Employee sues university

Lauren Rabaino
MUSTANG DAILY

A Cal Poly employee filed a $160,000 lawsuit against the university on Monday for not providing a safe work environment when he was attacked by a subordinate employee last year. The custodial supervisor Chris Leitz claims that the university should have prevented the attack by then-custodian James Reynolds.

After Leitz reportedly gave Reynolds a poor review last year, Reynolds—who was armed with a machete—crashed his car into Leitz. Reynolds was sentenced to a year in county jail last July for assault with a deadly weapon.

In the lawsuit, Leitz alleges that his supervisor at the time, Tom Rambler, who has since left Cal Poly, instructed him to try to force employees to resign—which ultimately led to the employee-on-employee violence.

Although Leitz claims he attempted to convey Reynolds’s violent nature to Rambler, he alleged that his concerns were ignored.

“The university actually had seminars on violence in the workplace and how to prevent it,” said Leitz’s attorney, Patrick Sparks. “But they did nothing in this circumstance. That’s where the problem is.”

Sparks said Reynolds was an example of an employee “gone postal”—a phrase that comes from 1980s U.S. Postal Service workers who injured their managers because of work-related stress.

Workers compensation is an exclusive remedy for workplace-related injuries, which is not applicable unless there is a violation of public policy.

“That’s what our allegations are,” Sparks said. “We wouldn’t have filed lawsuit unless we had a reasonable basis for why we think there was violation of public policy.”

Although Cal Poly’s legal counsel cannot directly comment on an open case, the university’s attorney, Carlos Cordova, said employees have many options for reporting their concerns.

“Cal Poly does have policies regarding workplace violence that allow many avenues employees can take if they feel threatened,” Cordova said.

In 1998 Cal Poly established a Workplace Violence Prevention Committee to deal with these types of situations. The program’s guidelines state that, “Once an administrator or supervisor has knowledge of workplace violence under his or her administrative jurisdiction, the administrator or supervisor must take timely steps to deal with the matter appropriately by consulting with Human Resources.”

Cordova said this is the first lawsuit Cal Poly has received regarding workplace violence.

“This was a criminal act of an employee against another,” Cordova said. “It’s something we have no control over and certainly don’t condone.”

Cal Poly investigates Pismo Beach water contamination

Camas Frank
MUSTANG DAILY

The water at the Pismo Beach pier has been on a danger list for some time, most recently making an appearance on the non-profit organization Heal the Bay’s top 10 list of most polluted beaches in California. Although Pismo is a popular surfing spot, the water is often tainted with deadly bacteria, forcing the beach’s closure to swimmers.

Now the city of Pismo Beach is turning to a group of Cal Poly professors to find out why. Using a $666,368 grant, courtesy of a program mandated by Proposition 111, an in-depth DNA source analysis of the pollution was commissioned.

Headed by biology professor Chris Kitts, the project harnesses the efforts of 25 individuals working at Cal Poly, both in the lab and in the field collecting water samples in the lagoon and around the pier. In addition to the graduate and undergraduate students working on the study, biology instructor Contamination, page 2

James Reynolds

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Pigeons have been a cause of speculation for the high bacteria levels at the Pismo Beach pier. A group of Cal Poly professors was called in by the city to investigate. Daily sampling of the water around the pier began on June 26 and is financed by a grant.
Contamination

continued from page 1

...Mark Maline, Marie Young, Michael Black and statistician Andrew Schaffer are bringing diverse elements to the project.

The goals of the city in this study are two-fold,” said Dennis Debeir, Paso Robles city engineer and public works director. “We hope to find the problem, and we’re using Dr. Kitts and the other professors from Cal Poly to do that, and to correct the problem, whatever it turns out to be.”

The mechanics of the investigation range from the 60 days of daily sampling, which began on June 26, to the mapping of recent currents using an acoustic doppler radar device now installed at the end of the pier. They ask Professor Kitts the subject of his research and the answer is “pigeon poop.”

“So far, the highest pollution level looks like it’s correlating to the spring tides,” he said. “That’s the highest high tide on about a two-week cycle. So once every fortnight the levels spike. We’re going to be collecting E. Coli and finger printing them, looking for specific kinds of bacteria. There are very specific markers for humans, cows, dogs, and we’re working on horses.”

While there are no specific markers to identify pigeons as the culprit, Kitts informed the Pismo Beach City Council during his first quarterly report Tuesday that the sourcing includes compiling a “Fecal Source Library Collection” and contracting with a Seattle company for access to more animal samples.

As part of the project’s historical data analysis, he also said that the correlation of high tide to high bacteria levels might point to contamination in the beach sand itself. Other theories, such as the fracture of a sunken sewer line are unlikely as there has been no evidence of human fecal contamination in the sampling thus far.

Pismo Beach Mayor Ann Renz praised the first report and said it was “making a lot of progress.”

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Driving

continued from page 1

medical provider, the fire department or other emergency services agency.

As of yet, texting while driving is not illegal, although the CHP strongly discourages it, and drivers can still be pulled over for reckless driving that could result from texting.

“I don’t think it will change me (cell phone) habits, but it’s nice as a reminder. I use a hands-free device,” said architecture senior Nick Sward, who purchased a Bluetooth device for $30.

“I probably won’t purchase a Bluetooth. I’ll just wait until I get to wherever I’m going, and call them back,” said junior science major Mac Ritchie.

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Estevan Whitfield, computer engineering junior

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Jose “Cheech” Gomez, soil science senior

“It’s going to make me more conscious of when I use my cell phone, especially in the car.”
Jessie Bierlich, nutrition senior

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The Central Coast is known for its local flavors: chardonnay, cabernet and pinot noir to name a few. However, fine wines are not the only delicacies available for sampling. For some, top-notch olive oil and balsamic vinegar have become the new wine, and San Luis Obispo's We Olive offers customers the chance to sample away.

"I don't drink a lot of alcohol," said customer Suzanne Lesel. "I believe in the Mediterranean lifestyle and the food," she said. "I bought their balsamic vinegar and it's calmly," Lesel said. "It's very well educated about the different oils and the balsamic vinegars and some of the other products. And it's a fun thing to go and try them all," Lesel said. "You wouldn't think of that when tasting olive oil by itself but they all have very unique flavors."

The store's main counter holds numerous bottles of olive oil. "Four of the olive oils on this bar have been graded top 10 in the world," said Russell, surveying the bottles.

Three small serving bowls are filled with different olive oils, ranging from a golden hue to a darker green. They are labeled peppery, fruity and buttery.

"These are the three categories and you can think of them as mild, medium and bold," Russell said. "For the most part a buttery is for something light like a salad, a fruity is for pasta and, finally, peppery is for bold food like steak."

Because the olive oil industry has seen some fraudulent oils pass off as extra virgin, when in fact they are diluted with low-cost oil or vegetable oils, Russell is strict about making sure his products are bona fide.

Summer means....

"Our olive oils have the California Olive Oil Certification," said Russell, pointing to a small golden sticker on each of his bottles. "If they take this olive oil and send it to get tested, they can tell you what tree it came from, what type of olive it was, the acidity rate and quantity it is extra virgin olive oil. We believe in this seal, it's the most stringent in the world. California pushes for this."

Russell added that he also wants to introduce his customers to what olive oil should really taste like.

"There's a lot of misconceptions about olive oil," said Russell. "Most of the olive oil you get at the stores is probably on the rancid side. If I did a tasting here with you, you would taste the distinct and strong flavor versus if you were to open that bottle of store bought olive oil and take a taste of that. Our main focus is to educate the public here on the uses and benefits of extra virgin olive oil."

Russell, who opened the shop nearly a year ago, "It's quick, easy, healthy and olive oil is really high in good cholesterol and removes the bad ones from your blood."

Cal Poly nutrition junior Erica Wincheski, who works for Russell, added that olive oil also contains healthy fats.

"With everyone watching their saturated fats, olive oil has the good fat in it," Wincheski said. "It makes your body function and work better."

Regular customer Rhonda Norton said she thinks the store goes well with San Luis Obispo's general vibe.

"I think that this fits into San Luis Obispo really well because the trends behind olive oil is wherever you grow great wine, you grow great olive oil," Russell said. "Eighty-five percent of our olive oils are San Luis Obispo County local, 100 percent are California local."

We Olive also offers locally-made body care products, candles, soaps, ceramics, kitchen utensils as well as olives, tapenades, olive salas, sauces and dressings. "Our balsamic is from Italy but all our olive oils are California grown because the trunks behind olive oil is wherever you grow great wine," Norton said. "It's a gourmet store; they offer a lot of gourmet options," Norton said.

Norton added that she appreciates the fact that most of Russell's products come from within the county -- something Russell takes pride in. "We Olive is a gourmet store; they offer a lot of gourmet options," Norton said. "Some of the things are unique (and) I would never have tried them if they hadn't told me to. There was one, the blackberry and pear balsamic vinegar, and it tasted so good and unique." Norton said that, as a personal trainer, she recommends We Olive. "This fits into San Luis Obispo really well because they offer a lot of gourmet options," Norton said. "Some of the things are unique (and) I would never have tried them if they hadn't told me to. There was one, the blackberry and pear balsamic vinegar, and it tasted so good and unique."

Norton added that her main consideration when choosing any other oils and the balsamic vinegars before making a purchase.

"The idea of being able to try it really makes a difference," Norton said. "Some of the things are unique (and) I would never have tried them if they hadn't told me to. There was one, the blackberry and pear balsamic vinegar, and it tasted so good and unique."

Norton added that Russell's knowledge of what oils go well with what entrees also helps her decide what products to choose. "He's very well educated about the different oils and the balsamic vinegars and some of the other products. And it's a fun thing to go and try them all," Norton said. "You wouldn't think of that when tasting olive oil by itself but they all have very unique flavors."

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In a fast-paced world that continues to be transformed by technology, not only do we continuously want to be connected to the Web, but in most cases, our lives demand that we be. Google is a company that caters to that need for connectivity — possibly because it created the dependency in the first place, or perhaps because they understand that not all of us can own an iPhone. Because Google doesn't make it a priority to publicize all its goodies, most people I talk to haven't taken advantage of these services. Free and easy to use, there are ways to find out what you need to know, even when away from your computer. All you need is a standard cell phone and the ability to text message.

**Goog411**

When you're on the road and need a number, there is an alternative to using the standard "411" telephone directory assistance number. Just dial 1-800-466-4-411 (Goog411). The best part? It's free! Standard 411 calls can cost anywhere from $1.25 (for local connections) to $1.99 (for long-distance connections). It's a fairly simple service: just dial the number, say your city and state (or if you're not driving, simply type in the ZIP code), and give a business name. If you don't want to be connected immediately, you can say the words "text message" and Google will send you a text message that includes the name of the business, phone number and complete address.

The downside to the service: the listings are only commercial. If you want to connect to a residential listing, you'll have to spend the $1.25 on a regular 411 call.

**Movie times**

You know the standard procedure when calling a movie theater: before you can even get to the times, you have to listen to every special offer, movie rating, box office hours, ticket prices and so on. If your phone has text messaging capabilities, Google has an array of free services available.

**Who needs an iPhone? If you have text messaging capabilities, Google has an array of free services available.**

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**COURTESY PHOTO**

For a full review of James Frey's "Bright Shiny Morning" by Chelsea Bieker visit mustangdaily.net
The amendment that protects your independence

When it comes to freedom from government oppression, the First Amendment gets all the credit. When it comes to those liberties we all readily enjoy — speech, religion, assembly, petition and press — there is such a thing as a right to both faith and fact. Your freedom in America that these are inalienable rights that they're hardly ever questioned.

Yet when it comes to the Second Amendment and what should be an inalienable right to bear arms, the concept of personal independence is suddenly lost on half the population.

This Independence Day, let's re-examine that concept. The Second Amendment states, "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

Like the rest of the Bill of Rights, these words are clear and their intent is simple: to protect personal liberties. Independence Day doesn't just celebrate our nation's independence from Britain. It also celebrates the liberation of a people. America's citizens can proudly say they are in control of their own destiny. The principle that each has the right to pursue liberty and the pursuit of happiness.

In his "Give Me Liberty or Give Me Death Speech" Patrick Henry said, "If this be liberty, I am a beast. If this be freedom, I am a slave. If we must make friends with devils, it is because our houses are in ruins."

Two centuries after our first Independence Day America is again in the fight of its life.

On foreign soil, we fight terrorists that would rather see our nation succumb to a fanatical terrorist ideology, and again, the majority of us agree that we have a right to defend our nation from those attacks. But when it comes to the Second Amendment, defending ourselves against our own government or even our own homes, our loved ones — our so-called "right to life, liberty and the pursuit of happiness" — too many Americans are still confused on what should be a clear-cut answer.

Just as we as a nation have a right to defend our country, so do you as an individual have a right to defend yourself and your property. An unmarried citizenry is an open door to a tyrannical government, and you need look no further than the many nations around the world who have fallen under the rule of dictatorships after giving up their right to bear arms.

In America, gun control proponents have attempted to misconstrue the Second Amendment in an attempt to deny us our constitutional right to bear arms. But there's no questioning how our founding fathers felt about this inalienable right.

The advantage of being armed the American way is that the people of almost every other nation is that the government is afraid to trust the people with arms. James Madison noted, "War, violence and murder are attributes, but guns are merely props for the people. The way to win friends and influence those of us who believe in peace and civilized society, simply give up our right to defend ourselves that the criminals and terrorists gain the upper hand.

Let's not let them win.

Minh Van Rombough

Guest Commentary

Equality shines in the Golden State

As I happily look back on May 15, 2008, I think to myself "this is a day that I never thought I would see happen in my lifetime." That particular Tuesday was a day that changed my life forever. That was the day the Supreme Court of California decided to grant myself and others as well as many other self-respecting same-sex couples the right to equal marriage.

Flaunting the law for the first time, the court struck down Proposition 22, which made all same-sex couples void and declared that only the marriage of a man and woman was legal.

As we left the county office building, we expected that there would be protocol with picket signs or people telling us that we simply don't have the right to be happy — or equal, for that matter.

Instead, as we walked down the street, we were approached by many open-minded and accepting individuals in favor of our organization and other positive messages. We were among the first 50 couples to make history that day in the state of California; we were finally given the equality guaranteed to us under the U.S. Constitution.

We were among the first 50 couples to make history that day in the state of California; we were finally given the equality guaranteed to us under the U.S. Constitution. The equality we have never wished for, the right to be served in the manner of our choosing, the ability to own and to sell property.

Sad, Big Brother is watching you, and now he won't even let you celebrate the independence of your country. Have no fear, though. I'm sure the "freedom fighters" in Oceano will stage a little "civil disobedience" on the Fourth, as usual. (Wink, wink?)

— Anonymous

Response to "Civil Disobedience"

The Mustang Daily is a journalism center and the communication center of the Mustang Daily.

GUEST COMMENTARY
Murray continued from page 8

campaign.

In their season-ending, 21-7 win over Rancho Buena Vista at Qualcomm Stadium on Dec. 7, 2007, to claim the SDN Division I title, Murray rushed for 60 yards on 10 carries and completed 6 of 13 passes for 90 yards and a score.

In a contest nationally televised by ESPN2 on Oct. 11, 2007, Murray completed 6 of 12 passes for 96 yards, with an interception, but rushed for 84 yards on eight carries as the Titans rallied from a 16–7 fourth-quarter deficit at Torrey Pines to prevail 20–16.

Expected to join football after training camp, Murray, who added twelve tackles and a sack for the Titans last season, could find his niche as a defensive back.

If he’s given a shot under center, however, his credentials could make him an already crowded quarterback future at Cal Poly.

While senior Jonathan Dally is entrenched as the starter this season, the backup role appears largely up for grabs in light of the expected departure of would-be senior Matt Hyman, who started six times in 2006, before backing up Dally last season.

While backup candidates appear to be sophomore teammates Tim Smith and redshirt freshman Dylan Houser, each of whom took most of their squad snaps April 5 during Cal Poly’s annual spring scrimmage, a more viable option could be one with a more similar play style.

Among those three additions announced May 15, Harlan Purtzer, a 6-foot, 205-pound transfer from Cabrillo College, completed 51.3 percent of his 306 passes for 2,146 yards and 28 touchdowns at the community college level.

Those numbers almost mirror the ones Dally posted in two seasons at Allan Hancock College, where he completed 56.9 percent of his 262 passes for 2,229 yards and 24 scores.

Free Poker lessons daily

Morgan, in addition to Murray, are expected to redshirt in 2008. Morgan head coach Bach Stromberg could not be reached for comment Tuesday nor Wednesday.

The Mustangs return to practice Aug. 7, about three weeks before their season opener Aug. 30 at San Diego State.

Cal Poly sports news and views • odds & ends • videos Have your say by commenting at: Off the Page http://apps.mustangdaily.net/offthepage

Doctors are evaluating investigational, medicated patches to see if they relieve pain when applied directly to the ankle.

Local doctors are currently conducting a clinical research study evaluating the effectiveness of investigational, medicated patches for treating the pain associated with an ankle sprain, when applied directly to the injured ankle.

To be eligible for this study, you must:

1. Be 18 years of age or older
2. Be experiencing pain from an ankle sprain that occurred within the past 48 hours, AND
3. Have not taken any pain medication or used compression to treat your ankle sprain

Qualified participants will receive study-related medical evaluations and study patches at no cost. Reimbursement for time and travel may also be provided.

To learn more about this local study, please contact:
Coastal Medical Research Group, Inc. 549-7570

The New York Times Crossword

Edited by Will Shortz

No. 1231

Puzzle by Lynn Lempel

Across
1 Odeles 6 Wide as the ocean 10 Hiffed and pulled 14 Seoul's land 15 Diva's song 16 Jacob's wife 17 A magnet attracts it in a physics experiment 19 Between twice and never 20 Grand Coulee 46 21 County seat of Oklahoma City 22 Help 24 At a tilt 26 Prance 27 True War 28 Divorce

Down
1 On the going to pot 2 Deep pink 3 Enticing smell 4 TV room 5 Two-point plays in football 6 Legitimate 7 Parachute 8 Ervy in glutony 9 Event before moving 10 Cross-transfusion procedure 11 Gaze for a while 13 "I'm not his own" 16"Amusement park entrance 18 Lililtes 23 "yes, madam!" 25 Some verbal abuse 26 Women's links org. 28 Paragon of virtue 29 One and only

su/odiku
today's solutions

4 8 5 6 2 7 9 3 1
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Two-time defending Big West champion's early slate features some of country's toughest competition

Lauren Rabino

Although Cal Poly has not officially announced its volleyball schedule, other universities have released theirs, giving the Mustangs an early idea of where they stand. The tentative slate is strong, Cal Poly head coach Jon Stevenson said, featuring home matches against Stanford and Nebraska.

"Stanford and Nebraska are two of the best programs in the country and have been for 20 years of NCAA volleyball," he said. "Our strategy is to be the best in the nation you have to play the best."

The Mustangs, who finished last season ranked 11th by the American Volleyball Coaches Association, opened the season against Michigan State at the Oklahoma Invitational on Aug. 29. The following weekend, they'll host the Cal Poly Invitational, when they'll take on Tulane and Nebraska on Sept. 5.

The latter match, Stevenson explained, has been one he and Nebraska head coach John Cook have planned for three years.

"People don't think much of Lincoln, Nebraska," Stevenson said. "But they do volleyball right there."

Then-junior middle blocker Jaclyn Houston (11) and then-redshirt sophomore outside hitter Gaby Rivera (18), shown Oct. 26, 2007 during a 3-1 win over Pacific, helped Cal Poly to a regional semifinal appearance last season.

Nebraska, which went 30-2 last year and finished ranked fifth by the AVCA, swept the Mustangs in 2007 — 30-20, 30-19, 14-26. They'll host second-ranked Stanford, which Stevenson called a "perennial powerhouse."

Despite the obstacles presented by senior Cardinal Olympians Foluke Akinradewo and Cynthia Barboza, Cal Poly senior opposite Kylie Atherstone, the two-time reigning Big West Conference Player of the Year, seems undaunted.

"I think we're going to compete with them very well, especially if we get a good home crowd," she said.

Multi-sport star commits to Cal Poly

Donovan Aird

One of the state's best prep high jumpers, also the starting quarterback for an undefeated CIF-San Diego Section Division I football champion, has committed to compete in both sports at Cal Poly this year.

Tynan Murray of Poway High School will partake in track and field on a scholarship, and has been invited as a walk-on in football.

"It's the right fit," Murray told the San Diego Union-Tribune. "I really wanted to be able to do both sports, and this is the chance."

The 6-foot-4, 180-pound Murray was named May 5 as a 2008 All-State Grid-Track Honor Roll member by CalHiSports, whose editor, Mark Tennis, wrote Murray "could represent a first in California history" because of his lofty accomplishments in both arenas.

Just the fifth high jumper in SDS history to clear 7 feet, he sized over 7-1 May 17 at prelims. That mark — matched May 31 at the state finals by sophomore Harrison Steele of San Juan Capistrano's Sierra High — was the state's best this season, and tied with three others for the eighth-best in the country.

"He's a top-three or-fourth guy in the country," said Jack Hott, Cal Poly's jumps coach. "Sometimes high jumpers get a little finicky, but he just goes out there and gets the job done."

While Hott was quick to point out that several Cal Poly football players have excelled in track and field as sprinters or throwers, it's the first time in his three years with the program recruiting a jumper with such a football pedigree — one undoubtedly shaped by being a nephew of San Francisco 49ers offensive coordinator Mike Murr, as if his exploits in his two premier sports weren't enough, Murray, named the San Diego Union-Tribune North Zone Athlete of the Year, was also qualified for the SDS diving finals.

"He's not your prototypical guy," Hott added. "If he can go 7 feet for us, he'll most likely go to nationals see Murray, page 7

In any event, Atherstone will be key to the chances of the two-time defending Big West champion Mustangs.

"She needs to be a team leader," Stevenson said. "She needs to be great and selfless and play for the team."

Atherstone, who can become just the second three-time player of the year in Big West annals, seems ready to finish her college career in style.

"You can't have a leader — it's how well the team works together," she said. "One person can't win a game."

Stevenson also noted senior outside hitter Ali Woller as an emerging star.

"She is technically as good as any player in the country," he said. "Volleyball is a game of power and she's developing more power as she goes."

All the other Big West teams have announced their schedules, featuring September, October and November contests with Cal Poly.

Long before that, though, the Mustangs will begin to get a taste of what the rest of the country has to offer.

"By playing these teams around the country, we take advantage of the fact that we're not in school," Stevenson said, stressing the importance such out-of-state tests in elevating the national ranking.

Brian Thurmond, Cal Poly Athletics' director of media relations, said an official schedule will formally be announced toward the end of July.

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U.S. Olympic Trials

Day set to take last strides for Beijing

Sharon Day, shown during 2004, finished her Cal Poly career June 13 by coming in second place at the collegiate national outdoor championships in Des Moines, Iowa. At 7:50 p.m. Friday she'll compete in the women's high jump finals at the U.S. Olympic Trials at Hayward Field in Eugene, Ore. For a complete recap of how she advanced to the finals, and trial results of others with Cal Poly ties, go online to mustangdaily.net.