michael would be on the first plane home today."

He added: "We are going to do everything in our power to clear Michael's name."

'Best hope'

Another Liverpool fan, 19-year-old Anthony Wilson, was cleared of hooliganism but convicted of possession of cannabis.

He was sentenced to two and a half years imprisonment with the sentence suspended, allowing him to return home.

Stephen Jakobi, of pressure group Fair Trials Abroad, said Shields' best hope was for the British courts to prosecute Mr Sankey.

He said: "Graham Sankey made a confession and said he was prepared to stand trial only in Britain, not in Bulgaria.

"If he is convicted, perhaps that would persuade the Bulgarian courts that they have the wrong man.

"The evidence of Graham Sankey's confession as it stood had no weight whatsoever. In fairness, it would not have had much weight with a British judge either."

'Verdict travesty'

Liverpool Riverside MP Louise Ellman, who has backed the Shields' family campaign, said it was a travesty of justice.

"Graham Sankey has admitted he was guilty of the crime that Michael Shields is now convicted of, but he did so in a way that was inadmissible to the Bulgarian court," added Mrs Ellman, who said she would be talking to his defence team.

She said she would be talking to the UK Government and Foreign Office.

A Foreign Office spokesman said it could not comment on the verdict but said it would continue offering consular help to Michael Shields.

Graham Sankey's solicitor David Kirwan said his client was appalled by the verdict.

Mr Kirwan said: "I have this morning contacted Michael's solicitors asking them to provide me with the prosecution's evidence and witness statements which I need to review as a matter of urgency."

He added that the case had raised many concerns.

"Given this background, what hope is there that Graham Sankey would receive a fair trial if he were ever to go before a court in Bulgaria?"

http://news.bbc.co.uk/2/hi/uk_news/england/merseyside/4717249.stm



Court: Railroad's union contraceptive coverage discriminatory

LINCOLN, Nebraska (AP) -- Union Pacific Railroad discriminated against women by not covering contraceptives in its health care plan, a federal judge has ruled.

U.S. District Judge Laurie Smith Camp ruled in a class-action lawsuit that claimed the company discriminated by providing a range of preventive health benefits -- including impotence drugs -- but no contraceptive care.

The policy is discriminatory "because it treats medical care women need to prevent pregnancy less favorably than it treats medical care needed to prevent other medical conditions that are no greater threat to employees' health than is pregnancy," the judge wrote in Friday's ruling.

Union Pacific spokesman Mark Davis said the ruling will be appealed because, among other things, the decision to exclude contraceptives in the benefits package was negotiated with the company's unions.

He said nonunion employees have had prescription contraceptive coverage for "some time."

The lawsuit, backed by Planned Parenthood, alleged that the railroad's action violated the federal Civil Rights Act, which prohibits employers with 15 or more workers from making decisions based on gender or pregnancy.

Planned Parenthood said recent studies show that 88 percent of employer health plans provide coverage for all methods of prescription contraception, compared with only 64 percent in 2001.

The lead plaintiffs in the class-action were Brandi Standridge, a 25-year-old trainman and engineer for Union Pacific who lives in Pocatello, Idaho, and Kenya Phillips, a 32-year-old engineer who lives near Kansas City, Missouri.

"We are thrilled with the court ruling and simply want Union Pacific to cover all FDA-approved methods of prescription contraception and reimburse employees who had to pay for their contraception out-of-pocket," Phillips said in a statement released by Planned Parenthood.

Omaha-based Union Pacific Corp. operates Union Pacific Railroad. It is the largest railroad in North America, covering 23 states.

<http://www.cnn.com/2005/LAW/07/26/contraceptive.suit.ap/index.html>



N.Y. Panel Refuses to Enjoin Anti-Pornography Statute

Judges say provision protecting minors is not overbroad

A three-judge panel has rejected claims that a federal statute prohibiting the transmission of obscene material to a minor is unconstitutionally overbroad.

Refusing to enjoin the enforcement of the Communications Decency Act of 1996 (CDA), the panel found that the National Coalition for Sexual Freedom and a New York art photographer failed to present sufficient evidence on the "total amount of speech that is implicated by the CDA" and the amount of protected speech that is "inhibited" by the act.

Nor have they shown, the panel held, that different community standards subject them to a greater risk of prosecution than "traditional pornographers, who can control the dissemination of their own materials."

The court required the plaintiffs to make such showings in order to prove the act was in violation of the First Amendment in *Nitke v. Gonzales*, 01 Civ. 11476.

The act, enacted as Title V of the Telecommunications Act of 1996, makes it a crime to knowingly transmit obscenity to a minor by means of the Internet. The law provides two affirmative defenses: where a defendant "has taken, in good faith, reasonable, effective and appropriate actions under the circumstances to restrict or prevent access by minors" to an obscene communication or "has restricted such communication by requiring the use of a verified credit card, debit account, adult access code, or adult personal identification number."

The National Coalition for Sexual Freedom, formed to address discrimination against practitioners of nonmainstream sexual practices, and Barbara Nitke, an art photographer and a member of the faculty at the School of Visual Arts whose work focuses on sexually explicit material, sued to block enforcement of the act.

Among other arguments, they claimed the act would subject them to prosecution because of the "community standards" definition of obscenity set forth by the U.S. Supreme Court in *Miller v. California*, 413 U.S. 15 (1973). Any material placed on the Internet, they argued, would, by definition, hold them liable to the standards for obscenity in the most conservative of communities.

Under a provision of the act, their action to block enforcement of the law was heard by a three-judge panel, in this case Southern District Judges Richard Berman and Gerard Lynch and 2nd Circuit Judge Robert Sack.

The judges in 2003 refused to dismiss the case or grant the plaintiffs a preliminary injunction. Last October, they held a bench trial on the plaintiffs' claim that the statute was impermissibly overbroad.

On Monday, the panel issued per curiam 23 pages of findings of fact and conclusions of law.

It first resolved issues of standing, finding that Nitke faced a "material risk" that her work would be found "patently offensive," and would appeal to the prurient interest in "one or more communities and that she will be prosecuted for obscenity."

And "although Nitke's work is regarded by many as having serious artistic value ... and the government concedes here that Nitke's photographs have such value," the panel said, "there is a reasonable likelihood that other federal prosecutors will not agree that her work has such value and will prosecute her under the CDA."

But the plaintiffs nonetheless failed to meet the evidentiary standards set forth by the court on the "total amount of speech" that is implicated by the act.

"Indeed, the plaintiffs concede that they cannot 'compute the number of potentially affected Websites and other speakers with anything like accuracy,'" the court said.

The plaintiffs had submitted material that has been posted to a small number of sites that they argued would be obscene in some communities but not in others. It was not enough for the panel.

"These examples provide us with an insufficient basis upon which to make a finding as to the total amount of speech that is protected in some communities but that is prohibited by the CDA because it is obscene in other communities," it said.

And they have not offered enough evidence, the court said, "to enable us to determine, for the United States as a whole, the extent to which standards vary from community to community or the degree to which these standards vary with respect to the types of works in question."

The plaintiffs' own expert witness, the court said, "testified he was unable to determine the standards for obscenity in any given region."

And there was insufficient evidence, the panel said, to determine how much of the material might be found to be patently offensive in "at least one community" and would also be found to be lacking "serious artistic or social value."

The court said its ruling was based solely on the basis of the plaintiffs' overbreadth argument.

And therefore, the court said, "we need not and do not reach issues of whether some of the works that plaintiffs present as examples of chilled speech would be protected by the social value prong of the Miller test, whether current technology would enable plaintiffs to control the locations to which Internet publications are transmitted, or whether the CDA's two affirmative defenses provide an adequate shield from liability."

John Wirenius of Leeds Morelli & Brown represented the plaintiffs.

Assistant U.S. Attorneys Benjamin Torrance, Andrew Schilling and Beth Goldman represented the government.

<http://www.law.com/jsp/article.jsp?id=1122368711307>



Men sentenced for Mont Blanc fire

Fire damage in tunnel

The gutted tunnel remained closed for two years

A French court has found 13 individuals and companies guilty of manslaughter over the Mont Blanc tunnel fire that killed 39 people in 1999.

Among them, Gerard Roncoli, the head of tunnel security, was given a six-month jail term, plus 24 months suspended.

Gilbert Degrave, the Belgian driver of the lorry in which the blaze started, got a four-month suspended sentence.

The court dropped the charges against Sweden's Volvo Group, which made the lorry, which was carrying foodstuffs.

The court had heard that there was no evidence of a design fault in the Volvo lorry.

Two individuals were also acquitted.

Fines

Remy Chardon, the former president of the French company running the tunnel was given a two-year suspended jail term and fined 15,000 euros (£10,355).

Michel Charlet, mayor of the town of Chamonix, was given a six-month suspended term and the same fine.

According to French news agency AFP, six other people received suspended jailed terms and fines and three French and Italian firms received fines of up to 150,000 euros (£103,550).

The fire apparently started in Mr Degrave's truck carrying flour and margarine. The blaze trapped cars, lorries and people and burned for more than two days.

The tunnel between France and Italy was badly damaged and remained closed for three years.

<http://news.bbc.co.uk/2/hi/europe/4721445.stm>



Six dealers sentenced to death over record heroin haul

A northern Vietnamese court on Wednesday sentenced six offenders to death and eight others to life in prison in the biggest-ever heroin trafficking case in Vietnam so far.

Another eight accomplices were handed prison terms of up to 30 years following the 10-day court trial at the People's Court in Phu Tho province.

The offenders were charged with trafficking 954 kilograms (about 2,100 pounds) of heroin, more than 300 kilograms of opium and more than 400 amphetamine tablets from neighboring Laos to Vietnam between 1999 and 2004.

Officials say it is the largest amount of heroin detected in a single case so far.

Vietnamese law states that possessing, trading or trafficking 300 grams (10.5 ounces) or more of heroin or more than 10 kilograms of opium are punishable by death.

<http://thanhniennews.com/society/?catid=3&newsid=8160>



Prominent Cleric From Yemen Is Sentenced to 75 Years

A Yemeni cleric was sentenced in New York today to 75 years in federal prison for conspiracy to support Al Qaeda and Hamas and other charges. In a high, angry voice before Judge Sterling Johnson Jr. pronounced the sentence, the cleric, Mohammed Ali Hassan al-Moayad, protested his innocence, reciting a list of good deeds he had done in Yemen.

"They call me in Yemen that I am the father of the needy people," said Sheik Moayad, speaking Arabic that was translated into English for the courtroom in Brooklyn.

Sheik Moayad, 56, was convicted by a Federal Court jury in March of financing terrorism. He is a prominent Yemeni who once held a government post in his country.

The case was one of the government's most visible terrorism-financing prosecutions, but for a time it had appeared uncertain after the F.B.I.'s star informer set himself on fire outside the White House in November. The informer survived and later testified, and although he ended up being called as a witness for the defense rather than the prosecution, his testimony was viewed as hostile to the sheik's case.

Sheik Moayad's assistant, Mohammed Mohsen Yahya Zayed, was also convicted of conspiracy and other charges in March and faces up to 45 years. He was scheduled to be sentenced today but said he had not had time to read the pre-sentencing report. Judge Johnson said it would be translated and provided to him and that he would be sentenced instead in September.

Given the opportunity to speak, Sheik Moayad, dressed in a black cloak, a cream-colored sash around his shoulders and a white cap, told the court that in Yemen, he had fed the poor, opened a supermarket, built a mosque and a well, and given out blankets.

Judge Johnson spoke about Al Qaeda and narrated the events of Sept. 11.

"While the defendant is not being sentenced for the events of 9/11, he came to the attention of the authorities because of 9/11," the judge said.

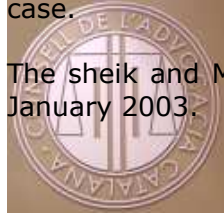
One of Sheik Moayad's lawyers, William H. Goodman, when asked about the judge's reference to 9/11, replied: "I think it's terribly unfair."

In March, defense lawyers portrayed the verdict as the jury's capitulation to fear and a result of an overly aggressive prosecution that included the use of what the defense lawyers called prejudicial evidence, including videotaped images of Osama bin Laden.

In interviews at the time, five jurors said that no one on the 12-member panel had expressed any serious doubt during deliberations about the guilt of the two men. But they said that evidence dealing with the sheik's alleged links to Al Qaeda was the weakest presented.

In addition to the conspiracy charges, Sheik Moayad was convicted of providing material support to Hamas, the militant Palestinian organization, and of attempting to provide material support to Al Qaeda. But the jury found that there was not enough evidence to convict the sheik of actually

providing material support to Al Qaeda, a charge that had once appeared to be the heart of the case.



The sheik and Mr. Zayed were extradited to the United States after their arrests in Germany in January 2003.

<http://www.nytimes.com/2005/07/28/nyregion/28cnd-terror.html>



Catholic priest in Chicago sentenced after stealing from parish

July 28, 2005 — A judge sentenced a former Catholic priest to four years in prison after he stole more than a million dollars from his parish on the city's southwest side, taking much of the money from the collection plate at St. Bede the Venerable.

Sentencing of Brian Lisowski in a Cook County courtroom on Wednesday came the same day that he pleaded guilty to felony money laundering. As part of a plea deal, prosecutors dropped a theft charge.

Lisowski, 49, offered an apology in court.

"I'm very deeply sorry for all that's happened," he said, his voice quavering. "It has hurt so many people who put their trust in me and the church."

The thefts began after Lisowski was named the acting pastor of St. Bede in January 1998 and they continued until Lisowski resigned in July of last year.

Lisowski resigned from his position at the parish after saying he'd relapsed into alcoholism and had been stopped by police with an alleged prostitute, prosecutors said. He was never charged in the prostitute case.

Almost immediately after Lisowski quit, St. Bede officials noticed that collections dramatically increased, said Assistant State's Attorney William Delaney.

Lisowski eventually led church officials to a safe he had secretly put in his rectory bedroom. Inside, they discovered \$50,000 in cash. He also put some of the pilfered money in investment accounts and a safety deposit box, prosecutors said.

Cook County Circuit Judge Kenneth Wadas said Lisowski deserved the minimum sentence because he had paid back \$1.2 million to St. Bede before he was arrested. He also turned over \$428,000 he said he took from another nearby church, Most Holy Redeemer, between 1992 and 1997.

Lisowski was taken into custody immediately after Wednesday's hearing.

http://abclocal.go.com/wls/news/072805_ap_ns_theft_priest.html



SERBIA: Eight sentenced for 2004 Mosque burning

By Branko Bjelajac, Balkans Correspondent, Forum 18 News Service

The trial of those accused of burning down the southern city of Nis' Islam-aga mosque in 2004 has produced outrage in the Muslim community at the light sentences imposed, Forum 18 News Service has learnt. The arson was triggered by Kosovo rioting which left 20 dead and 30 Serbian Orthodox churches burned or badly damaged. The maximum sentence that could have been imposed is 5 years in jail, but one person was sentenced to 5 months in jail, seven others were given 3 months each in jail, whilst two were freed. Three more people are still being tried. "We are not satisfied with the sentences," imam Mustafa Jusuf-Spahic told Forum 18, noting that the case may "unavoidably" have to come before international courts. Several Serbian political parties and NGOs have also condemned the light sentences, Miroslav Jankovic of the Belgrade Youth Initiative for Human Rights, telling Forum 18 that he hopes that the state prosecutor would appeal against the sentences.

The long-running trial of those accused of burning the Islam-aga mosque, in Nis in 2004, has resulted in one person being sentenced to 5 months in prison, and seven others to 3 months each in prison, whilst two were freed, at the Nis Higher Court on 26 July 2005, Forum 18 news Service has learnt. The defendants were accused of participation in group violence on 17 March 2004, when they set fire to mosque, causing 5 million dinars (471,500 Norwegian Kroner, 60,000 Euros, or 72,200 US Dollars). Three more people are still in the process of being tried, two being absent and one being ill.

The conclusion of the trial has been long-delayed, due to persistent delays by defence lawyers and the non-appearance of several defendants, and the fact that the defendants were not prosecuted for religious hatred is controversial within Serbia (see F18News 5 July 2005 http://www.forum18.org/Archive.php?article_id=597).

The eight young men found guilty of the crime were proved to have thrown stones at the mosque, broken down a door and entered the mosque to set fire to it. The crime took place on 17 March 2004, after a mob in the main square of Nis gathered shouting "Burn the Mosque." The maximum sentence that could have been imposed is five years in prison, according to the Serbian Criminal Code.

Presiding judge Katarina Radosavljevic, reading the sentences, stated that the guilty men were aware that they were causing great damage, and that there are no excuses for violence, according to the Belgrade daily newspaper Blic on 27 July 2005. The March 2004 riots in Nis and Belgrade were triggered by the wave of violence that shook Kosovo the same day, leaving 20 dead, many houses burned, and 30 Serbian Orthodox churches and monasteries badly damaged or burned (see F18News 24 March 2004 http://www.forum18.org/Archive.php?article_id=286). Judge Radosavljevic commented that this was no reason for the accused to have been violent themselves.

Numerous security force personnel were at the court building, and around it, but as the accused and their followers left the court building they chanted "After years of jail/because of Islam-aga mosque/I am singing again/death to Muslims!" The police did not intervene.

The Muslim community is outraged at the light sentences imposed. "We are not satisfied with the sentences imposed," imam Mustafa Jusuf-Spahic of Nis region told Forum 18 on 28 July. "We see this ruling as an attempt of the court to balance in between. Everything has been done to be mild, to diminish what was done. They are not accused of religious hatred, as if it was not a mosque, then they defended them as being a group of sport fans outraged with the violence on Kosovo, and so on. The sentence is not an adequate response to what happened there."

Imam Jusuf-Spahic told Forum 18 that the Muslim community will wait until the end of the legal process, to see what action the state takes, but the Muslim community believes that they may "unavoidably" have to bring the case before international courts.

Serbian Prime Minister Vojislav Kostunica is this evening visiting the Islamic Faith Community in Belgrade, to discuss their concerns with them.

Miroslav Jankovic, a lawyer and researcher at the Belgrade Youth Initiative for Human Rights, described the sentences to Forum 18 as "disgraceful" and hoped that the state prosecutor would appeal to a higher court against them. Jankovic added that "this is yet another proof that our legal system is not functioning."

Several Serbian political parties and NGOs also condemned the mild sentences, as did the Helsinki Committee for Human Rights in Serbia. Its president, Sonja Biserko, told Forum 18 that the sentences sent the wrong messages to the criminals or the general public, as the sentences were neither preventative nor proportional to the crimes committed. "That the accused were chanting death to Muslims that very day shows that the sentences did not persuade the criminals that they were wrong and that they are punished for it," she stated.

Biserko commented to Forum 18 that "the minimalistic policy, the diminishing of the offence, the charges put as if they demolished any building and not a mosque, which is a religious, sacral building, is showing that the society is very much against its Muslim citizens. Instead of discouraging such behavior, this ruling is only going to amplify negative sentiment against Muslims."

http://www.forum18.org/Archive.php?article_id=620



Dozens of Hawai'i residents defrauded out of \$515,000

Wayne Abe listens to Judge Perkins sentence him to up to 10 years in prison for fraud. Abe bilked at least 175 victims out of about half a million dollars by selling them fraudulent airline coupons. The prosecution described the operation as a "pyramid scheme."

Victims of Wayne Abe's airline-ticket pyramid scheme listened, and also testified, yesterday as Circuit Judge Richard Perkins held a sentencing hearing for the 57-year-old Kaimukī man.

A 57-year-old Kaimuki man was sentenced to a maximum 10 years in prison yesterday for selling bogus airline coupon tickets that defrauded dozens of Hawai'i residents out of an estimated \$515,000.

Wayne T. Abe's lawyer asked for probation so his client could work to pay back the victims, but Circuit Judge Richard Perkins said Abe's criminal conduct went on too long and defrauded too many people out of too much money to warrant probation.

Tamela Young, 36, of Makakilo, who purchased about \$61,000 in coupons for family, friends, co-workers and others, was among about a half dozen victims addressing the judge yesterday about the hardships caused by Abe's bogus sales.

The victims talked about canceled trips, friendships ruined when they collected money from friends for what turned out to be bogus coupons, and people having to pay additional money to purchase airline tickets.

But Young, who purchased the most coupons among the prosecution's list of victims, was not bitter.

"Wayne, I forgive you," she said. "I just wish you change your ways."

Abe nodded, then later told the judge he apologizes for the "terrible mistakes I have done" and said he wants to pay back the victims. He said he never made any money off the sales and blamed his conduct on "bad business judgment."

"I just got carried away," said Abe, who suffers from a congenital bone disease and walks with a cane.

Abe was found guilty earlier this year when he pleaded no contest and did not challenge theft and money-laundering charges.

Abe sold blocks of airline coupons from the mid 1990s until his arrest in April last year, according to prosecutors. He would typically sell a block of five coupons with the sixth one free for open-ended roundtrip airline tickets to the West Coast for \$1,000 to \$1,350, well below the market price, the prosecutors said.

Although the coupons were honored in the early stages, Abe's scheme collapsed and the victims discovered the coupons were worthless, the prosecution said.

City Deputy Prosecutor Christopher Van Marter, who asked for a 30-year sentence, said Abe conducted what amounted to a pyramid scheme. He said about 175 victims lost about \$329,000, but other victims were later discovered, raising the amount to about \$515,000.

He told the judge if Abe was granted probation, others contemplating a similar fraud might take that risk if the worst that could happen would be probation.

Van Marter also denounced Abe's description of his conduct as the result of bad business decisions. "It was lying with intent to steal," Van Marter said. "That's fraud."

Abe's lawyer, Arthur Indiola, said his client has various jobs lined up if he is released, but a 30-year prison term would undermine his client's goal of repaying the victims.

He portrayed his client as an upstanding member of the community, active in coaching and volunteer work with a clean record before he got involved in a "network marketing" enterprise, then made a "rash of bad decisions."

Abe didn't have a lavish lifestyle from the money, losing his house and his marriage as he sank deeper in debt, Indiola said.

Perkins said he will hold a hearing to determine how much in restitution Abe must pay. Perkins said he has no problem in finding that Abe owes money, but under the law, the judge must consider whether Abe has the ability to pay restitution.

Abe was given credit for the 15 months he served behind bars since his arrest. The Hawai'i Paroling Authority will later determine how much time he must serve before he can be released.

Indiola later said he still thinks Abe wants to repay the victims.

Young, a bank teller, isn't holding her breath. She and her husband refinanced their home and paid about \$22,000 to people who purchased bogus coupons through them, even though she is pregnant with her sixth child.

"I don't think this man can go out and work for restitution," she said.

But, she said, she's not upset that they won't get back the money.

"I left it in God's hands," she said. "We need to move on."

<http://www.honoluluadvertiser.com/apps/pbcs.dll/article?AID=/20050728/NEWS20/507280308/1170/NEWS>



No iPod tax for Canada

The Canadian Supreme Court won't hear a case involving extra fees for iPods and other MP3 players in that country, ending a dispute over a so-called iPod tax, but rekindling debate over the legality of file swapping.

At issue was a long-standing law that allows a regulatory agency to collect a small extra fee on blank media such as CDs and tapes, with the revenues going to artists and record labels to recompense them for the private copies being made of their work.

That agency, the Copyright Board of Canada, said in late 2003 that iPods and other hard-drive players were being used to copy music as well, and imposed a fee of up to \$25 on the devices. An Appeals Court set aside that decision last year, and Thursday's Supreme Court action will leave iPods untaxed.

The decision may have broader implications for Canadian computer users, however.

The country's trade association for record labels quickly welcomed the Supreme Court's action as a sign that unauthorized file swapping was once again viewed as unambiguously illegal.

That connection stems from another court ruling, in which a judge said that trading files though a file swapping network appeared to be legal, citing the Copyright Board's fee regime.

But if copying files to hard drives--whether on an iPod or a computer--is not included in the private copying fees, then file swapping is no longer protected, executives at the Canadian Recording Industry Association said.

"For years, those supporting unauthorized file sharing have misleadingly used the existence of the Private Copying Levy to justify illegitimate file sharing," CRIA President Graham Henderson said in a statement. "Today, the Supreme Court says 'no such luck.'"

Copyright regulators said the Supreme Court's action was regrettable, and might even make most common uses of the iPod illegal.

"The clear result of this decision is that copying recorded music onto an iPod is illegal, unless the copying has been authorized by rights holders," said David Basskin, a director of the Canadian Private Copying Collective, which collects and distributes the fees on blank media, in a statement.

The CPPC would return the fees that had been collected from iPod and other digital audio device sales between December 2003 and December 2004, the group said.

The ambiguity in Canadian law may be resolved before the courts have much time to address file-swapping issues again, however. The Canadian government has introduced a wide-ranging new copyright law that is expected to definitively make trading copyright files online without permission illegal.

http://news.com.com/2100-1041_3-5809117.html



Judge grants Microsoft request in Google case

A judge has temporarily barred a former Microsoft executive hired by Google from performing any duties at the search giant similar to those he performed at Microsoft.

Washington state Superior Court Judge Steven Gonzalez on Thursday granted Microsoft's request for a temporary restraining order to prevent Kai-Fu Lee from violating his noncompete agreement.

Google announced on July 19 that it had hired Lee to lead a new research and development center in China and serve as president of its Chinese operations. Lee was previously a vice president at Microsoft and played a key role in its operations in China. He also led development of some of its search technologies, Microsoft's lawsuit claims.

The same day that Google announced its new hire, Microsoft sued Lee, claiming he was breaking a one-year noncompete agreement by joining Google. Microsoft also sued Google, accusing it of encouraging Lee to violate promises made to Microsoft. Two days later, Google asked a California court to declare Microsoft's noncompete provision invalid.

News.com's Charles Cooper says the hiring spat diverts attention from the more serious battle between Microsoft and Google.

Google and Lee claim that Lee would not be doing anything at Google that would compete with work he did at Microsoft, and Lee says he contacted Google and was not recruited.

Specifically, Gonzalez prohibited Lee from working on search technologies, business strategies, planning or development related to the computer search market in China, as well as any other areas he worked in while employed at Microsoft.

Google and Lee were also barred from disclosing or misappropriating any trade secrets or proprietary information obtained while Lee worked at Microsoft and from destroying any documents or data that relate to Lee's employment at the companies. They have one day to hand over any documents or material Lee obtained from Microsoft during his tenure there. The ruling also prohibits Lee from encouraging any Microsoft employees to join Google.

Gonzalez also barred Microsoft from destroying relevant documents and ordered the company to post \$1 million security to be used to pay for Google and Lee's costs and damages if it is determined the temporary restraining order was wrongfully granted.

The judge's order set a Sept. 6 hearing on Microsoft's request for a preliminary injunction, which would bar Lee from doing similar work at Google as he did at Microsoft until a verdict is rendered at trial. The temporary restraining order remains in effect until that hearing, the order says.

Separately from the restraining order, the judge scheduled a trial date of Jan. 9, a Microsoft spokeswoman said.

With its California request, Google appears to be trying to take advantage of a state rule that frowns on noncompete contract clauses. But the case could pose some sticky jurisdictional

questions. Google, headquartered in Mountain View, Calif., says Lee resides in California but is supposed to lead the company's operations in China. Microsoft's lawsuit was filed in Seattle, not far from its Redmond, Wash., campus.

Court filings in the case show that Microsoft had paid Lee more than \$3 million since August 2000, more than \$1 million last year alone. Lee originally joined Microsoft in Asia in 1998 and founded its China research lab. He left and was rehired by Microsoft to work at its Redmond campus.

Google and Lee claim the Microsoft lawsuit is a "charade" meant to frighten other Microsoft workers from jumping to Google, according to court documents. The spat is the latest in an increasingly personal tussle between the companies, which compete in Internet search and other areas.

This isn't the only legal headache for Google. A former Google sales executive has sued the company, alleging that it engaged in job discrimination while she was pregnant with quadruplets.

Google was not immediately available for comment on the temporary restraining order.

http://news.com.com/2100-1030_3-5809314.html



PC who downloaded child porn is jailed

A police constable who downloaded hundreds of images of child sexual abuse from the internet was jailed yesterday after claiming the offences were committed out of "morbid curiosity".

David Bright, 41, who has received a string of commendations for his work with the Northumbria force, was given an eight-month sentence and placed on the sex offenders' register.

Teesside crown court heard that Bright, who is married with children, had initially denied the offence but specialist analysis of three computers at his home traced 346 images. Others were kept on a crude, home-rigged device to keep them secret from his family.

Article continues

Bright, whose address cannot be published for legal reasons, resigned earlier this year after being arrested by colleagues. His home was raided after a tip-off from an outside agency that he had been accessing child pornography sites.

He admitted 17 counts of making indecent images of children and 26 specimen charges of possessing indecent material.

Bright sat expressionless in the dock, with his wife in the public gallery, as Judge David Bryant told him that only a jail sentence would make public disgust clear.

"I take into account that you have hitherto had an unblemished and admirable career in the police force," he said. "You have no doubt done a great deal of good to the community and all that has been thrown away by this conduct."

Nadim Bashir, prosecuting, said Bright denied being a paedophile and could only suggest morbid curiosity for his accessing of the sites over an 18-month period.

http://www.guardian.co.uk/uk_news/story/0,3604,1539183,00.html



Porn figure gets 30 years

GREEN BAY - A former police officer who traveled to Beaver Dam to have sexual contact with children after he saw images over the Internet was sentenced to more than 30 years in prison Friday.

Adam J. Brown, 32, of Riverside, Calif., pleaded guilty to one count of crossing state lines with the intent to engage with a child under 12-years-old and one count of producing child pornography that could be viewed past state lines. He was sentenced in federal court in Green Bay to 30 years and five months in prison with eight additional years of supervision.

According to the criminal complaint, Brown, who is also a former teacher, traveled to Beaver Dam in October 2002 to visit William Martin, and had sexual contact with five boys ranging in age from 8- to 13-years-old at the time of the incident.

Martin, 34, is scheduled to be sentenced in federal court on Thursday. Kurt Sandvig, 44, formerly of Kansas City, Mo., pleaded guilty to conspiring to travel across state lines with the intent of engaging in a sexual act with a person under the age of 18-years-old. He was sentenced to 30 years in prison with five additional years of supervision.

ad header

Authorities said Brown testified against Martin and Sandvig as part of the plea deal.

Two other men connected with the case have already been sentenced. Joel Kline, 41, formerly of Beaver Dam, pleaded guilty in federal court and was sentenced to two life sentences followed by 30 years in federal prison. Timothy Dirk, 38, was sentenced in Dodge County Circuit Court on April 21 to 33 years in prison and 17 years of extended supervision.

According to Martin's plea agreement, the case developed after Michigan authorities searched the home of Brian Urbanawiz of Midland, Mich., in December 2003.

Authorities said Urbanawiz was part of an Internet club whose members produced and shared photographs, videos and live broadcasts of children being sexually assaulted.

Urbanawiz was sentenced in Michigan to at least 35 years in prison after pleading guilty last year to four counts of first-degree sexual conduct with children younger than 13.

<http://www.wiscnews.com/bdc/news/index.php?ntid=48767&ntpid=7>