

dailyneb.com

the long and winding road leads to this.

WEEKENDS FREE?

- men and women
- 19 to 55 years old
- smokers and nonsmokers
- availability: weekend stays

MDS Harris

Together We're Making Lives Better

EARN \$500 TO \$1,722
Call 474-PAYS

ASSIST MEDICAL RESEARCH

Court rules against Babydolls

Judge Warren Urbom refuses restraining order against Lincoln's no-touching ordinance.
BY JOSH FUNK

After watching two videotaped couch dances, a federal judge ruled that what the dancers at Mataya's Babydolls do could hardly be called dancing.

U.S. District Court Judge Warren Urbom refused to grant a temporary restraining order that would have kept the city from enforcing its no-touching ordinance after Friday's six-hour hearing.

"I don't think that the common usage of the term dancing would fit," Urbom said of the couch dances.

Assistant City Attorney Connor Reuter showed portions of two surveillance videos seized from Babydolls during an Aug. 11 raid.

Most of the activity could better be described as dancers "lying on (patrons) and vigorously moving in a manner to simulate sexual intercourse," Urbom said in his decision.

Babydolls owner John Ways

Jr. had challenged the city's ordinance banning sexual contact by arguing that the rule was too broad and his club should be exempt.

After the ruling, Ways said he planned to continue his business as usual with a few modifications to the couch dances.

"The city decided to show two tapes to shock the judge. I can augment that," said Ways, who would not elaborate on his plans.

Friday's hearing was just the latest in Ways' fight against the city's regulation, which dates back to February when the city passed its first ordinance banning sexual contact between employees and patrons in Lincoln businesses.

In March, Urbom blocked enforcement of that law because it had no exception for theaters, concert halls or other artistic venues where some performances, such as ballet, could violate the rule.

The city repealed the first ordinance in April and passed a new law which included an exclusionary clause that Urbom had recommended.

On Aug. 11, Lincoln Police

raided the juice bar at 5620 Cornhusker Highway and cited five dancers, six customers and two employees, including Ways, for violating the new ordinance.

Last week, Ways filed a lawsuit challenging the new ordinance on overbreadth, vagueness and the claim that his club should qualify for protection as a theater.

Prior to the passage of the new ordinance, Ways had renamed his business "Mataya's Babydolls Gentlemen's Theatre Club."

Urbom rejected the notion that calling a business a theater makes it so, and he affirmed the city's ordinance saying that a reasonable person could understand it.

Friday's ruling lets the city continue to enforce its ordinance, but it does not decide the underlying lawsuit, which Ways could still pursue. In his decision, Urbom said the suit did not have a high probability of success.

The citations for violating the city ordinance, which carry a maximum penalty of six months in jail and/or a \$500 fine, are expected to be heard in county court in early September.

HOMER'S recommendations!

ON SALE NOW!



NED PE
Broke
\$13.98 CD

With the underground's infestation of a TRL universe now firmly in place, (NED) began recording their new album, *Broke*. It will reset the bar for modern, hard music. Their bracing alchemy of metallic guitars, jagged, hip-hop laden beats, samples and punk chaos have been welded into songs that are now indelible without compromise. It's the soundtrack for a new generation of stank, peep it.

• NED PE AS HEARD ON MTV •
Enter to win a NED PE wallet & t-shirt



MELISSA FERRICK
Freedom
\$12.98 CD

Armed with her new release, *Freedom*, singer/songwriter Melissa Ferrick has many reasons to declare herself free, and all of the talent to express it. Perhaps the most liberating part of Melissa's new project is that *Freedom* was written, performed, recorded, and produced almost entirely by herself, and certainly on her own terms. Her last album earned Best Folk Rock Band at the 1999 Boston Music Awards and was nominated as Album of the Year by the 1999 Gay & Lesbian American Music Association.



NICKELBACK
State
\$11.98 CD

Nickelback's sound is a maelstrom of energy filled with powerful hooks and anthemic choruses. Produced by Dale Pennier and mixed by Garth Richardson (Rage Against The Machine, Red Hot Chili Peppers) THE STATE has taken the Canadian charts by storm with their lead off single, "Leader of Men". If you are a fan of Creed, Everclear, or Foo Fighters, you'll love Nickelback!

• Featuring the songs "Leader of Men" & "Breathin'" •



BERNARD ALLISON
Across The Water
\$12.98 CD

Across The Water is the new release from one of today's hottest blues stars, Bernard Allison. This is a powerhouse blues rock record, with a strong, radio-friendly sound, brimming with Bernard's trademark searing lead and slide guitar work, while showcasing his powerful vocal prowess and mature songwriting.



SUNNA
One Minute Science
\$12.98 CD

Jon Harris is the voice and visionary behind Sunna, perhaps the most unpredictable, and most illuminating band to come out of the UK in a very long time. *One Minute Science* is a macabre, dark, and sinister post-millennial rock album, brooding with savage intent and ravaged passion. Aggressive guitars melt into looped beats and staccato rhythms, while the vocals are so tight, so taut, you could practically chew on them.



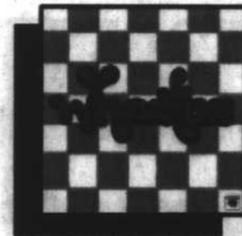
FINGER ELEVEN
Greyest of Blue Skies
\$12.98 CD

Finger Eleven is an instinct that lives in the back of your brain. It's a decision made true to yourself with a complete disregard of outside influence. After a smashing debut album and a tour with the likes of Days of the New and Creed, they're back. The new album is a hook-heavy, loud, emotionally harrowing listening experience. Layered, dreamy, dark soundscapes are smacked awake by an explosive guitar attack. It is an album you listen to from beginning to end.



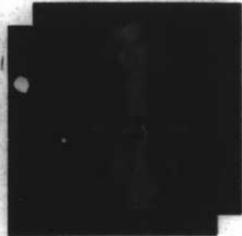
BLUE OCTOBER
Consent To Treatment
\$8.98 CD

Blue October became hugely popular in their hometown before signing to Universal Records. They've been on the road playing gigs throughout the south and midwest. Their sound is unique - rock music with incredible lyrical content plus a violinist that adds an extraordinary sound to the band. At times they have a U2, Radiohead sound. See them on the road all year long or see them when you can...they ROCK!



WHEATUS
Wheatus
\$13.98 CD

You're about as likely to win three-card monte as see a major record label let a new band self-produce its debut. Then along comes Wheatus, from Long Island, New York. "We wanted to make a record by ourselves," says Brendan B. Brown, the vocalist, the guitarist, the songwriter and an AC/DC/Willie Nelson-Panca-Madonna devotee. And that's just what they did. Wheatus was made the Wheatus way. By Wheatus. For Wheatus. Now, Wheatus is for everybody.



SHELBY LYNNE
I Am Shelby Lynne
\$8.98 CD

I Am Shelby Lynne is a knock-out, intimate, turbulent album. Lynne has written some of her most beautiful melodies sketching narrative stories about pain, inner turmoil, lost love and injustice. "Every song is about my true feelings. This is a record about my acceptance of me," says Shelby. *I Am Shelby Lynne* is a landmark album by one of the purest voices in any genre of music.

• CIVIC AUDITORIUM 10/10 •



ONE WAY RIDE
Straight Up
\$8.98 CD

The timeless and uplifting debut album was born out of both adversity and diversity. The introspective and humanistic songs reflect the singer/songwriter's years of turmoil, triumph, musical growth and exploration. *One Way Ride* are creating classic rock for a new generation, and as the band themselves note, "we fit in a lot of different categories. You can sing our songs. And they can be done heavy or melodically or both. We're a young, fiery band, but with strong traditions and influences."



THE 9's
The 9's
\$8.98 CD

The long awaited debut album from The 9's is here! A product of pop music's evolution, The 9's prove that songwriting, catchy hooks and soulful funk are not a thing of the past. From the uplifting push of "Me, You and Everybody" to the classic soul grind of "I Don't Want My Girl Doing Things I Can Get The Other Girls To Do," The 9's revitalize classic pop with new a voice.

• TRINITY 8/15 & 8/16 •



NO CAIUS
Living
\$12.98 CD

Available now at Homers! *Living* features the "Nothem Family" with the smash hits "It's My Darling" and "When Do We Go." **NO CAIUS & THE MAYHEM FAMILY** bring it to you like no other from the streets of the Big O. Not responsible for lost or stolen items. Please listen responsibly.

MEET & HEAR
8/24 5pm @ Old Market
8/24 @ The Music Box

afterlife
street date 8/29
at the ranch bowl on 9/1

FREE KQCH CHANNEL
97.7

BOOKCOVERS EXCLUSIVELY @ HOMER'S

HOMER'S
Since 1971



www.homersmusic.com
Sale prices effective August 18 to September 14, 2000