



# Crackers

COSMOPOLITAN CLUB OF SANTA BARBARA INC.

Vol. LVIV No. 15

Editor: Paul Melancon

Access the Cosmo website  
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*Crackers*

*Crackers* Editor



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## Upcoming Special Events

**February – No Events**

**Sunday, March 25 - LaCumbre CC Brunch and Opera Matinee "Marriage of Figaro"**

Cosmo members and guests will meet at La Cumbre Country Club on Sunday, March 25th at 11:45 for a copious brunch buffet, including Champagne/Mimosas, coffee or tea. We will have plenty of time to either drive or car-pool to the Granada Theater for a 2:30 presentation of Mozart's "Marriage of Figaro" by Opera Santa Barbara. The total fee per person, including brunch and opera tickets, is \$88.00 (Opera tickets alone are \$75.00)

**April 3 - Spring Dinner Dance**

**April (date TBD) - Ben Walsh Memorial Dinner, SBCC**

**May 3 - Ladies Day**

**May 12 – Mullin Automobile Museum and lunch, Oxnard**

**June (date TBD) - Long Beach Aquarium.**

**July (date TBD) - Fourth-of-July Picnic**

**July (date TBD) - Solvang Theater Fest /Dinner & Overnight**

**August (date TBD) - Circle Bar B Ranch Dinner/ Matinee**

**September (date TBD) – Piper's Winery, Dixieland Jass/Dinner. Hwy 150 above Carpinteria**

## Next Meeting

**February 2**

Tim Metzinger (introduced by Don Chalfant) will speak on "Trial of the Century": The Den vs. Hollister Litigation" is a lecture and slide show about the titanic legal struggle between the prominent Den and Hollister families for control of the Goleta Valley. Fought to the last desperate inch, the Den vs. Hollister litigation captivated and polarized Santa Barbara for over fourteen years before its dramatic climax in 1890. The litigation profoundly affected the boundaries and place names within the Goleta Valley, many of which remain to this day. The presentation will focus on the personalities and strategies of the parties to the litigation, the lands for which they struggled, and the historical consequences of the outcome of the litigation.

Timothy E. Metzinger received his undergraduate degree from the University of California, Los Angeles, and his law degree from the University of San Francisco. He is a partner in the law firm of Price, Postel & Parma, where he specializes in civil litigation and appellate law. Tim has served as the president of the Santa Barbara County Bar Association and the Santa Barbara Inns of Court. A student of local history, Tim has also served as the sheriff of the Santa Barbara Corral of The Westerners and is the historian for the Santa Barbara Club.

## Future Meetings

February 16

Dr. Gary Cunningham (introduced by Bob Hankins) will speak on

“World University Games”.

Gary, known best to us as Athletic Director of UCSB for many years, will tell us all about these games. Little known about in the United States, they are second only to the Olympics as an international sporting event and a really big deal to the other nations of the world. The honor of hosting the games is much sought after. The bidding for last year’s event was won by China at a cost of many millions of dollars. The games are both summer and winter events and are held every two years. Gary has headed the United States delegation for 16 years. Eminently qualified to run this show, he has achieved much in the field of athletics starting as a highly recruited high school ball player and team leader for John Wooden at UCLA. He continues his leadership of the games, having just accepted election for another four year term.

March 01

John Murphy (Intro by Steve Hicks) speaks on

“Investing in Uncertain Times”

March 15

Paul Melancon (Intro by Jim Davis) speaks on

“NASA Apollo Program”

April 05

Phil Lubin (Intro by Jim Davis) speaks on

“Origins & Fate of the Universe”

## Wine Drawing

Bob Zimels conducted the wine drawing.  
The winners were:

Sam Romano won a bottle of Main & Geary Zinfandel  
Pete Schenck (after 3 drawings) won a bottle of 2009  
Washington State Pinot Grigio  
Herb Freidman won a bottle of 2009 Margerum M5



### Thanks to our Staff

Bill Sheehan on the Punch Bowl  
Ted Ross & Paul Fink, Ticket Sellers  
Joe O'Brien gave the Invocation



### Welcome Our Guests

Bob Hankins introduced Tim Kreyger (retired District Attorney) as his guest

John MacKenzie introduced Bill Costello (retired from two careers) as his guest

Mike Smith introduced Bill Beckers as his guest

## WELCOME NEW MEMBER

Ron White introduced our newest Cosmo member:

### Henry Benjamin “Ben” Chambers

46 Baranca Avenue, Apt #1,

Santa Barbara, 93109

Phone: 712-9619

E-Mail: hbenchambers@aol.com



Ben was born in Virginia and received his Mechanical Engineering degree from Virginia Tech. He spent three years in the military as an Officer in U.S. Navy Special Forces, which later became the Navy SEALs. He was a field engineer on the Titan 1 Missile launcher, and he founded two engineering companies that designed and built specialized heavy load moving hydraulic machinery used in shipbuilding and offshore construction. He is the holder of numerous patents. Ben is an avid hiker and backpacker, and considers himself a “brilliant” novelist (with two unpublished novels).

### Cosmopolitan Club of Santa Barbara

#### Treasurers Report for 6-months

Ending 12/31/2011

Income.....	\$8,114
Expense.....	\$8093
Income less Expense.....	\$21
Beginning Check Book.....	\$10764
Check Book Balance + Net Income.....	\$10784
CD Balance 12/31/2011.....	\$14428
Mylnek CD Balance 12/31/2011.....	\$5228
Total Funds.....	\$30439

Includes all dues for 2011 deposited through 12/31/2011

Ron Singer, Treasurer

## Regular Events

**Bridge** - Join us for FUN Bridge upstairs at the Elks Club after all regular meetings; we play until 3:30 PM. Chairman Steve Morgan, 637-1332, or [smmphd@cox.net](mailto:smmphd@cox.net).



### Bridge Winners on 19 January

1st place with a score of 4700 goes to Ed Loper  
2nd place with a score of 4110 goes to Ralph Edebo  
3rd place with a score of 3270 goes to Steve Morgan

## Tennis

The tennis group plays doubles twice a week at a private court in Shadow Hills starting at 8:00 AM Mondays and Thursdays. All tennis players are invited to participate. Contact Bruce Long (805) 692-4072 or [bruce93103@cox.net](mailto:bruce93103@cox.net).



## Cosmo Computer Society

Cosmo Computer Society meets monthly on the third Tuesday, upstairs at the Elks Club. Discussion starts at 10:00 AM, and a feature presentation starts at 10:30 AM, concluding with a no-host fellowship luncheon in the Elks Grill. All COSMO members are welcome. Bob Gerity, Program Chair; Chair Howard Glenn, 967-2633, [hbglenn@cox.net](mailto:hbglenn@cox.net).



## S.A.G.E. Investment Group

S.A.G.E. meets monthly at 10 AM on the first Tuesday at the Elks Club, followed by a no-host lunch in the grill downstairs. At S.A.G.E. we discuss past and possible future trends in the economy and the stock market. We would welcome your participation. Co-Chairs: Dick Evans, 967- 6930, [dickevans@mac.com](mailto:dickevans@mac.com) and Walter Naumann, 448-5061, [wjnaumann@aol.com](mailto:wjnaumann@aol.com).



## Golf

The next Cosmopolitan Club golf outing will take place at Rancho San Marcos, one of the premier golf courses in Santa Barbara county. The date of this outing is Wednesday, February 8 with first tee time at 12:00. We were able to obtain a special price of \$45 that includes green fees, cart and range balls. Paul Fink and John MacKenzie are coordinating this event. There will be a sign-up table at the next Cosmo meeting (Feb 2)—or you can send in your check to either Paul or John. Make check payable to the Cosmopolitan Club of SB in the amount of \$50 (\$5 toward prize money).



**Mondays** - Santa Barbara Golf Club (Muni). Tee times from 9:30 AM to 11:00 AM. Regular walking senior rate is \$25 for 18 holes. Contact Ron Singer (805) 684-1355 or [rsinger916@aol.com](mailto:rsinger916@aol.com) by prior Friday for your tee time. Twin Lakes (Par 29) at 9:00 AM. Work on your short game. These outings are a great way to gain new members, so invite your friends.

**Wednesdays** – Ocean Meadows (Par 36) at 8:30 AM. Work on your long-ball skills.

**Additional play at various courses** - Contact Ron Singer to get on the e-mail notification list for the Floating Golf Game Circuit. Mondays are usually at Muni, Wednesdays are often at Glen Annie, Friday locations have included La Purisma, Glen Annie, Soule Park, and Rancho San Marcos. A. B. Clark and Steven Stonefield will select the floating golf game sites, so you may contact either of them. Ron Singer, Golf Chair: [rsinger916@aol.com](mailto:rsinger916@aol.com).

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### Cosmo Member Ailing?

If you learn of one of our members suffering from illness or injury, please notify Arlie Skov, 965-5101, [askov@earthlink.net](mailto:askov@earthlink.net).

## Last Meeting



Judge Tom Anderle

Fred Clough introduced our speaker, Superior Court Judge Tom Anderle.

Judge Anderle began his discussion with an observation that many court decisions seem to be counterindicated. He cited the famous McDonald's coffee spill case and the O.J. Simpson trial as prime examples of seemingly incongruous verdicts. Then he posed, "How does this happen?"

To help illustrate his point, Judge Anderle set up two court trials. Ron White was the defendant in one with his lawyer, Paul Hartloff and one of the front tables as the jury. The other trial involved Jim Shaw as defendant, Fred Clough as his attorney and another front table as the jury for that trial.

The facts in both cases were identical, only the cast was different. As the Judge was establishing the two sets of defendants, lawyers and juries, he remarked that when it come to the courtroom, one should think of CNN, since the reaction in the courtroom of today is different, looking for more show and tell, appealing to as many senses as possible. He then went on to say that it helps to have a "good looking" attorney and it is a plus if the defendant is also good looking.

Judge Anderle explained some of the fundamental differences between criminal and civil trials. A verdict in a criminal trial must be unanimous; a civil trial only needs 9 of the 12 to reach a verdict. The burden of proof is also different: civil trials require only a preponderance (more than 50%) of proof and in a criminal trial, proof beyond a reasonable doubt is required.

The Judge noted that It is hard to predict trial outcomes based upon newspaper reports because you have no way of knowing if the reporting is accurate and without adding extraneous editorializing and/or personal bias. Newspaper reports often contain material that was not introduced as evidence during the trial as well as omitting some that was.

He touched briefly on the process of jury selection called *voir dire*, French for "to speak the truth." The process strives to result in a completely unbiased panel. The black robe worn by the presiding judge is a sign of neutrality. Jurors are instructed not to discuss the case with anyone during the trial so as to avoid the introduction of material not produced during the actual trial. Only the testimony of witnesses in court is to be considered. Thus, the comments made by lawyers is not

evidence. Jurors are also directed not to read newspapers, listen to the radio or watch TV news shows, or research the internet for information on the case before them. This latter direction applies both during the trial and jury deliberation.

Addressing the issue of how two identical cases can have different outcomes, Judge Anderle said it boils down to the difference in which evidence is presented by the lawyers (each has his own style and view on the relative importance of each piece of evidence). Different juries will hear (interpret) the evidence differently. Further, even though the cases are identical, not all of the same evidence may be introduced during the trial. Hence, different presentations of evidence and different juries interpreting evidence in their own way can most certainly lead to different outcomes.

Opening statements are very important as they set the mood and tenor of the trial. Different lawyers see things differently resulting in a different emphasis. The same applies to closing arguments in that each attorney will employ different charts and visual aids to make his case.

Outcomes are to be based on the facts as presented during the case and the law applicable to the matter at hand.

Unfortunately, with humans involved, different outcomes arise from the "same" facts. This is reminiscent of the poem: "Six Blind Men Who Went to See the Elephant".....

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