

Take advantage of the best local guide to what's on TV next week with The Telegram's handy schedule of programming.

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## Tuesday

October 18, 2005

Norton, Kansas  
Home of Phil Morel

### Briefly

#### Boostersto meet Wednesday

The weekly meeting of the Norton Blue Jay Booster Club will be held at 7:30 p.m. Wednesday in the high school cafeteria. Norton Community High School football coach Bruce Graber, volleyball coach Jill Lively, tennis coach Jim Green and cross country coach Dayton Hager will report on recent competition by their teams. Refreshments will be served. All fans of Norton Community High School athletics are invited.

#### Furharvester class set for Saturday

A furharvesting education course will be held at the Kirwin National Wildlife Refuge office from 9 a.m. to 5 p.m. Saturday. The refuge office is four miles west of Kirwin or six miles east of Glade and one mile south. The course will include classroom as well as hands-on outdoor activities and is a must for beginning trappers but any trapper can benefit.

Anyone born after July 1, 1966, must successfully completed an approved course like this to buy a furharvester license or to hunt, run or trap furbearers on land other than their own, or to sell pelts. Residents age 14 and 15 may purchase a "junior permit" for \$12.50. To pre-register, call Larry Stones at (785) 543-5820.

### Weather

#### Forecast:

**Tonight** — Partly cloudy with lows in the lower 50s. Southwest winds up to 5 mph increasing to Northeast 15 to 20 mph with gusts to 35 mph after midnight. **Wednesday** — Mostly cloudy with scattered showers in the afternoon. Highs in the lower 60s. Northeast winds 15 to 20 mph with chance of rain 50 percent. **Wednesday Night** — Cloudy with rain likely. Lows in the mid 40s with Northeast winds 5 to 15 mph. Gusts up to 30 mph in the evening. Chance of rain 70 percent. **Thursday** — Mostly cloudy with a 40 percent chance of showers. Highs in the 60s.

#### Howell report:

Friday ..... High 81, Low 47  
Saturday ..... High 77, Low 54  
Sunday ..... High 76, Low 52  
Monday ..... High 82, Low 49  
Week ago ..... High 53, Low 48  
Month ago ..... High 90, Low 67  
Year ago ..... High 67, Low 50  
October precipitation ..... 1.41 inches  
Year-to-date precipitation ... 20.96 inches  
(Readings taken at the Paul and Pat Howell farm 10 Miles North and 1/3 Mile East of Norton)

### Prayer

Help us, Lord, to be a blessing to others as long as we live. Thank you for providing us with different abilities to glorify you in our daily living. Amen



Little Kennedy Yeager, (left) 2, carries her plate with sausage and M&Ms to the table. Lions on the serving line are left to right, Bruce Poage, flipping cakes, Ed Witt, pouring batter, Roy Skrdlant serving sausage, and Lions Club President Tom Brannan, overseeing.

— Telegram photos by Carolyn Plotts

## Lions whip up pancake frenzy

The crowd was steady during Saturday's Lions Pancake Day. Breakfast began at 7 a.m. with club members serving pancakes, sausage, coffee and juice. Serving continued until 3 p.m.

Lions President Tom Brannan said more than 100 had already been served by 8 a.m. Money raised by this event pays for Lions Club scholarships, Christmas baskets and other community projects.

## County says no to checkup

By CYNTHIA HAYNES

Kansas is offering a free audit for landfills but Norton County commissioners are uncertain if they want any more "help" from the state on the landfill that they have been trying to get open for more than two years.

Solid Waste Supervisor Curt Archibald told the commissioners about the state project to help counties with their landfills by having a person come out and look at them and give a report.

The findings, commissioners have been told, are just so they'll know what condi-

tion their landfill is in. The report will not be used against the county because a landfill doesn't meet certain standards.

"(It's) been made very clear that no repercussions will come out of this," Commissioner John Miller said. "Do we trust big brother, who says there are no repercussions?"

"What if six months later they come back and say all small arid landfills have these problems so we're going to close all of them," Mr. Miller said.

Commissioner Dean Kruse agreed with

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## Halloween Parade will be Oct. 27

The Halloween Parade and Wiener Roast will be held Thursday, Oct 27, in downtown Norton.

The Norton Volunteer Fire Department and the Norton Area Chamber of Commerce will again co-sponsor the event.

Those who want to be in the parade need to assemble in the parking lot behind Hall's Clothing at 6 p.m. Norton County Sheriff Troy Thomson and his wife Chriselle will be dividing the children into groups from pre-school to

sixth grade. Representatives of Developmental Services of Northwest Kansas and others will be holding a sign for each age group to direct where to line up.

The parade will begin at 6:30 p.m. and will move east along Main Street to State Street, then south to Washington Street and east to the fire department's station house.

When the parade reaches the station house, a free wiener roast will begin. (Continued on Page 5)

## Blue Jay 'voice' honored at Friday's game

By DICK BOYD

For 26 years, Norton's Larry Black was the "radio voice of the Blue Jays" sports teams, but he's been out of circulation for a year and was taken by surprise Friday when he received a gift from a stadium full of Norton fans.

Just prior to the kickoff of the Norton-Thomas More Prep football game, Larry was sitting with wife, Terri, in the stands when Bruce Poage, "voice of the Blue Jays announcer", directed everyone's attention to the track for a presentation.

Moments later, a stunned Mr. Black walked down the stadium steps to receive a Norton Blue Jay football helmet which had been signed by many, many Norton fans and former athletes. Making the presentation was Norton Community High School Athletic Director Larry Mills.

"During the 1979 football season, Larry Black began broadcasting Blue Jay football games and other sports competition for Norton's KQNK Radio," Mr. Poage said. "He continued to broadcast games through the 2004 season. That is 26 years of telling us about hundreds of plays made by many memorable Blue Jay athletic teams. Over hundreds of miles through rain, sleet, ice and snow, Larry was there.

"Larry's knowledge of the game, his ability to make the game seem real, his instantaneous relaying of the action and his unbridled enthusiasm quickly earned him the title of 'radio voice of the Blue Jays'.

"Larry built a great following of local radio fans. The advent of the Internet quickly expanded this listening audience to a worldwide theatre as Blue Jay fans across

(Continued on Page 5)



In their living room on Saturday, Norton's Larry Black and wife, Terri, read the many, many names of Norton sports fans and athletes on the Norton football helmet presented to him by Blue Jay fans prior to the football game here Friday night. — Telegram photo by Dick Boyd

# Blazer catches fire Sunday night

A vehicle fire had the Norton City Fire Department out Sunday night. At 8:35 p.m. Sunday, the fire department responded to 405 E. Holme, where a 1997 Chevrolet Blazer, belonging to Veronica Monier, was on fire. Fireman Curt Luehrs, Norton, was driving back into town when he noticed the fire and called it in. Mr. Luehrs put the initial flames out with a portable fire extinguisher. Sixteen men and three trucks arrived to fight the blaze, which was caused by an electrical short in the dash. They were at



A 1997 Chevrolet Blazer was totaled after an electrical fire started in the dash on the driver's side. The scene for about 30 minutes. Blazer appeared to be a total loss. No one was injured.

# Halloween Parade set for Oct. 27

(Continued from Page 1) Kids will be able to get apples and candy in trick or treat bags from employees of the Norton County Hospital. The wiener roast is financed through donations from businesses and individuals in the



Norton area. This year the candy will be donated by the hospital. All children are invited to participate. For more information, call the Norton Area Chamber of Commerce office at 877-2501.

# Football announcer honored at game

(Continued from Page 1) the country and even around the world were able to follow the Blue Jays. "It is with great pleasure and appreciation that we present this Blue Jay football helmet to Larry. Over the past year, this helmet has been signed by many who have been involved in the Blue Jay football tradition as well as the other Norton sports. "Congratulations, Larry, and thank you so very much for all you

did to help build Blue Jay pride." During the first 15 years of his job, he was assisted in the broadcasts by Steve Herrs, Trent Richmond, Craig Foley and Eric Farber have also provided color assistance. When Mr. Black changed careers a year ago to become a full-time counselor with the Valley Hope Association, Mr. Farber knew there had to be some way to thank him for all his years of service. He came up with the helmet idea and spent most of the year

carrying the helmet to Norton sporting events to get signatures. "I've never been so honored in my life," said Mr. Black. "I'm so thankful. "Those names on the helmet remind me of the highlights of my life. Doing those broadcasts, I've seen some of the most incredible people pass through." The Norton Blue Jay Booster Club has also honored Mr. Black with the Blue Jay Booster of the Year Award.

# Commission says no to landfill checkup

(Continued from Page 1) him, noting that the Norton County landfill has just been checked by the state and isn't even open yet. "We've gone through the most rigorous process. I don't see we need any more." Mr. Archibald said he didn't see how it could hurt to have another person check the landfill. Mr. Miller suggested he call other landfill operators in the area and see what they are doing.

"I don't see a lot of down side for us," Mr. Miller mused. "We're not open." "I do. I see nothing but down sides," Mr. Kruse said. County Councilor Doug Sebelius noted that many groups including Valley Hope have an outside committee come in to check their facilities before they get audited so they can find out the problems before they're inspected. "But," he said, "I'm not sure we would have any time to do what

this guy would suggest. I'd feel a lot better about it if we had the final OK. We might like to participate but we don't see any reason to at this time." Mr. Miller did say that he felt the landfill needs more windscreens to keep trash from blowing and suggested that Mr. Archibald talk to Road and Bridge Supervisor Tom Brannan about having his crew build some more this winter when there's less work to do on the roads.

# Local man charged with sexual battery

A Norton County farmer was arrested by the Norton County Sheriff's Department Thursday and charged with sexual assault for allegedly making unwanted advances against a 16-year-old boy. Jay Harold Holste faces two counts of sexual battery and one of lewd and lascivious behavior after the Norton boy accused him of "unlawfully and intentionally touching" the youth without his

consent with "the intent to arouse or satisfy the sexual desires of the offender" on July 19 and Aug. 5. Mr. Holste was also accused by the same boy of exposing himself on July 19. The two counts of sexual battery are class A person misdemeanors and the count of lewd and lascivious behavior is a class B non-person misdemeanor. Mr. Holste was booked into the

Norton County Jail. He posted a \$3,500 bond Thursday afternoon, of which he paid \$350 or 10 percent. He is to make his first appearance in the district court at the Norton County Courthouse at 1 p.m. on Wednesday, Oct. 26, before District Magistrate Judge Deb Anderson. Mr. Holste is married and has three daughters.

# PUBLIC NOTICE

## Premier Pork Inc. Class Action Settlement

Published in The Norton Telegram on Friday, October 14 and Tuesday, October 18, 2005. (2T) IN THE DISTRICT COURT OF SCOTT COUNTY, KANSAS PREMIER PORK INC., on behalf of itself, And all others similarly situated, Plaintiff, V. RHONE-POULENC S.A., RHONE-POULENCAG COMPANY, INC., RHONE-POULENC ANIMAL NUTRITION, INC., DEGUSSA-HULSAG, DEGUSSA-HULS CORPORATION, MITSUI & CO. U.S.A., INC., MITSUI & CO. LTD., NIPPON SODA COMPANY, LTD., and NOVUS INTERNATIONAL, INC., Defendants.

Case No. CV2000-3 NOTICE OF CLASS ACTION SETTLEMENT To: INDIRECT PURCHASERS OF METHIONINE CONTAINING PRODUCTS FOR LIVESTOCK IN KANSAS FROM JANUARY 1, 1985-December 31, 2002. PLEASE READ THIS NOTICE CAREFULLY. YOUR RIGHTS MAY BE AFFECTED. THIS NOTICE IS NOT AN EXPRESSION OF ANY OPINION BY THE COURT AS TO THE MERITS OF ANY OF THE CLAIMS OR DEFENSES ASSERTED BY EITHER SIDE IN THIS LITIGATION. THE SOLE PURPOSE OF THIS NOTICE IS TO INFORM YOU OF THE LAWSUIT AND SETTLEMENT SO THAT YOU CAN MAKE AN INFORMED DECISION AS TO WHETHER YOU SHOULD REMAIN IN OR OPT OUT OF THIS CLASS ACTION. BACKGROUND OF THE CASE The Plaintiff, who is: a Kansas livestock owner, alleges that from January 1, 1985-December 31, 2002, Defendants violated the Kansas antitrust laws by conspiring or combining to fix the price and control the market for methionine. Methionine is an animal feed amino acid added to feed rations for poultry, dairy and beef cattle, turkeys and swine, and can be purchased either as pure methionine or incorporated into feed rations (hereinafter collectively referred to as "Methionine"). The Plaintiff alleges that as a result of the Defendants unlawful conduct, the price of Methionine was substantially higher than it would have been otherwise in a competitive market. Consequently, Class Members paid substantially higher prices for Methionine than they should have during the time period January 1, 1985 to the end of 2002. The Defendants deny these claims and charges.

CLASS ACTION RULING On May 1, 2004, the Court ruled, over Defendants' objections, that this lawsuit may be maintained as a class action for: All persons and entities (excluding all government entities, defendants, and other manufacturers of Methionine and their respective subsidiaries, affiliates, officers and directors) who purchased Methionine in the State of Kansas for end use as an animal feed additive (excluding pet feed for dogs, cats, birds and fish) indirectly from any of the Defendants at any time during the period January 1, 1985 through the end of 1998. THE SETTLEMENT All Defendants continue to contest the class action ruling and dispute that they have any liability in this case, but after substantial discovery on the merits of Plaintiffs allegations, the Defendants agreed to settle in order to avoid the further expense and inconvenience of protracted litigation and the uncertain risks inherent in litigation. Certain Defendants also agreed to expand the class for settlement purposes to include middlemen purchasers of Methionine. The Settlement Class is: All persons and entities who purchased Methionine for livestock in the State of Kansas from anyone other than directly from one of the Defendants from January 1, 1985-December 31, 2002. However, the Settlement Class is broken down into two separate classes as there were separate settlements for end users and the middlemen who sold to end users. A. THE SETTLEMENT END-USER SUBCLASS YOU ARE AN END-USER SETTLEMENT CLASS MEMBER if you purchased Methionine in Kansas for end use in livestock but not for resale between January 1, 1985-December 31, 2002. ("Settlement End-User Settlement Subclass Member"). YOU ARE NOT A SETTLEMENT END-USER SUBCLASS MEMBER if you purchased Methionine: (1) directly from one of the Defendants, (2) for resale, (3) outside Kansas, (4) for pets or human consumption, or (5) for the government. Under the terms of the Settlement Agreement, the Defendants have agreed to pay a total of \$ 1,600,000 to the Settlement End-User Subclass into an interest-bearing account if and when the settlement becomes final. If the settlement is finally approved by the Court and becomes effective, certain of these funds will be used to pay Court-approved administrative expenses, litigation costs, including attorneys' fees up to 33% of the total settlement amount. The Named Plaintiff, Premier

Pork, Inc. and its principal who testified in this case, which enabled the case to proceed on behalf of the class, will each request an incentive award of \$7,500. B. THE MIDDLEMAN SETTLEMENT CLASS YOU ARE A MIDDLEMAN SETTLEMENT CLASS MEMBER if you purchased Methionine in Kansas for resale between January 1, 1985-December 31, 2002. ("Middleman Settlement Class Member"). YOU ARE NOT A MIDDLEMAN SETTLEMENT CLASS MEMBER if you purchased Methionine: (1) directly from one of the Defendants, (2) outside Kansas, (3) for pets or human consumption, or (4) for the government. Under the terms of the Settlement Agreement, certain Defendants have agreed to pay a total of \$75,000 to the Middleman Settlement Class into an interest-bearing account if and when the settlement becomes final. If the settlement is finally approved by the Court and becomes effective, certain of these funds will be used to pay Court-approved administrative expenses, litigation costs, including attorneys' fees up to 33% of the total settlement amount. The Named Plaintiff, Premier Pork, Inc. and its principal who testified in this case, which enabled the case to proceed on behalf of the class, will each request an incentive award of \$7,500. C. SETTLEMENT PROCEEDS DISTRIBUTION After payment of Court approved costs, fees, and incentive awards to the Named Plaintiff and its principal, the remainder of the Settlement proceeds for the two settlement classes will be distributed as follows:

1. Cy Pres distributions to universities and community colleges which function in mainly rural, livestock producing areas of the state in the amounts set forth below for scholarships to be presented annually in the amount of \$5,000 to an entering student interested in agriculture, economics, or teaching:
  - a) Emporia State University \$30,000
  - b) Pittsburg State University \$30,000
  - c) Fort Hays State University \$30,000
  - d) Garden City Community College \$20,000
  - e) Seward County Community College \$20,000
  - f) Dodge City Community College \$20,000
2. Remaining funds after the cy pres distribution shall be distributed as follows:
  - a) Settlement End-User Subclass will be distributed based on the proportion of Methionine each claimant has to the total Methionine of all claimants, who have not participated in previous methionine settlements. The Claims Administrator shall be provided with a list of the percentage of Methionine contained in various animal feeds for guidance from Plaintiffs and Defendants based on known feeding formulas requirements set forth in animal nutrition guidelines. Although the number of claimants or the size of each claim cannot be known at this time, no claimant will receive more than 200% of the approved Methionine claim. Remaining funds, if any, after distribution to the Settlement End-User Subclass will be distributed pro rata to the annual university and community college scholarship funds set forth above.
  - b) Middleman Settlement Class will be distributed based on the proportion of Methionine each claimant has purchased to the total Methionine purchases of all claimants, who have not participated in previous methionine settlements. Although the number of claimants or the size of each claim cannot be known at this time, no claimant will receive more than 200% of the approved Methionine claim. Remaining funds, if any, after distribution to the Middleman Settlement Class will be distributed pro rata to the annual university and community college scholarship funds set forth above.

ELECTION BY SETTLEMENT CLASS MEMBERS If you fit the above description of a Settlement End-User Subclass Member or a Middleman Settlement Class Member, you have a choice whether or not to remain in the particular Subclass on whose behalf this lawsuit is being maintained and has been settled. You should understand the consequences of this choice in making your decision. 1. If you want to remain a member of the particular Settlement Subclass, you do not have to do anything at this time. By remaining a Settlement Class Member, any claims you have against the Defendants for damages under the Kansas antitrust laws arising from the Defendants' conduct as alleged by the Named Plaintiff will be settled as set forth above, you will share in that settlement as set forth above, and your claims against the Defendants will be released. As a member of the Settlement Class, you will be represented by Lead Class Counsel, Rex A. Sharp and Isaac L. Diel, but you will not be personally responsible for their fees or expenses since they will be paid out of the settlement proceeds. You may, of course, hire your own counsel to

represent you in the settlement at your own expense. You also have the right to object to the settlement. If you have questions, you may write to the Claims Administrator, Hay, Rice & Associates at P.O. Box 668, Liberal, KS 67905, or review additional materials at www.ksmethioninesettlement.com. 2. If you want to be excluded from either Settlement Subclass, you must notify the Claims Administrator, Hay, Rice & Associates at P.O. Box 668, Liberal, KS 67905 of your desire to be excluded by: (1) writing (not email or telephone), (2) stating your name, address, and telephone number (and that of attorney representing you, if any), (3) the amount of Methionine you purchased from January 1, 1985-December 31, 2002 or a good faith estimate of the amount of such purchases, and (4) mail the written exclusion so that it is received no later than January 2, 2006. By making this election to be excluded: (a) you will not share in any settlement that might be paid to Settlement Class member as a result of the settlement of this lawsuit; (b) you will not be bound by any decision in this lawsuit favorable to the Defendants and will not benefit from any decisions in this lawsuit favorable to the Named Plaintiff, and (c) you may present any claims you may have against the Defendants by filing your own lawsuit at your own expense. The filing of any objection to the settlement will not extend this exclusion deadline. If you are excluded, you have no right to object to the settlement.

HOW TO SHARE IN THE CASH SETTLEMENT To share in the settlement proceeds of either Settlement Subclass set forth above, you must submit by mail a completed and signed Proof of Claim and Release no later than January 2, 2006 to the Claims Administrator. The Proof of Claim and Release can be obtained by written request to the Claims Administrator using the tear off form below and also can be obtained at www.ksmethioninesettlement.com. FURTHER PROCEEDINGS THE COURT has scheduled a hearing on January 31, 2006 at 1:30 p.m. in the Scott County Courthouse, 303 Court Street, Scott City, Kansas, 67871, for the purposes of determining whether (1) the Settlement Agreement is fair, adequate and reasonable and should be given final approval, (2) whether the Named Plaintiff and its principal should receive an incentive award and how much, (3) the amount of attorneys' fees and costs that should be awarded to Lead Class Counsel, and (4) interim payment of expenses to the Claims Administrator. Although you may attend this hearing, you are not required to do so to participate in the settlement. If you are a member of either Settlement Subclass and wish to support or object to the Settlement Agreement in writing or be heard at the hearing, you must file a sworn statement with the Clerk of the District Court of Scott County, 303 Court Street, Scott City, Kansas, 67871, which must include: (1) the class member's complete name and either business or residential address (and the lawyer representing you, if any), (2) a statement that you are either a Settlement End-User Subclass Member or Middleman Settlement Subclass Member based on the criteria set forth above, (3) each reason for support or objection to the settlement along with any supporting papers you wish the Court to consider, (4) the statement must be received by the Clerk on or before January 2, 2006. The date of the hearing may be changed by court order without further notice to the class. You may learn of any such change by checking the court record or consulting the website identified above.

ADDITIONAL INFORMATION Any questions you have concerning the matters contained in this notice should not be directed to the Court but should be directed in writing to the Claims Administrator at Hay, Rice & Associates, P.O. Box 668, Liberal, KS 67905 or by referring to the website at www.ksmethioninesettlement.com. The pleadings and other records in this litigation may be examined at any time during regular office hours at the Office of the Clerk, Scott County Courthouse, Scott City, Kansas.

DO NOT CALL THE COURT OR THE CLERK OF THE COURT. Signed: Robert J. Frederick District Court Judge REQUEST FOR CLAIM FORM Name (print): \_\_\_\_\_ Business Name (print): \_\_\_\_\_ Address: \_\_\_\_\_ City: \_\_\_\_\_ KS Zip Code: \_\_\_\_\_ Telephone No. \_\_\_\_\_ Fax No. \_\_\_\_\_

State of Kansas County of Scott ss \_\_\_\_\_

I do hereby certify the foregoing to be a true copy of the document which is filed or is of record in my office. Dated 10-3-05 Darlene Kohman Clerk of District Court

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**Sorry, no price adjustments given on previous purchases.**

**EXAMPLE OF SAVINGS**

<b>LADIES' CAREER JACKET:</b>	
<b>Original Price:</b>	<b>\$100</b>
<b>Current Price:</b>	<b>\$25</b>
<b>EXTRA 30% OFF:</b>	<b>\$10</b>
<b>YOUR PRICE:</b>	<b>\$15</b>
<b>YOU SAVE:</b>	<b>\$85</b>

**EXAMPLE OF SAVINGS**

<b>SHIRT:</b>	
<b>Original Price:</b>	<b>\$59.50</b>
<b>Current Price:</b>	<b>\$14.87</b>
<b>EXTRA 30% OFF:</b>	<b>\$5.95</b>
<b>YOUR PRICE:</b>	<b>\$8.92</b>
<b>YOU SAVE:</b>	<b>\$50.58</b>

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