

## Tiamzons won't enter plea in criminal raps

CEBU CITY, Philippines—Flanked by over a hundred policemen and 50 military officers, communist leaders Benito and Wilma Tiamzon and five others refused to enter a plea during their arraignment (Cont. on p 5)

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ENTERTAINMENT  
Topless LJ Reyes in FHM special-  
page 13

## Mercado back from US, raring to debate Binay



IT ISN'T OVER Former Makati Vice Mayor Ernesto Mercado returns to Manila after visiting his ailing wife in the United States. He is challenging Vice President Jejomar Binay, whom he accused of amassing ill-gotten wealth when he was Mayor of Makati City, to a debate "to know who is telling the truth."

Former Makati City Vice Mayor Ernesto Mercado has returned from his visit to the United States and is ready to face his former friend and ally, Vice President Jejomar Binay, for a debate.

"I'm back and I like to reiterate my challenge to the Vice President for a face-off or debate to know who is telling the truth and who is lying," Mercado told the Inquirer on Tuesday morning.

Mercado, who issued the challenge while he was abroad, said Binay could name the place and the time for the debate.

The former vice mayor left for the United

States after a Senate blue ribbon subcommittee suspended its hearing on the alleged overprice of the Makati City Building II, a carpark built when Binay was mayor of Makati.

Mercado is a key witness in the ongoing Senate inquiry into corruption allegations against the Vice President and has been accepted to the Witness Protection Program of the Department of Justice.

He has provided testimonies and documents to the Senate blue ribbon subcommittee linking Binay, who has declared his intention to (Cont. on Page 15)

## Revilla first to fail in bail bid



REVILLA won't be home for Christmas.

The denial of petition for bail is an affirmation by the court that the evidence of guilt is strong and if he is unable to disprove the evidence against him, conviction will follow."

Sen. Bong Revilla is the first of three detained senators to lose his bail petition. Senators Juan Ponce Enrile and Jinggoy Estrada, who are likewise detained on plunder charges stemming from their pork barrel transactions, also have

(Cont. on Page 9)

## 'Yolanda'-like 'Ruby' heads for PH

TACLOBAN CITY—Survivors of Supertyphoon "Yolanda" (international name: Haiyan) are storming heaven with prayers, asking that they be spared from another disaster, with a new, powerful typhoon expected to hit land in Eastern Visayas on Saturday.

Archbishop John Du of Palo called on the residents of Tacloban on Wednesday to pray the Oratio Imperata (Obligatory Prayer) as the weather service warned that Typhoon "Ruby" would enter the Philippine area of responsibility early on Thursday.

In downtown Tacloban, all stores were full of people who were stocking up on groceries and other emergency provisions.

Alma Marino, 47, said she bought provisions for several days, just in case Ruby would hit Tacloban.

"I don't like to experience again what we went through during Yolanda—having no food to eat for some days," she said.

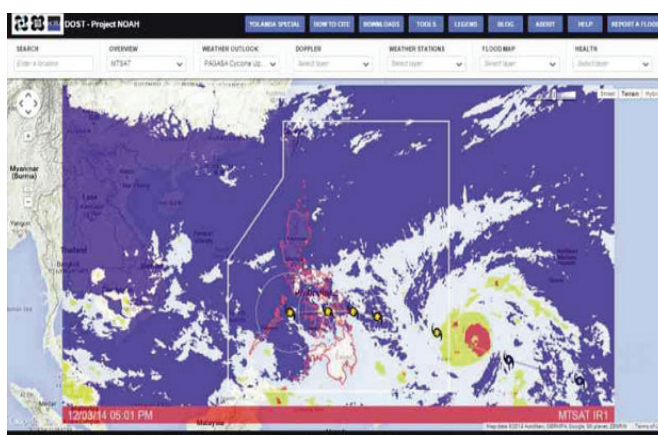
The City Disaster Risk Reduction Management Council (CDRRMC) met later on Wednesday to make emergency plans.

Evacuation areas like the astrodome and several public schools that were damaged by Yolanda but had since been repaired were designated as evacu-

ation centers.

The council had yet to order preemptive evacuation, but Tacloban City Vice Mayor Jerry Yaokasin said residents should not wait for orders from the CDRRMC and should evacuate when it became necessary. learn our lesson from Yolanda," he said.

The Philippine Atmospheric, Geophysical and Astronomical Services Administration (Pagasa) said Ruby (international name: Hagupit) (Cont. on Page 5)



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**TRENDING**

Valerie Conception Fancies Men  
Who Are "At Least Five Years  
Older" Than Her -page 13



# Bill Cosby resigns from Temple University board

Bill Cosby's long relationship with his beloved Temple University has come to an end, another effect of the scandal engulfing the once adored television star and comedian.

Cosby's Monday resignation from Temple's board of trustees, a position he held for 32 years, was first reported in the Philadelphia Inquirer. Cosby also attended Temple.

At least 17 women have spoken publicly accusing the comedian of sexual misconduct, and many of the women say he drugged them before he raped them. Some of the alleged attacks took place decades ago.

Cosby's attorney, Martin D. Singer, has repeatedly denied the claims. Singer said in a written statement sent to CNN that it defies common sense that "so many people would have said nothing, done nothing, and made no reports to law enforcement or asserted civil claims if they thought they had been assaulted over a span of so many years."

"I have always been proud of my association with Temple University," Cosby said in a statement released by the university. "I have always wanted to do what would be in the best interests of the university and its students. As a result, I have tendered my resignation from the Temple University Board of Trustees."

"The Board of Trustees accepts Dr. Cosby's resignation from the board and thanks him for his service to the university," was the university's response.

The board of trustees had been under pressure from alumni and other members of the

Temple community to cut ties. A change.org petition demanding the university end its relationship with Cosby had more than 1,000 signatures as of Monday afternoon.

"Bill Cosby has agreed to resign as an honorary co-chair of UMass Amherst's capital campaign. He no longer has any affiliation with the campaign nor does he serve in any other capacity for the university," said Ed Blaguszewski, a spokesman for University of Massachusetts at Amherst.

Cosby got his master's and doctorate in education from the university in the 1970s.

One of Cosby's accusers worked at Temple.

In a report to police in her home province of Ontario, Canada, in January 2005, Andrea Constand said that in January 2004, when she was a 31-year-old staffer for the Temple women's basketball team, she was at the comedian's Cheltenham, Pennsylvania, home when Cosby provided her medi-

cation that made her dizzy. She told police she later woke up to find her bra undone and her clothes in disarray.



Bill Cosby

Though no charges were filed, Cosby settled a civil suit with Constand that alleged 13 Jane Does had similar stories.

One of those Jane Does is now talking publicly about her ordeal.

Donna Motsinger, 73, said she worked at a restaurant in Sausalito, California, that was popular with celebrities in the early 1970s. She met Cosby there, and said he asked her to his show. She accepted.

"I was so young, so innocent, I was so impressed that somebody so famous wanted to go out with me. My goodness, I was over the moon," Motsinger told CNN.

She said they stopped for gas and had an alcoholic beverage. By the time they got to the theater, she felt sick and asked for an aspirin. Motsinger said Cosby gave her what she thought was an aspirin.

"The next thing I remember from that minute on, after that there was some conversation and laughing and stuff, but then the next thing I remember and I don't know the time between the aspirin and this time but the next thing I remember I had become conscious in the limousine, he's next to me, he's got his hands on me and I look up I see the lights of the city. I could see it clear as a bell in my mind right now, the lights of the city coming back and it was all blurry, kind of the lights, and I passed out again," she said.

Motsinger continued: "The next thing I knew I woke up the next morning in my own bed, in my own house with all my clothes off except for my underwear and I didn't tell a soul."

At least 17 women have been speaking to various media outlets accusing Cosby of sexual misconduct, including 14 women who CNN has either spoken to, who have spoken on camera about their allegations, or whose public allegations have been addressed by Cosby's attorney.

Cosby attorney John Schmitt sent a blanket denial of several allegations that have cropped up recently, but later amended his denial to say he wasn't referring to Constand, who resolved her differences "to the mutual satisfaction of Mr. Cosby and Ms. Constand years ago."

Another of Cosby's accusers spoke to CNN on Monday.

## Obama preparing executive order on police militarization

Washington (CNN) -- President Barack Obama, responding to concerns over the use of military-style equipment during protests in Ferguson, Missouri over the summer, is asking aides to prepare an executive order that would better track the weapons and gear flowing from the federal government to local police departments around the nation.

The order, which he's expected to preview Monday afternoon during a meeting with law enforcement and local government officials, would mandate federal agencies review the way they provide U.S. police with heavy equipment like tanks and aircraft.

A report issued by the White House found the vast majority of material coming from the Department of Defense to police departments wasn't military-style: it included office supplies, furniture and tents.

But 4% of the Pentagon's output to police departments is military grade, including 92,442 small arms, 5,235 Humvees, 617 mine resistant vehicles and 616 aircraft.

Other agencies, including the Department of Justice and the Department of Homeland Security, also provide police with equipment and funds.

The executive action, which was described by White House officials ahead of

Obama's announcement, is the conclusion of a review process Obama launched in August following the heavily armed response to protesters in Ferguson. Images of tear-gassed filled streets patrolled by police in tanks sparked concern that local departments were treating citizens like enemy combatants.

Officials said following the reviews, agencies could require better tracking of the equipment that ends up with police, require training for officers, and mandate reviews following "significant" incidents in which the equipment is used.

But officials said the president wouldn't tamp down on the flow of equipment from the Pentagon to police departments since the bulk of the gear isn't military grade.

Instead, they said Obama would convene a task force on policing, focused on combating crime while building public trust in local law enforcement agencies. Charles Ramsey, the police commissioner of Philadelphia, will head the panel.

The White House will also ask for \$263 million to provide police departments with body cameras, which advocates say would provide a clearer picture of confrontations like the incident in Ferguson, in which a white police officer shot and killed an unarmed black teenager. The funds would also go toward training.

## Suspect in 4 killings in West Virginia dead


Jody Lee Hunt, the suspect in the fatal shootings of four people in West Virginia's Monongalia County on Monday, has been located and is dead, the county's Homeland Security Emergency Management Agency and state police said.

The agencies offered no details about how the suspect died or where he was found. There was a search for Hunt, who was suspected of killing four people in three locations in Monongalia County, in the northeast part of the state.

At least one of the shootings happened

in Westover, in Monongalia County, and another shooting was reported in an unincorporated part of the county.

"Mr. Hunt did know each of these victims and we do have some key pieces of evidence that do point to him as being the suspect, including his social media traffic as well," State Police Lt. Michael Baylous told CNN affiliate WTAE. "We have an idea why this may have occurred, but we're not in a position where we're ready to release this as of yet."



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## Airstrikes mark shift in coalition focus to ISIS 'capital'

The U.S.-led coalition fighting ISIS in Syria has stepped up its attacks on the militant Islamist group's de facto capital, with 30 airstrikes targeting Raqqa overnight, the London-based Syrian Observatory for Human Rights said Sunday.

Separately, another opposition activist group based in Raqqa reported that about 30 airstrikes by "the crusader alliance" targeted areas northwest of the city.

Previously, coalition strikes have primarily targeted Kobani, near the Turkey border. The attacks in Raqqa mark an increase in coalition activity there.

Last week, almost 100 people were killed in Syrian government airstrikes in Raqqa, the observatory said. Many more were critically injured.

Government warplanes carried out at least 10 airstrikes in Raqqa, targeting the city's al-Hani Mosque and the public souk, or market, the observatory said,



using reports from activists and residents on the ground. Extremists have made the city, which sits on the banks of the Euphrates River, the de facto capital of their self-declared Islamic State that stretches across large areas of Syria and Iraq.

The city is known as a place where ISIS puts training centers, weapons depots and accommodations for fighters.

During the Syrian conflict, the group has also seized military bases from the Syrian regime near the city and in the wider Raqqa province.

Syria has been embroiled in a three-year civil war, with government troops battling ISIS and other rebels.

Fighting raged across the country on Sunday, the observatory said, with more than 40 people reported dead in airstrikes, shelling and raids.

A leader of al Qaeda affiliate Jabhat al-Nusra was among those killed in clashes north of Aleppo, the observatory said.

The Islamist militant group, also known as al-Nusra Front, is also trying to establish an Islamic state, though primarily in Syria.

It has been gaining ground and has emerged as one of the most effective groups fighting the Syrian regime during the civil war, drawing on foreign fighters with combat experience in Iraq and elsewhere.

## Extremists kill at least 7 in Nigeria attacks

BAUCHI, Nigeria (AP) — Suspected Islamic extremists struck in two state capitals in northeastern Nigeria on Monday, killing at least seven people and injuring dozens with a double bombing at a crowded market and an attack on a police base.

Around 30 extremists were also killed in clashes with security forces, police said.

The attacks were the latest in a week of violence linked to Islamic militants that has killed more than 170 people in northern Nigeria.

Police spokesman Gideon Jubrin said at least five people were killed at a market in Maiduguri, the capital of Borno state where two female suicide bombers also killed 70 people a week ago.

A vigilante official said two young female suicide bombers were also responsible for Monday's blasts and that they had recovered their bodies along with those of six victims. Hospital officials

said they were treating more than 40 people with serious injuries. The vigilante and hospital officials spoke on condition of anonymity because they were not authorized to give information to reporters.

In Damaturu, the provincial capital of Yobe state some 135 kilometers (85 miles) west of Maiduguri, extremists destroyed several buildings and killed at least two doctors when they stormed the residential quarters at the general hospital, according to the Hospital Management Board. Three other doctors were abducted.

Police there said the attackers drove State Security Service agents from their offices but were repelled, and about 30 terrorists were killed when they tried to take over Yobe Government House, where there is a military armory.



Vigilante barricade the road following an explosion at a market in Maiduguri, Nigeria, Monday, Dec. 1, 2014, with twin blasts exploding at a crowded market in Maiduguri city and explosions and gunshots erupting in Damaturu. Trader Bala Dauda said victims were missing limbs and dripping blood at the Maiduguri market, the same one where two female suicide bombers killed scores of people a week ago. (AP Photo/Josy Ola)

## 36 feared killed in attack in Kenyan village

Al Shabaab militants are suspected of killing at least 36 people whose bodies were found in a quarry in a Kenyan village near its border with Somalia.

The bodies were found in a quarry in the village of Kormey, about 15 kilometers (9 miles) from the border city of Mandera, the Red Cross said.

It's an area where Al Shabaab militants are known to operate.

Around 20 gunmen targeted a group of workers at the site, CNN affiliate KTN reported.

Local media reported that the gunmen separated workers by religious affiliation and freed Muslims, while gunning down Christians and beheading several victims.

Red Cross spokeswoman Wariko Waita deferred confirmation of those accounts to police.

CNN made multiple attempts to reach police and military officials in the area but

was unsuccessful.

Last month, the Islamist militants ambushed a bus in Kenya and sprayed bullets on those who failed to recite Quran verses, killing at least 28 people, authorities said.

The bus, which had 60 people aboard, was heading from Mandera to the capital of Nairobi.

Al-Shabaab claimed responsibility for the attack in a statement, saying it was retaliation for mosque raids this week. It described those killed as Christians.

Days before the bus attack, police raided multiple mosques in the port city of Mombasa after they found explosives in one. The searches this week prompted clashes with Muslim youths in the city, Kenya's second-largest.

Al-Shabaab, which has ties to al Qaeda, has launched a series of attacks in Kenya since its forces went into neighboring Somalia in 2011 to battle the extremists.

## Hong Kong student leader calls on democracy supporters to regroup

HONG KONG (Reuters) - Hong Kong student leader Joshua Wong urged pro-democracy protesters to regroup in the heart of the city on Tuesday, less than a day after he announced he would go on hunger strike to demand electoral reform.

Wong, 18, also urged the Hong Kong government to resume dialogue with students in the Chinese-controlled city a day after activists forced the temporary closure of government headquarters after clashing with police.

Protesters, who have occupied key streets for more than two months, have called on the city leader Leung Chun-ying to step down after Beijing in August ruled out a free choice of candidates for Hong Kong's next leader.

"This is not about withdrawing the National People's Congress decision made on August 31," Wong told reporters, referring to China's parliament. "We're asking the Hong Kong govern-



A luxury store is closed as thousands of protesters occupy a main street in the financial Central district in Hong Kong in this September 29, 2014 file picture.

ment to restart consultations on political reform."

Wong, who has been charged with obstructing court bailiffs during an operation to clear a protest camp in Mong Kok, across the harbor from Admiralty, is no stranger to protest movements.

Two years ago, with the help of secondary school activists calling themselves Scholarism, he forced the Hong Kong government to shelve plans to introduce a pro-China national education scheme in schools.

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## Lebanese army detains a wife and son of Islamic State leader: officials

BEIRUT (Reuters) - The Lebanese army detained a wife and a son of Islamic State leader Abu Bakr al-Baghdadi as they crossed from Syria in recent days, security officials said on Tuesday.

The officials declined to give the name or nationality of the woman whom they described as one of his wives. The Lebanese newspaper As-Safir reported the army had detained her in coordination with "foreign intelligence apparatus".

It said she had been traveling with a fake passport accompanied by one of her sons. Islamic State has seized wide areas of Iraq and Syria, Lebanon's neighbor to the east, declaring a "caliphate" over the territory it controls.

Investigators were questioning her at the headquarters of the Lebanese defense ministry, As-Safir reported.

The Lebanese security forces have waged a crackdown on Islam-



A man purported to be the reclusive leader of the militant Islamic State Abu Bakr al-Baghdadi has made what would be his first public appearance at a mosque in the centre of Iraq's second city, Mosul, according to a video recording posted on the Internet on July 5, 2014.

ic State sympathizers in Lebanon and the intelligence services have been extra vigilant on the border

crossings.

They have arrested over the past few months a number of Islamic militants suspected of staging attacks to expand Islamic State influence in the country neighboring Syria.

A U.S.-led alliance is seeking to roll back Islamic State's territorial gains in Iraq and Syria. U.S. President Barack Obama has vowed to "degrade and ultimately destroy" Baghdadi's group, which is seeking to reshape the Middle East according to its radical vision of Islam.

Baghdadi, an Iraqi, called for attacks against the rulers of Saudi Arabia in a speech purported to be in his name last month.

He said his self-declared caliphate was expanding in Saudi Arabia and four other Arab countries and called for "volcanoes of jihad" the world over in the speech released on Nov. 13.





## The march of the 71

The march of the coconut farmers from Davao to Manila was meant to dramatize their peculiar predicament: Despite a Supreme Court finding that the coconut levy funds collected and used by the Marcos administration almost four decades ago actually belonged to them, they have not yet benefited directly from the funds. The original route and schedule of the march were designed to focus attention on what is owed them: 71 coconut farmers, 71 days, over 1,700 kilometers to represent the P71 billion that was collected from them, plus accumulated interest.

To his credit, President Aquino received the farmers in Malacañang last Wednesday, pledging to back the bill that would specify how the farmers can use the total amount of P71 billion, and promising to consider writing an executive order to establish a Coconut Farmers' Trust Fund.

"The best course of action I see is to craft a law. This would ensure that the next generation would enjoy the benefits brought by the coco levy funds and we would be spared from any legal obstacle in the future," he told the farmers. He also said he understood the need for an executive order to be issued while the bill was pending, to ensure that the interests of the small coconut farmers are protected.

The farmers, who formed the group Kilus Magniniyog (Coconut Farmers Movement), said they were happy with the President's promises. Their statement, however, was more categorical than that of Mr. Aquino's.

"Matapos ang diyalogo at pirmahan ng 'summary of agreements,' masaya kami dahil naaayon ang mga nasabi at napagkasunduan sa aming dalawang pangunahing panawagan—ang itatag ang coconut farmers trust fund sa pamamagitan ng executive order, at ang itulak ang pagsasabatas nito (After the dialogue and the signing of the 'summary of agreements,' we are happy because the discussion and agreements are aligned with our two main demands—the setting up of a coconut farmers trust fund through an executive order, and the push to turn this into law)."

All's well that ends well? Not exactly, at least not yet. The fact that the farmers felt the need to dramatize their situation is telling; almost four decades after clever, cruel minds in the Marcos inner circle conceptualized the coconut levy scheme, and over a dozen years after the Supreme Court found that the funds were imbued with public character, the money itself remains just out of the coconut farmers' reach.

For one thing, two years after the Supreme Court ruled on the issue with finality, no entry of judgment has been released. (There is a partial motion for reconsideration of the 2012 ruling, which the Court has not yet resolved.) The farmers' forthright statement (best read in the original Filipino) recognized this limitation.

## Lawyers rise, Asean economic integration is here

It was the farthest in the minds of the graduating class of Ateneo Law School whom I addressed in 2010. The resolution in the Cebu Summit was to accelerate the Asean Vision 2020 of a single economic unit, characterized by free movement of goods, services, investment, skilled labor and freer flow of capital, to 2015. But I warned them then and urged them to prepare for the coming Asean practice of law.

Today, with 2015 just around the corner, the Asean Economic Community is the talk of the town. While some claim that the Philippines is not at all ready to be in such a region, others, en contra, maintain that we can be, provided we make the right moves with the little time left. But certainly, unlike a decade ago, those with strong opinions, when taken as a group, far outnumber those who are unconcerned or simply clueless.

I propose in this piece to share some insights which are the fruits of the more than half a century that I have devoted to the practice of law in the Philippines.

A salient, though silent, feature of the private practice of law in the Philippines is the belief of clients, rightly or wrongly, that their lawyer knows, or ought to know—"know" not in the pejorative sense of knowing the judge, but in the legitimate expectation that the lawyers to whom they pay good money, know not only what the law says but, in a degree that is a notch or two above the rest—how to deal with the law in a manner that will be advantageous to them.

This demand on lawyers is multiplied a hundredfold by clients who do or plan to do investments. When I spoke to the Ateneo



As I See It  
by Neal H. Cruz

government agencies in charge of transportation and traffic enforcement and concerned local government units.

Last Saturday, friends and I had a birthday lunch in Chinatown. We left a press forum at Annabel's in Quezon City in two cars at 12 noon. We had the birthday lunch in just a little over an hour, but we didn't get home until 7 p.m. The reason: traffic jams all over Metro Manila.

We took Quezon Avenue, España, Quia-po, and up Quezon Bridge. At the foot of the bridge at Plaza Bonifacio, we turned right to the tunnel under Sta. Cruz Bridge, planning to come out at the service road between the Post Office and the Postal Savings Bank to turn right at Jones Bridge and then to Chinatown.

In the tunnel, however, debris was scattered across the road. The street was being repaired but there was no worker in sight. It was as if the road repair job had been abandoned. There was no sign that the road was closed to traffic. The site is just five minutes from the head office of the Department of Public Works and Highways in the Port Area.

We turned back, went through Intramuros and came out of the Walled City near the office of the Bureau of Immigration beside the Pasig River. We were planning to use the road beside the river to reach the foot of Jones Bridge. But that road was also closed.

We turned back again, went past City Hall and the National Museum and around the rotunda to reach the flyover to Jones Bridge, but the traffic there was hardly moving. We moved by inches, literally. It took us more than an hour to get to Jones Bridge. At its foot is the welcome arch to Chinatown. But there was no welcome; that part of the road was also closed. We had to go around a few blocks to get to the street just after the arch. The street under the arch had been cemented over. The part was no more than 10 or 15 square meters long, but it held up traffic for nearly a kilometer.

Past the Binondo Church, Chinatown traffic is always congested. In spite of the fact that the streets are narrow, double parking is allowed. Again, we had to literally

## Metro traffic getting worse every day

crawl forward. The lunch host and guide, Inquirer food columnist and Manila Hotel crooner Margaux Salcedo, who came from Makati, texted that she also had to crawl through traffic to get to our restaurant.

When we found parking places, we left the cars and walked the rest of the way to the Hole in the Wall where we had a quick Chinese lunch. Then we started to walk back to the cars, but a downpour prevented some of us from even crossing the street. We waited it out in another restaurant.

Finally, we were in the cars and got out of Chinatown at Plaza Sta. Cruz and across the bridge, past City Hall, the National Museum and around the rotunda again, across the bridge to Mendiola, turned right toward Malacañang, then to Sta. Mesa and Quezon City.

At Quezon Avenue, the Elliptical Road, Commonwealth Avenue and all connecting streets, traffic was crawling again. These are very wide streets. Commonwealth is the widest in the Philippines and traffic there was never that heavy except when the Iglesia ni Cristo held one of its birthday bashes.

The reason this time: The Quezon City government was holding a marathon in the streets after an only-one-day notice. A marathon on city streets during the evening rush hours, on a Saturday after payday, at the same time that malls were having their Christmas sales? Isn't that stupid?

We made shortcuts through two private subdivisions and came out on Congressional Avenue where we found the traffic also hardly moving. The reason: those infernal road reblocking projects—again. Huge cement mixers, giant cranes, and jackhammers were blocking two lanes of the avenue; only one lane was left for the long line of vehicles that included huge cargo trucks and trailers. There were no sign of workers on the job. It seemed all the road workers had taken a holiday.

That trip to Chinatown took us seven hours, the same time it takes to drive from Quezon City to Baguio and back.

What I and many other motorists cannot understand is this: Congressional Avenue Extension is a relatively new street, but it has already been repaired several times, although there wasn't anything wrong with it. Private contractors would just arrive with jackhammers and tear up perfectly good streets, then pour new concrete into the holes. This is also happening in many other streets. Isn't that a waste of the people's money just to make some contractors so happy that they would be willing to share some of their profits? In the meantime, many other streets in the provinces are not being repaired allegedly for lack of funds.

graduates by Ricardo J. Romulo in 2010, direct foreign investments and loans in the Asean totaled roughly \$346,187 million in 2008, up from only \$23,541 million in 2000. Exports for the same period doubled; imports rose from \$348,960 million to \$831,229 million. Figures have gone north on a steep trajectory since then.

The impact of this development on the legal profession is inevitable. Lawyers are a necessary evil in assisting in the negotiation and crafting of agreements of interested parties. Hence, a great demand for legal services in the whole of Asean lurks around the corner. Country barriers to knowledge of inter-Asean law, though not necessarily license to practice in all, is a necessity.

This is not a pipe dream or a visionary prophecy; the germinal elements of such a development are already here. The same forces that unleashed the lowering of trade barriers will push cross-border practice in our region. We must therefore prepare for the inevitable by developing now a corps of skilled lawyers that can measure up to the demand.

But how do we do that? I submit that the Philippine legal profession can do so in a pragmatic way, taking our cue from the way the West dealt at one point with its need to invest in China. At that time I observed, when it was in fashion to have offices in China, that multinational law firms had been hiring in New York our former associates for posting in Hong Kong and Singapore, to involve them in servicing their clients' interest in China and Asean. The move made good sense because we Filipinos have several unique advantages: We speak English, we have an Asean face, and, most significant, we have trained in the two great legal

systems of the world—the Civil and Roman law which we inherited from Spain and the Anglo-American common law brought here by the Americans.

I therefore exhort young lawyers (any lawyer less than my age is by definition "young") to spread their wings, after a few years of working locally by way of giving back, and seek engagement, if not employment, with multinational firms with branch offices in Asean and/or China. The learning and training they will receive and the contacts and contracts they will make will serve them well personally. Also, when intra-Asean practice becomes the new normal, they will constitute the skilled manpower (and womanpower) that the Philippines will require to be a meaningful participant in the opportunities that will take place in such an unprecedented event as Asean economic integration.

As intimated earlier, the groundswell has begun. Our firm's former associates are presently employed by multinational law firms, and they are assigned to their respective offices in New York, Sydney, Paris, Belgium, the Hague, Hong Kong, Jakarta and Singapore. There is no reason to believe that the same phenomenon is not happening in the other big law firms in the country. And there certainly is no justification why the movement will not be inclusive of all in the Philippine legal profession.

It is my hope that while there is still time, Philippine lawyers will decide to ride in front of the Asean wave. Otherwise, we will be ceding the dominance of the forthcoming cross-border Asean practice of law to lawyers of other countries. That would be a pity because the potential for legal services in the Asean alone is tremendous. I would hate to see us lose it by default.

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## ‘Yolanda’-like ‘Ruby’ heads for PH *(Cont. from page 1)*

was heading toward Samar and Leyte provinces, and would make landfall as early as Saturday afternoon with gusts of up to 170 kilometers per hour.

With a radius of 600 kilometers, Ruby will affect southern Luzon, including Bicol and Mimaropa (Mindoro, Marinduque, Romblon, Palawan), the entire Visayas and northern Mindanao.

Metro Manila may have rains, but not the intense stormy weather in Ruby’s path, according to Pagasa forecaster Aldezar Aurelio.

### Gaining strength

As of Wednesday evening, Ruby had intensified, gaining maximum wind strength of 160 kph and gusts of 195 kph as it sped toward the Philippines, moving west-northwest across the Pacific Ocean at 30 kph.

Ruby is expected to gain more strength, but unlike Yolanda, whose winds reached more than 300 kph, it will

not reach supertyphoon strength, with maximum sustained winds of at least 220 kph, Aurelio said.

He said that based on forecast models, Ruby will make landfall somewhere north of Guiuan, Eastern Samar province, where Yolanda made the first of its six landfalls on Nov. 8 last year.

Residents of Tacloban, which bore the brunt of Yolanda, were clearing out grocery shelves in an effort to stock up on emergency provisions ahead of the new typhoon.

Local authorities met later on Wednesday to identify new evacuation centers far from shore.

Yaokasin said about 500 families were still living in tents more than a year after waves up to 7 meters tall driven ashore by Yolanda destroyed their homes.

They and some 3,000 other families housed in temporary shelters are the priority in case the city government orders a mandatory evacuation, he said.

## Laude slay: No DNA match

OLONGAPO CITY, Philippines—The DNA sample of a detained American soldier did not match the traces of DNA obtained from two used condoms at the motel room where transgender Jeffrey “Jennifer” Laude was found dead, the chief city prosecutor said on Friday.

Olongapo City Prosecutor Emilie Fe de los Santos revealed the results of the DNA testing at the continuation of the preliminary hearing for the murder complaint filed by Laude’s family against United States Marine Pfc. Joseph Scott Pemberton. The soldier is detained at a facility jointly managed by the Philippine and US governments in the Armed Forces of the Philippines general headquarters in Quezon City.

De los Santos said the prosecution panel will issue a resolution on the complaint on Dec. 15. She said the panel has two weeks to study the DNA results and additional pieces of evidence.

“We have the DNA result, and it’s negative. It being negative does not mean it will affect our case. It can also mean that it can also help our case,” she said.

The condoms were among the items collected from Room 1 of Celzone Lodge,

a motel where Laude and a foreigner, whom witnesses identified as Pemberton, had checked in on the night of Oct. 11. Laude was found dead after the foreigner left the room.

Autopsy reports showed that Laude had drowned when her head was forced into the room’s toilet.

Lawyer Virgie Suarez,



Victim Jeffrey “Jennifer” “Laude

one of the counsels of the Laude family, said the negative DNA result would not hurt their case, stressing that their evidence was sufficiently strong to establish probable cause that Pemberton killed Laude.

Suarez said they expected the findings.

“[Celzone] is a motel and a lot of its clients take turns to use the rooms, so we were really uncertain from the very start if Jennifer and Pemberton were the ones who used those condoms,” she told reporters after the hearing.

## PH clergy urged: Welcome ‘outcasts’

For 20 years, Elena Felix has been experiencing discrimination for having the virus that causes AIDS (acquired immune deficiency syndrome).

A former migrant worker in the Middle East, Felix, 56, was diagnosed with the AIDS-causing human immunodeficiency virus (HIV) in 1994 when she came back to the Philippines to renew her work visa. As the virus has been suppressed with drugs, Felix has not developed full-blown AIDS.

“I was once called ‘Bagong Bayani’ because I was bringing in dollars,” she said in Filipino.

But when she came back with HIV, people told her, “Nakakadiri, bagay sa’yo yan kasi makati ka (Disgusting, you deserve that because you’re promiscuous),” added Felix, a member of Babae Plus, a support group for women with HIV.

Inspired by Pope Francis’ mercy and compassion for “outcasts,” such as the lesbian, gay, bisexual and transgender (LGBT) community, Felix hoped the Pope’s visit next year would change Filipinos’ attitude toward people afflicted with either HIV or AIDS and that the Pope would call on the church to accept and “embrace us as a human and as a woman.”

In a press conference on Mon-

day, the Catholic for Reproductive Health (C4RH), Babae Plus, Kapederasyon and Peer Educators Movement for Empowerment of Pasay, Manila, Caloocan and Quezon City (Pamac-Q) thanked Pope Francis for his reforms and for



THANKS TO THE POPE Members of various groups demanding an end to discrimination against so-called “social outcasts” welcome the forthcoming visit to the Philippines of Pope Francis.

reaching out not only to Catholics in different parts of the world but to those who belong to other sects and religions.

“We hope that our bishops and Catholic leaders will follow his footsteps and that they truly become a Church for the Poor,” said Luz Frances Chua, C4RH executive director.

The group wants the Catholic Church to take care and prioritize the concerns of the poor and to accept everyone, not judge anyone based on sexual orientation, status and advocacy, Chua said.

*(Cont. from page 1... TIAMZONS WON’T)*

for illegal possession of firearms at the Regional Trial Court in Toledo City.

Defense lawyer Rachel Pastores said her clients were protesting the filing of “fabricated” charges against them.

“They consider this a fabricated case that does not deserve the dignity of them entering a plea,” the lawyer told reporters after the proceedings.

In accordance with court rules, Judge Ruben Altubar of RTC branch 29 entered a plea of not guilty on behalf of the seven accused, and set the pre-trial conference on March 2, 2015.

The Tiamzon couple along with Joel Enano, Arlene Panea and Rex Villaflores were charged with illegal possession of firearms, explosives and incendiary devices, a non-bailable offense.

Fragmentation grenades and pistols with several rounds of ammunition were purportedly recovered from the group after their arrest in a joint police and military checkpoint in Aloguinsan town, southwest Cebu, on March 22, 2014.

Two others—Nona Castillo and Jeosi Nepa—were similarly charged when two pistols with several rounds of ammo were allegedly found in their possession. They were earlier released after posting bail.

## More politicians face disqualification

MANILA, Philippines—More than a hundred politicians from across the political spectrum are facing disqualification cases for violation of the campaign finance rules, the Commission on Elections (Comelec) said on Wednesday.

“The Comelec is not singling out a particular person, family or political party,” said Comelec spokesperson James Jimenez in a statement after the Supreme Court upheld the Comelec’s decision to disqualify Emilio Ramon “ER” Ejercito as Laguna governor for overspending in the May 2013 elections.

Jimenez stressed that there would be no sacred cows when it comes to holding accountable those who violated campaign finance rules.

## 3 killed in Albay in attacks linked to killing of ex-Makati city engineer

LEGAZPI CITY, Philippines—Three family members were simultaneously gunned down by around 20 men in Libon, Albay, Saturday morning, in coordinated attacks believed by police to be related to the killing of former Makati City engineer Nelson Morales.

Senior Insp. Darwin Asejo, Libon chief of police, identified the victims as the siblings Presilo Ongog, 39, and Imelda, 38, and their father Felipe, 62.

Asejo said Presilo, Imelda and Felipe were in three different houses in Alongong Village in Libon when the gunmen shot them at 7:30 a.m.

They were dead on the spot from gunshot wounds in the head and other parts of the body.

Recovered from the crime scenes were several empty shells fired from guns of unknown caliber and deformed slugs.

Asejo said investigators believe the Ongog siblings and their father were killed by members of the so-called “Concepcion gang” in retaliation for the death of gang member Ransom Concepcion Thursday evening in Polangui, Albay.

Concepcion was killed in a shootout with a team of government operatives in Barangay Matacon, Polangui at 6:30 p.m.

Ransom, who was on a motorcycle, was cornered after nearly three hours of chase by members of the Criminal Investigation and Detection Group, the Polangui Municipal Police and Albay Police Provincial



former Makati City engineer Nelson Morales

Office that ended in Barangay Matacon.

The lawmen had a warrant for Concepcion’s arrest that was issued by Tabaco City Regional Trial Court Branch 18 Judge Mamerto Bubon in connection with Morales’ killing.

“The Ongog family, particularly Presilo, were suspected by the gang to be the informants of the police in the Morales case,” said Asejo.

Asejo said the Concepcion gang is headed by Ransom’s brother, Gilbert, who is also a suspect in Morales’ killing. Gilbert remains at large.

Morales was killed on Sept. 7, 2012 in front of a church in Malinao town in Albay.

Morales had been identified by former Makati Vice Mayor Ernesto Mercado as the person who received kickbacks allegedly on behalf of then Mayor Jejomar Binay and other Makati officials from contractors engaged by the city government. He was killed a few months after he resigned his Makati job, according to Mercado.

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by: Alvin C. Maglan, CPA

## Save Twice with the Saver's Credit

If you are a low-to-moderate income worker, you can take steps now to save two ways for the same amount. With the saver's credit you can save for your retirement and

save on your taxes with a special tax credit. Here are six tips you should know about this credit:

1. Save for retirement. The formal name of the saver's credit is the retirement savings contributions credit. You may be able to claim this tax credit in addition to any other tax savings that also apply. The saver's credit helps offset part of the first \$2,000 you voluntarily save for your retirement. This includes amounts you contribute to IRAs, 401(k) plans and similar workplace plans.

2. Save on taxes. The saver's credit can increase your refund or reduce the tax you owe. The maximum credit is \$1,000, or \$2,000 for married couples. The credit you receive is often much less, due in part because of the deductions and other credits you may claim.

3. Income limits. Income limits vary based on your filing status. You may be able to claim the saver's credit if you're a:

- Married couple filing jointly with income up to \$60,000 in 2014 or \$61,000 in 2015.

- Head of Household with income up to \$45,000 in 2014 or \$45,750 in 2015.

- Married person filing separately or single with income up to \$30,000 in 2014 or \$30,500 in 2015.

4. When to contribute. If you're eligible you still have time to contribute and get the saver's credit on your 2014 tax return. You have until April 15, 2015, to set up a new IRA or add money to an existing IRA for 2014. You must make an elective deferral (contribution) by the end of the year to a 401(k) plan or similar workplace program.

If you can't set aside money for this year you may want to schedule your 2015 contributions soon so your employer can begin withholding them in January.

5. Special rules apply. Other special rules that apply to the credit include:

- You must be at least 18 years of age.
- You can't have been a full-time student in 2014.
- Another person can't claim you as a dependent on their tax return.

*Alvin Maglan is a CPA licensed in California and Nevada. After working for SyCip, Gorres, Velayo and Company, he emigrated to California and had varied experiences as an audit manager of a regional accounting firm, an internal auditor and controller of Dole, Inc., a fortune 500 company and three decades experiences as a tax consultant for various individuals, professionals, small business firms, corporations, partnerships, and other non-profit entities. You may contact him @510 432 7438 for your tax problems. You may e-mail tax questions @amaglan@irs.taxsavers.com.*

## Evolving role of finance among top issues at World Congress of Accountants

Olivia Kirtley, CPA, CGMA, held a small blue globe in her hand for the audience to see as she presided over the closing ceremony of the World Congress of Accountants on Thursday.

The globe, manufactured by CGMA staff using a 3-D printer at the Rome meeting, was more than an emblem of the international gathering of nearly 4,000 accountants. Its high-tech DNA spoke to the evolving role of finance professionals—often a swirl of technology, data, strategy, and innovation mixed with the more traditional finance responsibilities.

In closing remarks, Kirtley, the new president of the International Federation of Accountants (IFAC), highlighted her key takeaways from a session organized by CGMA at the Rome meeting: That finance—once the passenger or navigator—is increasingly

taking the driver's seat at businesses around the globe.

Among the other themes from the session bubbling up to the World Congress closing ceremony:

The increasing shift of business's center of gravity to emerging markets. The proliferation of data and technology as an opportunity and a challenge. Growth and investment having societal as well as financial responsibilities. Business results moving from business page to front page.

The importance to business results of an inclusive workforce.

The need to develop insights from data.

The World Congress featured roughly three dozen sessions and more than 200 speakers, including executives from British Telecom, EY, Royal Dutch Shell, and Yahoo, as well as regulators, standard setters, and others.

## How immigration killed the tax deal

How could a major tax deal brokered by the top Senate Democrat die so quickly at the hands of a Democratic president?

Immigration politics and Democratic infighting came together to doom the \$400 billion deal even before it had made it into print. The brinkmanship threatens to disrupt the lives of millions of taxpayers who rely on the mishmash of expired provisions the plan was trying to revive.

The collapse highlights the fragile coalitions in Congress, where even leaders of opposition parties agreeing to a deal can't bring it home. It also shows the new-found boldness of President Barack Obama as he tilts back toward the liberal base in the aftermath of the midterm elections.

Interviews with the key players showed that the two tax-writing panels in the Senate and House had for weeks been making solid progress toward a final tax package that looked like it would include the breaks for low- and middle-income people sought by the president.

But the deal fell apart just as it seemed to be coming together.

The immigration executive order soured the GOP on the tax cuts for the working poor and middle class sought by Democrats. Republicans worried undocumented immigrants targeted by the order would begin claiming the credits in droves. They found a friend in Senate Majority Leader Harry Reid, who reluctantly agreed to drop his party's demands to extend expiring parts of the earned income tax credit and its companion, the child tax credit.

The decision infuriated Reid's colleagues.

"Everyone felt that Reid had suddenly given the store to Republicans and not gotten much in return," said a Democratic House aide.

The president, with liberal Democratic backing on the Hill, issued the veto threat and the plan imploded, making the tax deal the first major collateral damage of the White House's immigration action.

The internecine fight comes at the lowest point of Obama's relationship with Reid and the Senate's soon-to-be disempowered Democratic leadership. White House officials — from Obama on down — have

been feuding with Reid's brash chief of staff, David Krone, and The New York Times has reported that Obama took the extraordinary step of asking Reid to exclude Krone from White House meetings.

Until late last week, Senate Finance, House Ways and Means, and leadership met regularly and were making progress on the package of tax breaks known as tax extenders. The group of some 55-plus tax breaks has expired, and many lawmakers in both parties want to renew by the end of the year, amid warnings from the IRS that failing to act would disrupt the upcoming tax filing season. They include everything from a major business research credit to one to reimburse teachers who buy school supplies.

Both sides wanted to go big and include more, throwing concerns about the budget deficit aside. Senate Finance Chairman Ron Wyden (D-Ore.) and the Democrats were entertaining the idea of more permanent business tax relief that Republican wanted, and Republicans had even offered to make the expansion of the EITC permanent, according to a senior Senate Democratic aide.

Senate Democrats had made the EITC, a wage supplement for the working poor, and the \$1,000 child tax credit key priorities weeks ago. In October, Wyden huddled with Finance members to find out what concessions he should wrestle from Republicans as part of the talks. They agreed on the provisions.

But then the president announced his executive action on immigration late last week, and it all started to unravel.

Republicans took the Democrats' tax credits off the table completely.

For years, the GOP has railed against undocumented immigrants who claim the child tax credit, and Obama's immigration order raised the prospect they would begin claiming the EITC, as well. If Republicans agreed to extend them now, it would look like they were voting to expand government benefits to illegal immigrants.

What's more, the EITC is notorious among Republicans for fraud. It has one of the highest rates of improper payments of any federal program.

## Prisoners get millions from IRS in bogus refund claims, watchdog finds

Hundreds of thousands of prisoners are filing phony tax refund claims and the IRS is not doing enough to quash the problem, according to a watchdog report.

The Treasury Inspector General for Tax Administration (TIGTA) said in its report Tuesday that refund fraud associated with prisoner Social Security numbers is a "significant problem" for the tax agency that is only getting worse over time.

According to the report, more than 137,000 phony tax returns were filed in 2012 using a prisoner's Social Security number to the tune of \$1 billion. While many of the fake refunds were flagged and prevented by the agency, the IRS issued \$70 million in bogus refunds.

This was a significant increase from 2007, when more than 37,000 fake tax returns were filed for amounts equaling \$166 million.

"Tax refund fraud associated with prisoners remains a significant problem for tax administration," the report said.

The watchdog conducted the review after previous reports showed that the IRS was not doing enough to identify and crack down on fraudulent prisoner tax refund claims. The review was aimed at determining if the agency was doing enough to cor-

rect the problem.

The watchdog determined that the IRS was not taking a number of steps to crack down on the fraud. For one, the report said the IRS has not shared the information about the fraudulent claims with state and federal prison authorities.

In addition, the watchdog found that the IRS was not providing consistent updates to Congress about the problem, as is required by the

Inmate Tax Fraud Prevention Act of 2008.

"TIGTA also found that the required annual prisoner fraud reports to Congress are not timely and that the reports do not address all aspects of prisoner fraud," the report said.

TIGTA made six recommendations to the IRS to remedy the problem, of which the agency agreed with four.

In response, a representative for the IRS said the agency is working to stop the problem of prisoner tax refund fraud.

"The IRS has continued to build on processes to detect and stop potentially fraudulent refund claims made by prisoners," Debra Holland, the agency's commissioner of its Wage and Investment Division, said.



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## Is your salary being garnished by creditor?

It is possible that a creditor could obtain a court order to garnish your wages. In other words, they can take money right out of your paycheck to pay your debts. In some cases, wage garnishments may take more than half of your paycheck.

Wage garnishment is a drastic step, often used by creditors that have no claim to any of your property. Without any property or collateral to back up your credit card purchases or medical bills, a creditor may file a lawsuit against you and ask the court to grant their motion for your wages to be garnished. Depending on your debt, the court will assign a percentage of your paycheck to be automatically deducted and sent to the creditor. Oftentimes up to 25 percent of your disposable income could be taken away from you. In cases of tax debt, much more could be taken out.

### Wage Garnishment Laws

It's possible that your spouse's wages be garnished because of your debts. In California, married couple's debts and assets are considered community property. In this case, your spouse's wages might be at stake even if the credit card and the debts are under your name. As required by law, your employer must comply with the court order, and will be unable to stop wage garnishment. However, you are also protected by the same law, which says that an employer may not fire you because your wages are being garnished.

Wages are often garnished for the following reasons:

1. Credit card lawsuit - Once a credit card account goes into default, and the creditor decides it cannot collect, it may sell the debt to a debt collection company. If the credit card or debt collection company is unsuccessful in recovering the debt, then a lawsuit may be filed against the consumer in an attempt to recover its losses. If the ruling in the lawsuit goes against the consumer, a judgment may be issued to garnish property, bank accounts or wages.

2. Tax liens: unpaid state and federal taxes - The IRS and State Taxing Authorities have the power to collect back taxes by levying on taxpayers' property as a result of a tax lien. When a person owes back taxes, the IRS/State can collect a lien on a particular taxpayer's assets after meeting certain statutory requirements, which attaches to all rights, title and interest of the taxpayer.

Once the IRS/State has a lien on all of a taxpayer's assets, they may enforce it by administratively levying his/her assets. As a collection tactic, the IRS/State often imposes a wage garnishment, which means that they literally take money out of every paycheck - often enough seriously jeopardizing an individual's lifestyle and making it impossible to maintain the same standard of living.

3. Delinquent child support - Pursuant to child support enforcement laws in the United States, statutes permit the use of a variety of types of garnishments to collect past due child support, according to

By Atty. Crispin C. Lozano

Find Law.

4. Delinquent spouse support (alimony) - There

are numerous ways to enforce an order for spousal support or alimony, including entry of a money judgment and wage garnishment. However, the availability these enforcement tools and how they are used are controlled by state laws and/or the rules of the courts in your area.

Wage garnishment will only stop if:

1. Your debts are settled
2. Automatic stay in bankruptcy stops the action.

If you are already facing financial disaster, garnishment can make it harder for you to support yourself and your family. By filing either Chapter 7 or Chapter 13 bankruptcy, you have the power to stop the action. Both Chapter 7 and Chapter 13 bankruptcy may stop wage garnishment. In the case of a Chapter 13 bankruptcy, the garnishment will stop for several years as you work through your repayment plan. In a Chapter 7, each state's exemptions provide protections against wage garnishment.

Note: This is not a legal advice. You should seek the advice of your attorney about your specific case.

### Bankruptcy Basics

1. Bankruptcy will actually improve your credit within one year because your unsecured debts are discharged. Although the bankruptcy will be in your records for 10 years, not filing bankruptcy will make your credit even worse until most your debts are paid.

2. If you are being sued by your creditors, most money judgment can be eliminated in bankruptcy.

3. Collection actions continue and you can be sued if you are in debt settlement.

4. Chapter 7 will eliminate all unsecured debts. If you are near retirement age, you must eliminate most of your debts.

5. Bankruptcy will stop foreclosure actions. If your trustee sale date is 10 days before, you can still file for bankruptcy.

6. If your salary is being garnished, you have a court case about debts or you are being harassed by creditors, bankruptcy can stop garnishment, court cases, harassing creditors and eliminate the debt.

7. Bankruptcy is cheaper, faster and safer than debt settlement which has no guaranteed success.

8. Preserve your health, eliminate stress and live a happy life by eliminating your debts which is the root of all problems.

*Crispin Caday Lozano is an active member of the State Bar of California, the American Immigration Lawyers Association and the National Association of Consumers Bankruptcy Attorneys. He specializes in immigration law and bankruptcy law.*

## California pushes to expand immigrant health care

SACRAMENTO, Calif. (AP) - President Barack Obama's executive order to spare some immigrants from deportation has galvanized Democrats, immigration groups and health care advocates in California to push for expanding health coverage to a segment of the population that remains uninsured.

The president's action excludes immigrants who came to the country illegally from qualifying for federal health benefits. But California has its own policy of providing health coverage with state money to low-income immigrants with so-called "deferred action" that allow them to avoid deportation.

Immigrant and health care advocates say that means Obama's executive order will enable hundreds of thousands of low-income immigrants in California to apply for Medi-Cal, California's version of Medicaid.

Anthony Wright, executive director of Health Access California, said allowing this expanded group of immigrants to participate in the Medicaid program will enable people to get primary and preventive care, "rather than just at the emergency room."

The California Department of Health Care Services, however, has yet to receive formal guidance.

## Stockton: Bankruptcy exit should move ahead

City leaders in Stockton, Calif., are urging a federal judge to let the city exit bankruptcy with a court-approved reorganization plan, despite an appeal of that proposal filed by mutual-fund giant Franklin Templeton Investments.

In court papers, Stockton officials said the appeal from Franklin Templeton, which is arguing that the 300,000-resident city can afford to repay more money on the municipal bonds it issued, could take years to litigate.

During the appellate process, Franklin Templeton's lawyers asked that Stockton remain in bankruptcy, which city leaders argued would unfairly delay payments to retired municipal workers who have agreed to give up their health-care benefits and accept a one-time payment instead.

That includes a payment to a longtime city mechanic Wayne Klemin, who told Judge Christopher Klein in court papers that he is counting on the money to pay for treatments for his diabetes and hypertension.

Delaying the plan also would prevent some city workers from moving out of an aging municipal building that has a leaky roof and rat problem, Gordon MacKay, director of the Public Works Department, said in court papers.

"The drinking water is suspect due to lead pipe joints," Mr. MacKay wrote. "The building is not anywhere near modern expectations for an acceptable office environment."

Eric Jones, the city's police chief, said in a separate court document that the city's bankruptcy has made it difficult to recruit new officers.

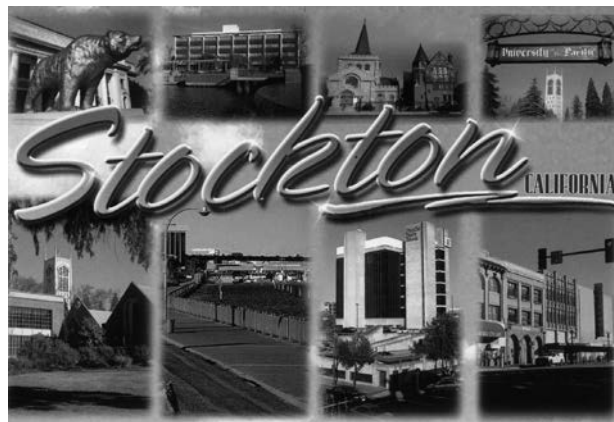
"There is no way to quantify the uncertainty of a city retiree waiting for funds to pay for health care, the unease of a police force long stretched too thin, the loss of new business that might have moved to the city had it emerged from bankruptcy, or delay's harm to a municipal administration whose roof is literally crumbling over its head," the city's lawyers said in their request to put the bankruptcy exit plan into ac-

tion.

On Oct. 30, Judge Klein confirmed a plan from the city that proposed to pay Franklin-managed funds about \$4 million for their roughly \$37 million claim. Franklin's lawyers said the city can afford to repay more, and they argued that Judge Klein made "several fundamental errors of law" with his decision.

The Franklin Templeton Investments-managed funds are the only creditors to continue to challenge the plan.

The city spent some of the municipal-bond money extended by the Franklin funds on fire stations and parks. The municipality made four interest payments before it missed a payment on March 1, 2012.



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# Aliens in removal proceedings or has been deported may qualify for DACA

On June 6, 2014, the U.S. Citizenship and Immigration Services (USCIS) announced the renewal process for hundreds of thousands of young non-citizens who received a grant of Deferred Action for Childhood Arrivals (DACA). Renewal of DACA ensures current DACA holders will continue to be safe from deportation for another two-year period. In addition, they will continue to have work authorization and to be eligible to receive a social security number, and, in nearly every state, a driver's license.

Q: Does this process apply to me if I am currently in removal proceedings, have a final removal order, or have a voluntary departure order?

A: This process is open to any individual who can demonstrate he or she meets the guidelines for consideration, including those who have never been in removal proceedings as well as those in removal proceedings, with a final order, or with a voluntary departure order (as long as they are not in immigration detention). If you are not in immigration detention and want to affirmatively request consideration of deferred action for childhood arrivals, you must submit your request to USCIS – not ICE – pursuant to the procedures outlined below. If you are currently in immigration detention and believe you meet the guidelines you should not request consideration of deferred action from USCIS but should identify yourself to your detention officer or contact the ICE Office of the Public Advocate through the Office's hotline at 1-888-351-4024.

Q: What is deferred action?

A: Deferred action is a discretionary determination to defer a removal action of an individual as an act of prosecutorial discretion. For purposes of future inadmissibility based upon unlawful presence, an individual whose case has been deferred is not considered to be unlawfully present during the period in which deferred action is in effect. An individual who has received deferred action is authorized by DHS to be present in the United States, and is therefore considered by DHS to be lawfully present during the period deferred action is in effect. However, deferred action does not confer lawful status upon an individual, nor does it excuse any previous or subsequent periods of unlawful presence.

Q: What is DACA?

A: On June 15, 2012, the Secretary of Homeland Security announced that certain people who came to the United States as children and meet several key guidelines may request consideration of deferred action for a period of two years, subject to renewal, and would then be eligible for work authorization.

Individuals who can demonstrate through verifiable documentation that they meet these guidelines will be considered for deferred action. Determinations will be made on a case-by-case basis under the DACA guidelines.

Q: Are all DACA recipients eligible to renew?

A: USCIS has made clear that individuals who initially qualified for DACA will be eligible to renew unless they engaged in certain criminal activity, departed the country without the government's permis-

sion, or stopped residing in the United States.

By Atty. Crispin C. Lozano

Violence against Women Act.

Q: Is there an age requirement for DACA renewal?

A: No one with DACA will be too old to renew – indeed, as previously explained, it is impossible to age-out of the DACA program.

Q: If the recipient has stopped going to school, will he still be eligible for renewal?

A: Individuals enrolled in school at the time of their initial application will not be disqualified if they had to stop attending to see to other life responsibilities.

Q: Can those seeking DACA grant for the first time still apply?

A: Despite the excitement around renewal, the 1.15 million potential DACA applicants who have not yet filed an initial application should not mistakenly conclude that the application period has ended. Indeed, the agency continues to accept roughly 10,000 new applications each month. Initial registration remains open.

## SUCCESS STORIES

1. On October 7, 2014, we received an approval from the U.S. Embassy in Manila an immigrant visa for a client who entered the US without inspection under the Provisional Waiver Program.

2. On September 26, 2014, we received an approval from the Immigration Court for waiver of misrepresentation for a client who entered as single but actually married at the time of entry to the U.S.

3. On September 9, 2014, we received an approval from Immigration Court of adjustment of status for a client who was previously denied an asylum.

4. On September 8, 2014, we received an approval from USCIS of Form I-601A provisional waiver for two clients.

5. On September 5, 2014, we received an approval from USCIS for Fiancée visa based on same sex petition.

6. On September 4, 2014, we received an approval of DACA for a client who has problem in her birth certificate.

7. On August 28, 2014, we received an approval of green card based on spousal abuse.

8. On August 25, 2014, we received an approval of green card based on same sex marriage with big age difference.

9. On August 1, 2014, we received an approval of waiver of joint filing of I-751 based on spousal abuse. With the approval she was granted permanent residence.

10. On July 21, 2014, we received an approval of green card based on marriage that was initially denied due to inconsistencies in interview response.

11. On July 19, 2014, we received an approval of I-751 removal of condition on residence waiver based on battered spouse.

12. On June 11, 2014, we received an approval from USCIS of green card under Violence against Women Act.

13. On May 12, 2014, we received an approval from USCIS of green card under the same sex marriage law and the corresponding waiver of certain misrepresentation.

14. On April 21, 2014, we received an approval of green card after the denial was appealed to the Board of Immigration Appeals.

15. On March 31, 2014, we received an approval of green card for a client under

dence that accused Revilla amassed, accumulated or acquired ill-gotten wealth by repeatedly receiving from accused Napoles or her representatives or agents, money, through accused Cambe, and in those several occasions, accused Revilla and Cambe made use of their official position, authority, connections and influence," it said.

"This was established by the testimonies of the witnesses and documents they testified to which, at this stage of the proceedings, has remained un rebutted, and thus, given full faith and credence by the court."

But Sandiganbayan Chair Efrén de la Cruz and Associate Justices Rodolfo Ponferrada and Rafael Lagos, cautioned that this "conclusion shall not be regarded as a prejudgment on the merits of the case that are to be determined only after a full-blown trial."

Immigration Judge for a client who entered as single but actually married.

20. On November 21, 2013, we received an approval from USCIS for adjustment of status under SAME SEX MARRIAGE.

*Crispin Caday Lozano is an active member of the State Bar of California, the American Immigration Lawyers Association and the National Association of Consumers Bankruptcy Attorneys. He specializes in immigration law and bankruptcy law. He earned his Juris Doctor at Western State University College of Law in Fullerton, California. He is also a Certified Public Accountant, a Real Estate Broker and a Bachelor of Business Administration Cum Laude graduate. He has offices in San Francisco, Hayward, San Jose, and Cerritos, California. You can contact him at 1-877-456-9266. Email questions to [crispinlozano@gmail.com](mailto:crispinlozano@gmail.com). Visit our website at [www.crispinlozanolaw.com](http://www.crispinlozanolaw.com).*



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(Cont. from page 1... REVILLA FIRST TO FAIL)

pending separate petitions for bail.

Levito Baligod, a private complainant and former counsel of a group of whistle-blowers, hailed Tuesday's denial by the Sandiganbayan of Revilla's petition for release from detention at Camp Crame pending trial for allegedly conspiring to plunder P224 million in congressional pork barrel funds.

But Baligod warned in a text message, "Our justice system will work as intended only if our people remain vigilant over its processes."

In a resolution, the Sandiganbayan's First Division rejected the bail petitions of Revilla, his senior aide Richard Cambe and businesswoman Janet Lim-Napoles.

"The court is persuaded that the prosecution has presented compelling evi-



## Conservatives work to block Obama on immigration

WASHINGTON (AP) - Conservatives circulated draft legislation Monday aimed at blocking President Barack Obama's executive actions on immigration from taking effect, as Homeland Security Secretary Jeh Johnson prepared to offer GOP critics a full-throated defense of the new policies.

Obama's move to shield some 4 million immigrants here illegally from deportation amounts to "simple common sense," Johnson was to tell the Republican-led House Homeland Security Committee Tuesday in the administration's first testimony on the issue since Obama announced the changes two weeks ago.

"The reality is that, given our limited resources, these people are not priorities for removal," Johnson said in prepared written testimony. "It's time we acknowledge that and encourage them to be held accountable."

Republicans have vowed to stop Obama's moves from taking effect, but how they will do so remained unclear as they returned to Capitol Hill on Monday after a weeklong Thanksgiving break. GOP leadership in the House planned to discuss options in a closed-door meeting with the rank-and-file on Tuesday morning.

The issue is tied in with the need to pass a government funding bill by Dec. 11, or risk a shutdown. Conservatives have been agitating to use any government funding bill to block Obama's moves, and on Monday conservatives on and off Capitol Hill circulated bill language that would stipulate that no money or fees "may be used by any agency to implement, administer, enforce or carry out any of the policy changes" announced by Obama.

White House spokesman Josh Earnest said Monday Obama would veto any gov-

ernment spending bill that undid his executive actions on immigration.

"What the president announced about 10 days ago was entirely consistently with the precedent that was established by previous precedents -- by previous presidents and is well within the legal confines of the law as it relates to prosecutorial discretion," Earnest said.



Immigration reform outside the White House in Washington

Others in the Republican Party have warned that including such language would court a government shutdown that could backfire on the GOP, since Obama would be certain to veto it. Lawmakers were casting about for other approaches, including a full-year spending bill for most government agencies combined with a shorter-term

measure for departments that deal with immigration.

All agreed they must stop Obama in the wake of November midterm elections where they retook control of the Senate and increased their majority in the House.

"The president's decision to bypass Congress and grant amnesty to millions of unlawful immigrants is unconstitutional and a threat to our democracy," the Homeland Security Committee chairman, Republican Rep. Michael McCaul of Texas, said in a statement. "I will use every tool at my disposal to stop the president's unconstitutional actions from being implemented, starting with this oversight hearing."

Obama's deportation deferral applies to people who've been in the country more than five years and have kids who are citizens or legal permanent residents. He also expanded an existing program that grants work permits and deportation deferrals to immigrants brought here illegally as kids, and reordered law enforcement priorities to focus on new arrivals and people with criminal records.

## Immigrants Social Security eligible in Obama plan

WASHINGTON (AP) - Many immigrants in the United States illegally who apply for work permits under President Barack Obama's new executive actions would be eligible for Social Security and Medicare benefits upon reaching retirement age, according to the White House.

Under Obama's actions, immigrants who are spared deportation could obtain work permits and a Social Security number. As a result, they would pay into the Social Security system through payroll taxes.

No such "lawfully present" immigrant, however, would be immediately entitled to the benefits because like all Social Security and Medicare recipients they would have to work 10 years to become eligible for retirement payments and health care. To remain qualified, either Congress or future administrations would have to extend Obama's actions so that those immigrants would still be considered lawfully present in the country.

None of the immigrants who would be spared deportation under Obama's executive actions would be able to receive federal assistance such as welfare or food stamps, or other income-based aid. They also would not be eligible to purchase health insurance in federal exchanges set up by the new health care law and they would not be able to apply for tax credits that would lower the cost of their health insurance.

The issue of benefits for immigrants who are illegally in the United States is a particularly sensitive one for the Obama administration. As a result, the White House has made it clear that none of the nearly 5 million immigrants affected by Obama's actions would be eligible for federal assistance. The Obama administration first denied younger immigrants who entered the U.S. illegally as children access to health care exchanges and

tax credits in 2012, especially disappointing immigrant advocates.

"They were specifically carved out of that, which is deeply unfortunate because it cuts directly against the spirit" of the health care law, said Avidah Moussavian, an attorney at the National Immigration Law Center. "They should have had the opportunity to buy health insurance just like anybody else."

Less clear until now was their eligibility for retirement benefits for which they would have paid into through payroll taxes.

Describing the administration's position, one official said Wednesday that any immigrant considered lawfully present and holding a Social Security number would be entitled to Social Security and Medicare upon retirement because they would have paid into the system.

Stephen Miller, a spokesman for Sen. Jeff Sessions of Alabama, a leading Republican opponent of Obama's executive actions, said making immigrants illegally in the U.S. eligible for Social Security and Medicare "is an attack on working families."

"The amnestied illegal immigrants are largely older, lower-wage and lower-skilled and will draw billions more in benefits than they will pay in," he said.

Beneficiaries would have to be of retirement age and have worked for at least 10 years. Immigrants would also be eligible for survivor benefits if the deceased worker had worked for 10 years. For disability insurance, they would have to work for 5-20 years.

A report by the White House Council of Economic Advisers this week concluded that Obama's executive actions would expand the U.S. tax base because about two-thirds of immigrants illegally working in the United States don't pay taxes.

## HEALTH

### In First Week, More Than a Million Apply for Health Insurance on Federal Website

WASHINGTON — Obama administration officials said Wednesday that more than one million people had submitted applications for health insurance in the first week of this fall's open enrollment period under the Affordable Care Act, and 45 percent of them had already selected health plans.

The applications showed that HealthCare.gov, the website for the federal insurance marketplace, was working. The federal marketplace was largely dysfunctional when it opened last fall. More than three times as many people selected health plans in one week this month as in all of October and November of last year.

"We are off to a solid start," Sylvia Mathews Burwell, the secretary of health and human services, said in a conference call with journalists on Wednesday. "But we've got a lot of work to do every day between now and Feb. 15," when the three-month enrollment period ends.

In her remarks, Ms. Burwell delivered a progress report on use of the federal website, which serves 37 states. The numbers do not include activity in the 13 states that run their own insurance exchanges.

From Nov. 15 to 21, the administration said, 1,032,129 applications were submitted to the federal exchange, and 462,125 people chose plans offered for sale in the federal marketplace.

Some of the applications are from people who were uninsured. Some are from people who had coverage. All have taken affirmative steps to select insurance plans for 2015.

Of those selecting plans, 48 percent — about 222,000 people — are new to the federal marketplace or have had coverage

that had been terminated for various reasons, such as failing to pay premiums. The other 52 percent — about 240,000 people — had coverage this year and signed up for insurance in 2015 with the same insurer or a different one.

People who already have marketplace coverage and take no action by Dec. 15 will be automatically enrolled in their existing plan or one like it effective Jan. 1. They can, if they choose, make a different selection by Feb. 15.

Ms. Burwell said the new figures showed only the number of people enrolled in medical plans and did not include people signing up for separate dental insurance.



Congressional investigators discovered last week that the Obama administration had overstated enrollment in 2014 by including about 400,000 dental insurance policyholders in the total of 7.1 million with health insurance.

"The mistake we made is unacceptable," Ms. Burwell said in a Twitter post last week.

Aaron Albright, a spokesman at the Centers for Medicare and Medicaid Services, said that actual enrollment in the federal and state exchanges as of mid-October was 6.7 million. Ms. Burwell said Wednesday that the administration was sticking with its goal of 9.1 million people enrolled and paying premiums by the end of 2015.

In the first week of open enrollment this fall, the administration said, the HealthCare.gov call center received nearly 1.1 million telephone calls, with an average waiting time of about three minutes. The government counted 3.7 million users of HealthCare.gov. But officials said that visitors to the site may have been counted more than once if they used different devices, like a laptop computer and a cell-phone, on different occasions.

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## ST. JOACHIM KNIGHTS OF COLUMBUS COUNCIL 15317 RECEIVES TOP INTERNATIONAL AWARD

The Knights of Columbus of St Joachim Council 15317, Hayward, CA has earned the distinction of Triple Star Council, for fraternal year 2013-2014. It was announced by Supreme Office of the Knights of Columbus, based in New Haven, Connecticut. The award was presented by District Deputy for Hayward, CA Romeo Cabrera at the recently concluded Parish Family Night at St. Joachim last October 25, 2014.

Carl A. Anderson, Chief Executive Officer of the Knights of Columbus, said, "Please accept my sincere congratulations upon attaining this prestigious award. Your dedication to the Order is seen in the high standard of excellence you have achieved. I encourage you to carry forward this enthusiasm to meet the challenges that will face the Knights of Columbus in the years ahead. May this award be a reminder and an inspiration to the members of your council to con-

tinue to promote the ideals of Columbianism for the good of the Church, your community, and your Order."

"Receiving the Triple Star Council Award is quite an honor for us. We're extremely proud of this accomplishment," proclaimed Immediate Past Grand Knight Ron Ytem and Grand Knight Ian Ytem, head of the St. Joachim Council 15317.

The Knights of Columbus is the world's largest Catholic lay organization. It provides members and their families with volunteer opportunities in service to the Church, their communities, families and young people. With more than 1.8 million members in over 15,000 Councils around the world, the Knights of Columbus annually donated more than \$170 million and 70 million hours of service to charitable causes.



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## SAN JOSE COUNCILMEMBER ASH KALRA OPPOSES PROPOSED PHILLIPS 66 OIL TRAIN OFFLOADING FACILITY

SAN JOSE- On November 24, 2014, Councilmember Ash Kalra announces that he opposes the proposed Phillips 66 oil plan at their facility in Santa Maria, California.

The proposed Phillips 66 plan is to extend its rail spur into the Santa Maria facility. This will allow mile-long oil trains carrying millions of gallons of explosive, toxic crude oil in unsafe tank cars to travel through California every day. These trains will travel through the Bay Area passing neighborhoods in San Jose, including Kalra's District 2 in south San Jose. This proposed plan threatens the residents and families along the rail routes, and also threatens the environment and local water supplies.

In its latest environmental review, Phillips 66 admits that its proposed oil train facility will create "significant and unavoidable" levels of air pollution, including toxic sulfur dioxide and cancer-causing chemicals. The report cites increased health risks including

cancer, heart disease, respiratory disease, and premature death.

In addition, these oil trains will threaten California's water supplies. This proposal will bring oil trains through the San Francisco Bay-Delta watershed, and along California's central coast. Each train carries more than three million gallons of crude oil. If there is a derailment near a river, stream, reservoir, or above a groundwater aquifer, this may result in contaminated drinking water for millions of Californians.

"The safety of our community members, our health, and our environment, should not be taken lightly," said Councilmember Kalra. "I urge the San Luis Obispo County Planning Commission and Board of Supervisors to reject the Phillips 66 proposed rail spur and let us move towards a future California that looks to clean energy rather than dirtier, outdated methods that harm our public health and environment."

## Water reduction target of 20 percent extended until June 2015

### Augmented conservation programs also to continue

SAN JOSE—On Tuesday, Nov. 25, the Santa Clara Valley Water District Board of Directors unanimously passed a resolution extending its call for a countywide reduction of water use by 20 percent compared to 2013 water use until June 30, 2015. Further, the board approved budget adjustments of \$3.8 million to extend augmented water conservation programs and outreach campaigns.

On Feb. 25, 2014, the board approved a resolution setting a countywide water use reduction target equal to 20 percent of 2013 water use through Dec. 31, 2014, and recommended that retail water agencies, local municipalities and the county of Santa Clara implement mandatory measures as needed to achieve the 20 percent target.

Since then, the county's water use has dropped by approximately 12 percent compared to 2013, short of the 20 percent target. As a result, groundwater storage has dropped to a range of 200,000 to 250,000 acre-feet, which places the county in the "Severe" stage of a five-stage scale, as defined in the district's Water Shortage Contingency Plan. This plan, part of the district's Urban Water Management Plan, calls for short-term water use reductions of increasing levels as projected groundwater storage levels drop to certain thresholds.

One of the key measures the district has taken to encourage short- and long-term water use reductions is to augment water conservation programs. On Tuesday, the board approved a budget adjustment of \$3 million to continue increased rebate amounts until June 30, 2015. The district's landscape rebate program offers a rebate of \$2 per square foot for converting to low water use landscapes. This amount is higher in some areas that are cost-sharing partners, such as in Palo Alto, Morgan Hill and in the San José Municipal Water System. In 2014, the landscape rebate program has seen a 500 percent increase in applications and rebated for the conversion of approximately 675,000 square feet of turf. Another 1.4 million square feet of converted land-

scape is in progress. The \$3 million increase follows three earlier budget adjustments in 2014 totaling \$8 million.

The board also approved a budget adjustment of \$800,000 to fund a water conservation campaign in 2015. Previously, the board approved \$750,000 for the district's summertime "Brown is the New Green" campaign. An immediate campaign would be aimed at encouraging residents to continue conservation efforts through the winter months. A more aggressive marketing campaign will be developed in the event the drought continues for a fourth year in 2015.


District staff also reported to the board on groundwater pond maintenance activities that have been enabled by the drought. Because of the scarcity of surface water, many groundwater recharge ponds are currently empty. The district has taken the opportunity to perform maintenance on 40 of these ponds, removing more than 91,000 cubic yards of accumulated sediment, and 600 kilograms of mercury. This has allowed the district to meet a mandated Total Maximum Daily Load (TMDL) in the Guadalupe Watershed five years ahead of schedule.

"I think this is a wonderful success story. It falls in that category of 'when life gives you lemons, make lemonade,'" said board member Barbara Keegan. "I think the story of how we were able to remove over 600 kilos of mercury and meet our TMDL five years ahead of schedule...I think that's something really we should be very proud of."

Furthermore, by removing excess sediment in recharge pond facilities, the district anticipates that those 40 ponds will recharge groundwater at three times their previous rate. This will help to expedite the recovery of groundwater basins that have dropped during the drought.

Current water conservation program details, a monthly water supply outlook and a monthly drought report are included on the district's Drought Watch webpage.

# Thank You, Milpitas!



*Susan and I appreciate the confidence you have expressed in again electing me your Mayor. I pledge to continue to be accountable and accessible to you. Your vote against Measure E was very clear and I strongly support your decision.*

**Jose Esteves**  
Mayor, City of Milpitas

# Season's Greetings and Happy New Year!

**Swearing-in Ceremony at City Hall is 7pm, Tuesday, December 2**

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## Bank Mergers; Trends in Rental Markets, Distressed Properties and Refis; Vendor Updates

For a deviation from the topic of millennials living at home, since the industry seems so focused on the behavior of this group (just like we were all focused on their behavior while they were growing up), we have the Census Bureau's Co-resident Grandparents and Their Grandchildren: 2012. According to the report, of the 65 million grandparents in the U.S. in 2012, ten percent (7 million) lived with at least one grandchild. In 2012 almost 3 million grandparents were "grandparent caregivers", who had responsibility for grandchildren under 18 years old. About 4 million households contained both grandparents and grandchildren under 18, where more than 60% of these families were headed by a grandparent and one third of them had no parent present. Co-resident grandparents are also more likely to be unable to work due to an illness or disability and are more likely to be in poverty. The increase in grandparents living with grandchildren may be due to increase in life expectancy, single-parent families, and female employment.

Plenty of them rent, which is of great interest to opportunistic LOs who love showing clients that it is more expensive to rent than to buy. CoreLogic came out with a new product called RentalTrends, a monthly report that highlights rent amounts, rent per square feet, capitalization rates and vacancy rates based upon property type. RentalTrends covers all 50 states and more than 17,500 zip codes and uses data from CoreLogic Rent Amount model to determine fair-market rent. This tool can be used throughout the housing industry to aid lenders, services, investors and property managers to determine the best markets for buying, selling and holding rental properties.

And Zelman & Associates published a report identifying an improved distressed market, as loans in delinquency and in the foreclosure process have declined 44% from the peak in Q4 of 2009, with currently more than 1.4 million in some form of foreclosure. The improvement in the distressed market has alleviated the negative impact of REO on the market, as servicers have reported a strong demand for REO properties in Q3 of 2014.

## Pending Home Sales Fall in October, but Maintain Annual Gain

While pending home sales were down slightly compared to September the National Association of Realtors® (NAR) said October was the second month in a row that its Pending Home Sales Index (PHSI) bested the previous year's numbers and called the month's activities "healthy."

The PHSI was 104.1 in October, down 1.1 percent from the upwardly revised September level of 105.3. The October number is 2.2 percent higher than the 101.9 posted in October 2013 and has remained above 100, considered an average level of contract activity, for six consecutive months.

The PHSI is a forward-looking indicator based on

contract signings. The In-



crease in homes for sale and less competition from investors paying in cash. Demand is holding steady but would be more robust if it weren't for lagging wage growth and tight credit conditions that continue to hamper those individuals looking for relief from rising rents."

The median existing-home price for all housing types in October was \$208,300, which is 5.5 percent above October 2013. Monthly 2014 median price growth through October has averaged 5.8 percent after averaging 11.5 percent last year.

"The increase in median prices for existing-homes has leveled off, representing

a healthier pace that has kept affordability in-check for buyers in many parts of the country while giving more previously stuck homeowners with little or no equity the ability to sell," says Yun.

Yun says evidence of rising home prices allowing more willing homeowners the ability to sell can be found in NAR's annual survey which revealed that the typical seller over the past year was in their home for 10 years before selling-an all-time survey high for tenure of home.

Yun is forecasting the final numbers for existing-home sales this year to come in at 4.9 million units, a slight drop from the 2013 total of 5.1 million units. Sales are projected to then increase to 5.3 million in 2015 and 5.4 million in 2016.

## Mortgage Rate Decline Limited by Holiday

Mortgage rates were slightly lower today, but it was in no way indicative of the improvements seen in the mortgage-backed-securities (MBS). MBS, above anything else, dictate mortgage rate movement, but the relationship isn't always one to one. Shortened holiday-related trading sessions are prime time for these periodic disconnections. In other words, it's not at all uncommon for lenders to hold off on adjusting rate sheets as much as they otherwise might.

Even against those headwinds, the week is ended with rates at their best levels since the morning of October 15th, which saw the best rates in roughly a year and a half. More than a few borrowers wished they could have locked their rates that morning,

and many waited for a bounce back to those lows that never materialized. Of course today's rates essentially mean we DID get back to those lows, but only after waiting for a month and a half. While the recent, methodical drop in rates means there's an infinitely better chance of holding ground this time around, long-term lows can't ever be taken for granted.

Today's most prevalently-quoted conforming 30yr fixed rate for top tier borrowers is 3.875% with 4.0% not far behind. If the underlying MBS prices were to hold perfectly still on Monday, 3.875% would pull out to a clear lead.

Loan Originator Perspective

"The trend is your friend right now and if we can stay under 2.20 on the

10 Yr Bond the holidays look poised to be in the gift giving mode. Floating for now seems safe but if your closing is within 15 days and you've reaped some gains recently a move to lock in those gains would certainly not be foolish."

-Hugh W. Page, Mortgage Banker, Seacoast Bank  
"I have been in the float camp for some time now. I believe floating is still the best thing to do for it looks likely rates may decline further. The price of oil is falling which may lead to deflation chatter which is always bond friendly. Stocks are also due for a breather which I believe is right around the corner. The sell off in stocks will help bonds appreciate further bringing down home loan rates. " Manny Gomes, Branch Manager Norcom Mortgage

## Popovich back coaching Spurs after missing 2 games

BOSTON — Gregg Popovich is back coaching the San Antonio Spurs after missing two games following an undisclosed minor medical procedure.

Popovich returned for Sunday's game



San Antonio Spurs head coach Gregg Popovich directs his players during the second half of their 111-89 win over the Boston Celtics in an NBA basketball game in Boston, Sunday, Nov. 30, 2014. AP

against the Boston Celtics, the opener of a four-game road trip.

The Spurs won both games under assistant coach Ettore Messina, 106-100 over the Indiana Pacers on Wednesday night and 112-104 against the Sacramento Kings on Friday night. That extended San Antonio's winning streak to six games.

"I always enjoy coming to Boston," Popovich said before Sunday's game. "Always a good dinner the night before the game. I just wish we were staying after."

The fiery Popovich says he watched games on television while he was away but didn't yell at the screen.

"I'm a little more mature than that," he said. "I save it for when I'm coaching."

## Filipinos catch Sharapova fever at IPTL

MANILA, Philippines — It's official, they want Maria Sharapova.

In action of course.

With thousands of fans milling around the Mall of Asia Arena for the International Premier Tennis League Friday, a few brave souls said they really want to see Sharapova on the court.

And hear her signature growl.

"Of course I want to see

Sharapova," Ernie Lopez, head of ABS CBN Publishing said smiling. "Hey, I have to tell the truth."

Lopez, who is a sports enthusiast himself, also expects good

games from World No. 1, Novak Djokovic, defending US Champion Marin Cilic and Thomas Berdych.

A trio of friends, Tonyo Palado, Allen Pascual and Alex Vidal, echoed each other.

"They want 'MaSha,'"

"We don't

play tennis, but we want to see Sharapova play," Palado said in glee.



Maria Sharapova. Photo by RYAN LEAGOGO/INQUIRER.net

## SPORTS

## Murray, Mavericks end IPTL Manila leg with a win

MANILA, Philippines—The Manila Mavericks avoided a winless campaign in the inaugural leg of the International Premier Tennis League Sunday night at the Mall of Asia Arena.

Fueled by the home crowd, the Mavericks won all but the women's singles against the Singapore Slammers with Andy Murray highlighting it with a thrilling victory over rising star Nick Kyrgios in the five-minute shootout.

The match also marked Murray's first win in a singles match in three tries.

"With me personally, I haven't won a match this week. I've lost a couple of close ones," said the 2013 Wimbledon champion Murray on how important it was to get a win at home. "We all wanted to try and win to finish the weekend and I thought everyone played better."

Murray relied on his experience and veteran smarts to outduel the 19-year-old Australian Kyrgios, who beat the likes of Rafael Nadal and Richard Gasquet to reach the

quarterfinals of the 2014 Wimbledon Championships.

But Murray had to fight back from a 3-5 deficit to forge a shootout where he also needed to rally.

Mark Philippoussis, who was a substitute for injured Carlos Moya, got the Mavericks' romp going with a 6-2 win over Pat Rafter in the legends singles before the pair of Jo-Wilfried Tsonga and hometown hero Treat Huey edged Lleyton Hewitt and Tomas Berdych, 6-5, in the men's doubles.

The Mavericks won their first tie, 27-19, after falling to the UAE Royals and the Indian Aces in the first two days of competition while the Slammers came up empty despite the arrival of world No. 1 Serena Williams.

Williams gave Singapore a lift with a 6-3 win over Kirsten Flipkens but she and Hewitt faltered in the mixed doubles against Murray and Flipkens, 6-1.



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## Why Katrina Halili broke up with Kris Lawrence

MANILA - Katrina Halili opened up about the reason behind her decision to break up with singer Kris Lawrence, whom she parted ways back in January.

In an interview with PEP.ph published on Thursday, the 28-year-old actress explained that she felt that neither of them have matured throughout their 5-year relationship.

“Siguro kailangan lang po naming mag-mature na dalawa. Ako, may kailangan din akong tapusin pa. Siya naman, kailangan din niyang mag-ipon pa,” she said.

“Parang hindi kami naggu-grow na dalawa kapag magkasama. Basta, mas okay kami na separate ways,” she added.

According to Halili, the two remain in good terms. She said that Lawrence has been a dutiful father and is shouldering some of their daughter’s educational expenses.

“Naghahati kami sa mga binabayaran kay Katie (Katrence), like may tutor siya, may school pa,” Halili said.

Asked about whether there are any lingering feelings for Lawrence and if there’s a chance of the two getting back together, Halili said: “Love



Katrina Halili and Katie

as a friend.”

She also added that she is not interested in entertaining any suitors at the moment. Instead, she is choosing to focus on her career and Katrence, saying “ayoko rin naman, hindi naman ako naghahanap.”

## Liza, Aiza share prenup photos

MANILA - Actress Liza Diño and Aiza Seguerra gave a sneak peek of their pre-nuptial photo shoot.

The photos, uploaded on image-sharing site Instagram last week, show the couple



about it was just US, reflects exactly who we are as a couple and I love it!” she added.

Seguerra and Diño got engaged in February this year.

In a July interview with ABS-CBN North America News Bureau, Diño said she and Seguerra were planning to hold their wedding in the United States, where the actress was based for a time, aside from a ceremony celebrating their union in the Philippines.

Diño has a daughter from a previous relationship who Seguerra now considers as his own. The singer has been vocal of referring to Diño and her child as his family, saying he stands as their “padre de pamilya.”

The wedding is scheduled on December 8.

cuddling each other in bed. Seguerra dubbed it as the “most comfy” pre-nuptial shoot. The photos were taken by taken by Proud Rad Photography.

Diño, for her part, wrote in an accompanying caption for a photo with Seguerra: “When you become a bride, every detail matters. You have this image in your head that you can’t shake off and you do everything you can to make it happen.”

“You want all the elements to represent the kind of love that you share with your partner. That’s what happened last night. THE PRENUP WAS UNPRETENTIOUS. Everything



## Valerie Concepcion Fancies Men Who Are “At Least Five Years Older” Than Her

Valerie Concepcion may not currently be in a relationship but she sure knows what she wants in a man.

More specifically, she knows what age a man needs to be to be able to have a shot at winning her over.

According to Concepcion, she prefers men who are older by “at least five years” than her.

The revelation was made by the 25-year-old actress in an interview with The Philippine Entertainment Portal which asked her about her love life, her career and her current role as the antagonist in the Kapuso teleserye “Anna KareNina”.

“Anna KareNina” is set to end in three weeks’ time and PEP asked Concepcion

what she will miss the most about the teleserye.

According to Concepcion, she will miss the cast of the show the most.

“Hmmm... sa lahat ng cast? Yung mga bagets, yung dalawang anak ko, si Joanna [Marie Tan] tsaka si Derrick [Monasterio],” she said.

She joked that Derrick makes moves for her. “Si Derrick kasi, nakakatawa, e, nilalandi ako ni Derrick! ... Hindi, joke lang, joke lang!” Concepcion said.

“Niloloko lang kasi ako lagi ni Derrick na, ‘Miss Val, o, ang ganda-ganda talaga, fresh!’ Ginaganoon niya ako lagi,” she explained.

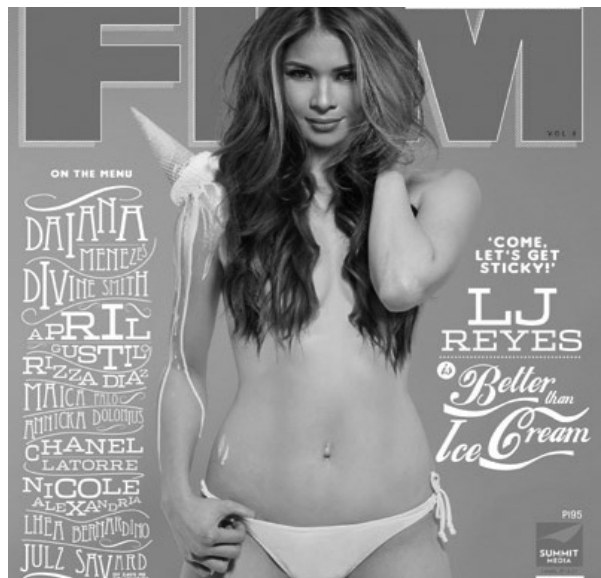
## Topless LJ Reyes in FHM special

MANILA - Actress LJ Reyes returns as an FHM cover girl, this time for its special issue detailing Pinay celebrities’ “dirty little secrets.”

On the cover of FHM: Ladies Confessions Celebrity Diaries Vol. 8, unveiled on Friday, Reyes is seen wearing only a yellow bikini bottom with a melting ice cream placed on her shoulder.

She was photographed by Doc Marlon Pecjo, who was also Reye’s lensman during her first cover shoot for the men’s magazine in February 2013.

According to FHM’s official website, the annual special “digs deep into the private lives of the country’s sexiest celebrities.” Among those who shared intimate stories with the magazine were Daiana Menezes, Divine Smith, April Gustilo, and Julz Savard.



LJ Reyes on FHM

## Joross Gamboa marries long-time girlfriend

MANILA - Kapamilya star Joross Gamboa and his long-time girlfriend, Kathy Kimberly Saga, finally tied the knot on Saturday.

Held at the Fernbrook Gardens in Alabang, the wedding happened a year after Gamboa proposed marriage to Saga.

It was attended by the couple’s family and close friends within and outside showbiz.

Among their friends who attended the event were Melissa Ricks, Sandara Park, Joseph Bitangcol, Marco Alcaraz and John Lloyd Cruz.



Joross Gamboa just tied the knot with long time girlfriend Katz Saga #jorossandkatz #niceprintphotography

## Iñigo, Julia star in ‘MMK’, tops worldwide trends



Photo taken from the official Facebook page of “Maalala Mo Kaya.”

MANILA - Thousands of Filipino netizens recalled their first heartbreak, as the episode of the long-running drama anthology “Maalala Mo Kaya” starring Julia Barretto and Iñigo Pascual aired on Saturday.

Pascual is the son of Kapamilya star Piolo Pascual.

The episode told the story of high school student Karen (Barretto) and her unrequited love for her friend and classmate, Christian (Pascual).

On Twitter, the show’s official hashtag, “MMKDiary,” was constantly atop the microblogging site’s list of worldwide trends

as viewers quoted lines, shared their own experiences, and voiced out their support for Barretto and Pascual.

Pascual, moments after the episode, thanked those who watched the episode. He wrote: “I hope

you guys enjoyed #MMKDiary Sana nakarelake kayo Sa story ni Karen. ‘Yung mga lalake na katulad naman ni Christian tsak tsak.”

Barretto, meanwhile, asked: “Nakakarelake kayo?”

Barretto and Pascual will again be paired in the upcoming movie “Para sa Hopeless Romantic,” which also stars Nadine Lustre and James Reid.

“Para sa Hopeless Romantic” is another film adaptation of a book originally written by Marcelo Santos III.

## Marian Rivera Sees No Problem Having Kris Aquino, Ai-Ai Delas Alas As Wedding Guests

Marian Rivera shrugged off the issue that may crop up by inviting both Kris Aquino and Ai-Ai Delas Alas to her December 30 wedding to Dingdong Dantes.

Kris is one of the principal sponsors while Ai-Ai is one of her bridesmaids. It is public knowledge that that two had a feud that they have yet to resolve.

Marian said she believes those they invited are there to be happy for them, and to be positive. She also doesn’t want to judge anyone with regards to the issue between Kris and Ai-Ai.

She doesn’t want to interfere into their issues, and it is better if they will just let

it be.

Marian said she’s happy to know that President Benigno Aquino III is planning to attend their wedding. Kris revealed that the President asked his staff to block December 30 in his schedule.

Dingdong is very close to the President. He was one of his most vocal supporters during the 2010 presidential campaign.

Since their wedding will fall on December 30, they have not talked about their Christmas plans. They are very focused on their wedding, and Marian feels lucky that Dingdong is a hands-on groom.

In fact, Dingdong is even more serious

in planning the wedding than her. She’s a very easy bride to work with. Where she participated the most is in the menu for their reception because she really loves eating.

Marian shared that she recently met with the Dantes side of Dingdong’s family. They surprised her with a “welcome to the family” party. They even had a program, host, prompter, etc. There was singing and they even hired someone who played the violin.

Marian is closer to the Gonzalez (Dingdong’s mother) side of the family, so she is really touched that the Dantes side wel-

comed her to the clan.

As a bride, that’s all she can ask for--to be welcomed by the family of her future husband.

Meanwhile, Marian hinted that she may take a break from showbiz because she wants to focus on having a baby. Marian added that GMA-7 has lots of offers for him in terms of teleseryes, but she has not decided what to do yet.

She has not even decided if she will continue doing “Marian” after December. She will have to see first how she will adjust to her new life as a wife.



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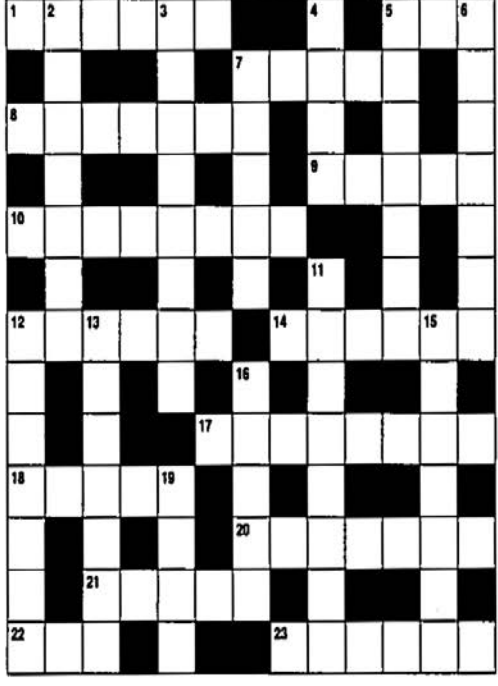
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GAMES & ENTERTAINMENT

**CROSSWORD**



**Across**  
1 Comfort (6)  
5 Music style (3)  
7 British coin (5)  
8 Calm down (7)  
9 Teams (5)  
10 Defender (8)  
12 Starts (6)  
14 Contests between  
knights (6)  
17 Art of teaching (8)  
18 Sources of  
inspiration (5)  
20 Bowling pin (7)  
21 Feel elation (5)  
22 State of matter (3)  
23 Programme (6)

**Down**  
2 Hide from view (7)  
3 Setting aside (8)  
4 Burden (4)  
5 Causes to become (7)  
6 Follows (7)  
7 Type of nut (5)  
11 Searching for food (8)  
12 Ginning from ear to  
ear (7)  
13 Estimates (7)  
15 Changed between (7)  
16 Extravagant dinner (5)  
19 Disparage (4)

**SUDOKU**

To solve a Sudoku puzzle, place a number into each box so that each row across, each column down, and each small 3x3 square within the larger diagram (there are 9 of these) will contain every number from 1 through 9. In other words, no number will appear more than once in any row, column, or smaller 3x3 square. Working with the numbers already given as a guide, complete each diagram with the missing numbers that will lead to the correct solution.  
(Answers for Crossword and Sudoku on page 15)

	9	2						5
	1		3		5	4	6	
			8		2	7	9	
4							2	3
3			2	7	6			4
2	5							6
	6	3	9		7			
	2	5	4		8		3	
8						5	1	

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**HOROSCOPE**

**Aries** *March 20 - April 18*  
Things are going to get better and better for you as the day progresses, Aries. Try to get your grounded, practical, and logical self collected during the day so you have the evening to socialize and commune with close friends.  
**Taurus** *April 19 - May 19*  
There may be a bit of aggravation in a part of your life that's urging you to get up and do something, Taurus. It could be that you're getting overly emotional about a certain issue, and that you need to consider more of the cold, hard facts of what's really going on.  
**Gemini** *May 20 - June 19*  
You may feel a bit stodgy today, Gemini, but things are going to pick up tonight. There will be a great deal of air to fuel your fire, and you're ready to burn! You could be like a desert of dry sagebrush just ready to be set alight.  
**Cancer** *June 20 - July 21*  
Get things taken care of in the morning so you can be carefree and laid back in the evening. It's important for you to square things away in your head so you can communicate important information to others later.  
**Leo** *July 22 - August 21*  
Your usual lazy attitude is apt to receive a burst of energy tonight, Leo. It's in your nature not to want to lift a finger, but for some reason you may be compelled to get up and get moving. You will find that when you connect with others, you're more motivated to make things happen for yourself.  
**Virgo** *August 22 - September 21*  
You may find your emotions difficult to deal with, Virgo, especially later in the day. Consider taking an intellectual instead of emotional approach. Your feelings could send you into a drastic mood swing from one end of the spectrum to the other.  
**Libra** *September 22 - October 21*

Communication with others could be extremely rewarding, Libra, especially later in the day. Project more of your energy outward and join others in projects that you might otherwise try to tackle on your own.  
**Scorpio** *October 22 - November 20*  
Make sure you solidify your affairs early in the day, Scorpio, because the sparks are going to fly after sunset. People might try to throw you off balance with fast talk and fancy ideas. You need to make sure you're on solid ground before you take the next step upward.  
**Sagittarius** *November 21 - December 20*  
Things are looking up for you, Sagittarius, especially later in the day. Pieces should be coming together and things flowing into place naturally. You will find that your outward-directed energy is better balanced now.  
**Capricorn** *December 21 - January 18*  
The energy is apt to pick up in your life today, Capricorn. You may be asked to report to duty. Don't make promises you can't keep. Your words will be taken seriously, and you shouldn't mislead people into thinking that something is going to happen when you know it isn't.  
**Aquarius** *January 19 - February 17*  
There's extra aggression in your world today, Aquarius. Realize that this is probably due more to your reaction to a situation than to the situation itself. It could be that you're in conflict with someone just because he or she wants harmony while you have a propensity to fight.  
**Pisces** *February 18 - March 19*  
Your mood may take a bizarre twist today, Pisces, as you calm your desire to fight for something. You're probably more interested in enjoying the beauty of something rather than trying to keep it for yourself.

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## \$2 gasoline in sight for some U.S. drivers as OPEC resists cuts

SAN FRANCISCO (Bloomberg) -- For the first time in five years, \$2 gasoline is making a comeback in some parts of the U.S., just in time for the Christmas holiday.

Retail stations scattered across the U.S. South and Midwest are about 20 cents shy of the \$2-a-gallon mark.

In New York, gasoline futures slid more than 13 cents Friday in response to OPEC's failure to cut oil production. That decline alone could drag down pump prices by as much as 20 cents a gallon, said Michael Green, a spokesman for the Heathrow, Florida-based motoring club AAA.

"We could see the cheapest 1 percent of stations get within a few pennies of \$1.99 over the next two weeks," said Patrick DeHaan, a senior petroleum analyst at GasBuddy Organization Inc. in Chicago.

"We'll see at least one station in the nation at \$2 by Christmas. And that's not really a prediction at all. That's more like a certainty."

The motor fuel has slid by almost a dollar a gallon in the U.S. from this year's peak, giving Americans at least \$500 annually in extra disposable income by IHS Inc. estimates.

Falling gasoline prices have given an extra boost to U.S. new light-vehicle demand, as well, particularly light trucks, which include minivans, pickups, SUVs and crossovers.

The last time the country's average gas price was below \$2 was on March 24,

2009, while in the grips of the recession. Gasoline futures sank below \$2 a gallon this month for the first time since September 29, 2010.

The average pump price was \$2.792 Thursday, down 90.4 cents from this year's peak of \$3.696 on April 26 and the lowest since Oct. 8, 2010, data compiled by

AAA show. The average has fallen for 64 consecutive

days, the longest streak since 2008, said Avery Ash, AAA's director of federal relations based in Washington.

The Organization of Petroleum Exporting Countries, responsible for about 40 percent of the world's oil supply, will maintain its collective crude output target at 30 million barrels a day, Saudi Arabia's Oil Minister Ali Al-Naimi said after discussions in Vienna Thursday.

"Given that OPEC has decided not to cut production and, for all intents and purposes, are entering into a market share war with the rest of the world, \$2 a gallon could be in the cards," said Andy Lipow, president of Lipow Oil Associates, an energy consulting firm in Houston. "I don't think anyone would have said that at the beginning of the year, or a month ago, or even a week ago."



(Cont. from page 1... MERCADO BACK)

run for President in 2016, to alleged anomalies.

Mercado accused Binay of rigging infrastructure projects in Makati and profiting from them.

Apart from the allegedly overpriced P2.28-billion carpark, Binay has been accused of owning a 350-hectare high-end farm in Rosario, Batangas province, and condominium units in Makati through dummies. The Vice President has denied the charges.

With permission

Away for more than two weeks, Mercado arrived on Monday evening on board Philippine Airlines from Los Angeles.

He said his trip had the permission of the proper authorities and the Witness Protection Program.

The inquiry into charges of corruption and ill-gotten

wealth against Binay is expected to resume in January.

Mercado's foreign trip has fueled speculations that he went to the United States to gather more evidence against Binay.

But he said his travel was personal and had nothing to do with Binay.

"I went to the US to visit my ailing wife. I did not go there to look for Binay's properties," Mercado said when asked about reports that he flew to the United States to search for Binay's properties.

Binay's spokesperson, Joey Salgado, scoffed at Mercado's supposed threat to reveal the Vice President's assets in the United States.

"We will not be surprised if he says he has documents showing that the VP owns Disneyland," Salgado said in a text message.

## Toyota brings active safety to masses in 2015

TOKYO -- Toyota Motor Corp. will step closer to autonomously driving cars next year when it begins to deploy a range of advanced active-safety systems across its mass-market lineup.

The new or re-engineered technologies, unveiled Wednesday in Tokyo, encompass more sophisticated precrash braking

packages, a better auto-parking feature, a next-generation auto-adjust headlamp and a vehicle-to-infrastructure and vehicle-to-vehicle communication system.

Toyota will begin rolling out the technologies in early 2015, Chief Safety Technology Officer Moritaka Yoshida said.

Initial products, such as the auto-parking and vehicle-to-vehicle communication systems, will debut in Japan and later migrate to other markets, including the U.S. Others, including two precrash auto-braking packages, will be released in the U.S.

as early as next year.

Affordable

Toyota did not disclose pricing for the new systems, but the goal is to introduce affordable advanced safety technologies that can be deployed in mass-volume nameplates, Yoshida said.



Toyota is introducing the technologies in a push to burnish its safety credentials as automakers seek to differentiate themselves from rivals. The systems are also basic building-block technologies that will underpin future autonomous cars.

Yoshida said automakers have reached a point of diminishing returns from improvements in passive systems such as stronger body frames and seat belts. Faster gains will come from technologies that prevent crashes, he said.

"There is a limit to reducing the number of fatalities through passive safety," he said. "We must also focus on active

safety."

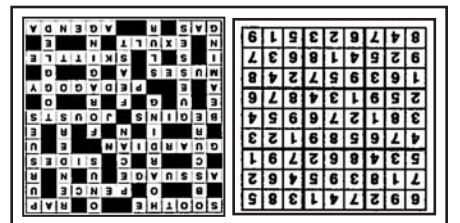
Precrash packages

The two precrash safety packages are central to Toyota's plan.

A so-called Toyota Safety Sense C system will target compact cars, while a Toyota Safety Sense P fits midsize and high-end vehicles. In Japan, C will appear next spring, and P next summer.

By 2017, both will be deployed in most passenger-car models and trim levels in the U.S., Europe and Japan, Toyota said.

The systems will deliver better performance than top-tier active-safety systems currently deployed in such premium models as the Lexus LS, but at approximately the same cost, Yoshida promised. Costs are falling quickly, while performance improves, he added. Toyota expects to lower costs in part by deploying common parts across multiple high-volume vehicles.



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