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Pension trustees resisting takeover

Aguirre deputy warns of possible legal action

By Philip J. LaVelle
STAFF WRITER

With two FBI agents watching from the audience, a deputy to City Attorney Michael Aguirre warned the San Diego pension board that anyone resisting Aguirre's push to take over the retirement system's legal affairs "will be held accountable under the law."

Board President Frederick W. Pierce IV pushed back, telling a room packed with news media that the board was rejecting Aguirre's demands on the advice of outside lawyers.

But the biggest potential fireworks — the question of what would happen if board whistleblower Diann Shipione tried to attend a scheduled closed session — did not occur.

Shipione attended the retirement board meeting and intended to stay for the private session — but that was canceled, averting a potential crisis.

Yesterday's meeting came a day after revelations that Pierce, retirement board administrator Larry Grissom, and board member Charles Hogquist, a San Diego Police Department lieutenant, devised a plan to have Shipione placed under citizen's arrest and handed over to police if she refused to leave a Nov. 19 closed session after being banned from such meetings.

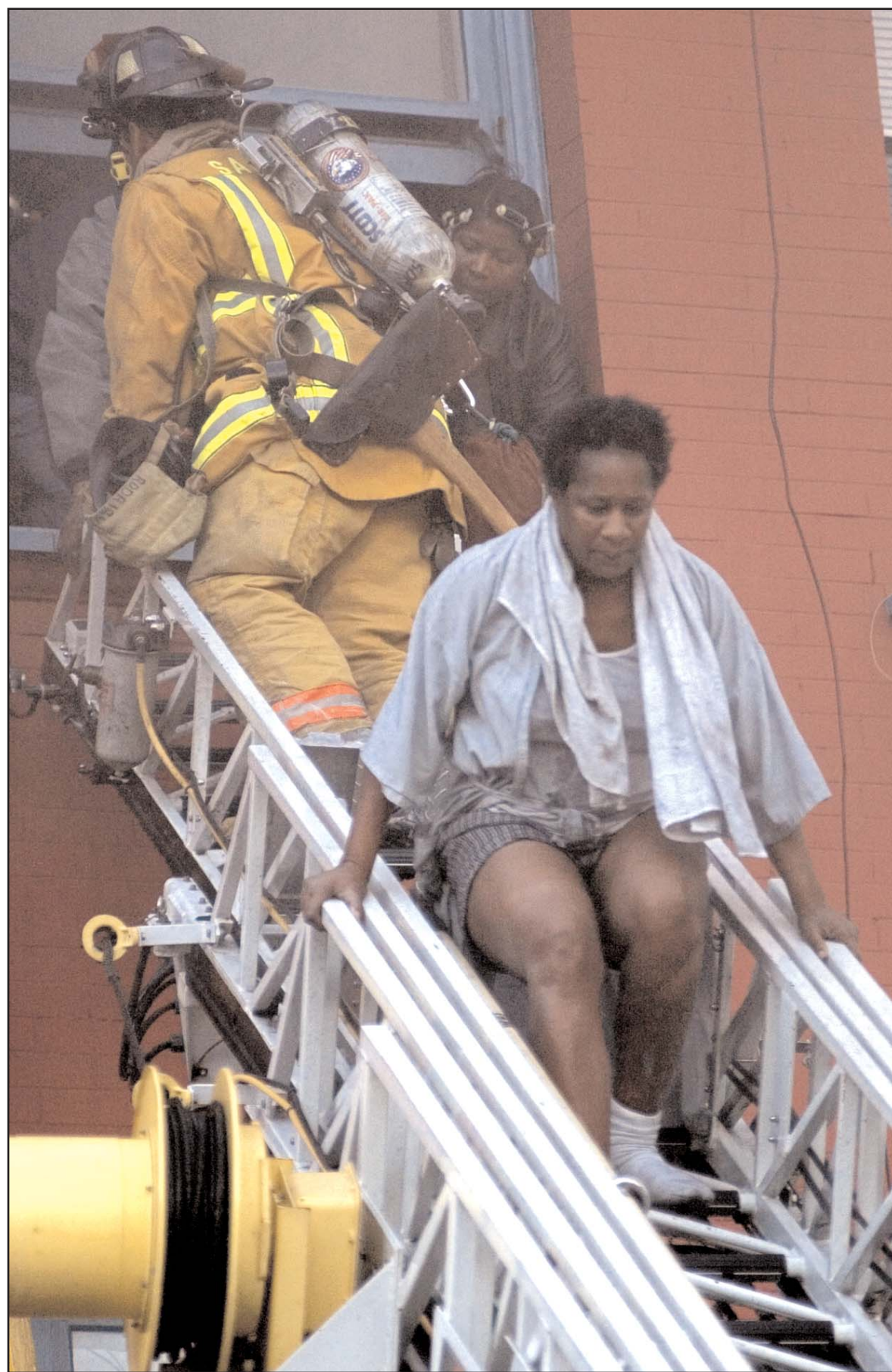
The board's published agenda for yesterday's meeting listed a closed session, which included discussion of five pending legal cases under the heading "conference with legal counsel," as well as a performance review of Grissom.

Pierce was later asked by reporters if the closed session was canceled to avoid a possible confrontation with Shipione.

"No, it was not," he said. "There was no business to be conducted in closed session."

SEE Pension, A6

DEADLY HOTEL FIRE



Firefighters evacuated residents of downtown's Mason Hotel during a three-alarm blaze yesterday morning that killed one man and injured 14 people, 12 of whom were hospitalized. Damage to the turn-of-the-century residential hotel was estimated at \$1.5 million. *Romeo Lorenzo*

STORY, B1

High doses of Celebrex tied to more cardiac risk

FDA has 'great concerns' about popular painkiller

By Gardiner Harris
NEW YORK TIMES NEWS SERVICE

Celebrex, a huge-selling painkiller sold by Pfizer, more than tripled the risk of heart attacks, strokes and death among those taking high doses in a national trial, the company said yesterday.

The results raised new questions about how well federal drug regulators protect the public and worsened drug makers' already tarnished image.

Investors reacted by pummeling shares of Pfizer and other drug makers, while some in Congress demanded change at the Food and Drug Administration.

Lester Crawford, the FDA's acting commissioner, said doctors should consider switching patients who are taking Celebrex to other drugs. He said the FDA "has great concerns about" Celebrex, and is considering regulatory measures that could include forcing Celebrex's withdrawal from the market or placing severe warnings on its label.

Pfizer said it had no plans to withdraw Celebrex and noted that other studies of the drug showed no increased risk of heart disease. The national trial found that patients taking 800 milligrams a day of Celebrex had 3.4 times the risk of heart disease as those given a placebo, while those taking 400 milligrams had 2.5 times the risk. A study sponsored by Pfizer in a similar patient group given 400 milligrams a day found no increased risk of heart disease.

The differing study results are "confounding," said Dr. Joseph Fecko, president of



Over 21 million U.S. prescriptions for Celebrex were written in 2003.

SEE Celebrex, A24

U-T special report | The California Horse Racing Board

Many on horse racing board have stake in industry

Critics call ties a clear conflict of interest

By Brent Schrotenboer
STAFF WRITER

Shortly after he was appointed to the California Horse Racing Board in the late 1970s, Harvey Furgatch made a decision:

Not wanting to be accused of using his new position for personal benefit, he undertook the expense

of shipping his horses to race on the East Coast.

"It was a pretty clear thing for me," said Furgatch, a former San Diego port commissioner and long-time San Diego County resident.

Nearly 30 years later, Furgatch's ethical stand remains the exception among board members. Because California puts few restrictions on who can serve on the board that oversees the state's \$3 billion horse-racing industry, the panel is principally composed of people who have a significant economic stake in the sport.

In what some critics call a fundamental conflict of interest, five of the seven board members actively own or breed racehorses in the state and at least six acknowledge that they gamble at the track.

One prominent industry lobbyist, Norman C. Towne, suggested a shake-up that adds outsiders to the board. "I'm not sure the (current)

racing board knows what the mission is anymore," he said.

Pam Berg, a racing steward designated by the board to enforce track rules, wants to take it even further. "The board might as well be abolished," said Berg, a steward. "The way it's functioning or not functioning right now, it's a waste of taxpayer dollars."

The CHR's mission, as stated in

SEE Racing, A22

Klein to lead stem cell committee

Real estate expert was sole nominee

By Terri Somers
STAFF WRITER

SAN FRANCISCO — The state's new stem cell oversight committee gathered for the first time yesterday and unanimously selected Bay Area real estate finance expert Robert Klein as its leader, as had been

expected for weeks.

At a news conference before the meeting, state Treasurer Phil Angelides and state Controller Steve Westly defended the choice of Klein, who was the only candidate nominated for the job by them and the state's governor and lieutenant governor.

Critics have said the committee should have had several candidates to consider, but Westly said his office vetted the

names of many qualified candidates before nominating Klein. He said the fact that he, Angelides, Lt. Gov. Cruz Bustamante and Gov. Arnold Schwarzenegger — four men who seldom all agree on anything — each nominated Klein should be an indication of his qualifications.

"He has precisely the right skill set," Westly said. "He's got a law degree from Stanford, ex-

SEE Stem cell, A18



Chairman Robert Klein (right) and Vice Chair Dr. Edward N. Penhoet addressed the panel yesterday. *Nelvin Cepeda / Union-Tribune*

SEE Slump, A12

Train cars derail

Six freight-train cars jump the tracks near the Miramar air station, snarling yesterday morning's commute. The cause was under investigation. **North**



Holiday spirit

As they prepare for the first Christmas in their new home in Crest, one family burned out during the Cedar fire last year is finding ways to remake its holiday traditions. **Family, E1**

Intelligence bill

President Bush signs into law the biggest overhaul of U.S. intelligence operations in 50 years after months of legislative wrangling. The reform is intended to deal with the post-9/11 scourge of terrorism. **News, A3**

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