

News Digest

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MP3.com ordered to pay for violating laws

THE ASSOCIATED PRESS

NEW YORK — A federal judge Wednesday ordered MP3.com to pay as much as \$250 million to Universal Music Group for violating the record company's copyrights by making thousands of CDs available for listening over the Internet.

U.S. District Judge Jed S. Rakoff punished the online music-sharing service at \$25,000 per CD, saying it was necessary to send a message to Internet companies.

Universal Music Group, the world's largest record company, had urged a stiff penalty in a case closely watched by Napster and other businesses that share music or other copyrighted material over the Internet.

The judge said some Internet

companies "may have a misconception that, because their technology is somewhat novel, they are somehow immune from the ordinary applications of laws of the United States, including copyright law."

He added: "They need to understand that the law's domain knows no such limits."

MP3.com said it will appeal. The company had argued that a penalty of any more than \$500 per CD would be a virtual "death sentence."

Shares of MP3.com were halted before the decision; the most recent trade was at \$7.88 per share, down 68.8 cents on the Nasdaq Stock Market.

Universal was the only plaintiff. The nation's four other major record companies settled with MP3.com after Rakoff found earli-

er this year that MP3.com had violated copyrights. The amount of the settlements was not disclosed, but MP3.com set aside \$150 million recently to cover its legal costs.

Universal lawyer Hadrian Katz had asked the judge to award the record company up to \$450 million because MP3.com had copied 5,000 to 10,000 of its CDs.

"Music is a media and the next infringement may be very different," Katz said. "It may be video or it may be film or it may be books or it may be something very different."

MP3.com lawyer Michael Rhodes argued that Universal did not deserve what he described as a windfall. "There's not one iota of evidence that they even lost a penny," he said.

MP3.com chief executive

Michael Robertson testified that the company went to great lengths to develop software that would require customers to prove they already own CDs before they were permitted to hear their favorite tunes over the Internet.

In January, the company began the MyMP3.com listening service, which allows customers to hear CDs from anywhere once they prove they own them by inserting them into a computer CD slot.

MP3.com, Rhodes said, suspended the illegal aspects of the service when the judge ruled earlier this year that MP3.com was violating copyrights. The company then sought to negotiate deals with the record companies.

Earlier this year, a federal judge issued an order that would have virtually shut down

"There's not one iota of evidence that they even lost a penny."

Michael Rhodes
MP3.com lawyer

Napster's music-sharing service. The injunction, which is on hold pending an appeal, was sought by the Recording Industry Association of America, which sued Napster for copyright infringement.

Unlike Napster, which allows individuals to swap music in the popular MP3 format, MP3.com allows people to listen to songs but not download them to their computers. MP3.com has an online catalog of 80,000 CDs.

Tuna industry under criticism

THE ASSOCIATED PRESS

TOKYO — Already under criticism for expanding its annual whale hunt, Japan is bracing for an even bigger fishing dispute with the United States — over how to regulate the lucrative tuna industry.

At a 24-country conference on migratory fish that ended Tuesday, Japan was one of five participants that refused to agree to a U.S.-backed proposal to establish a commission to regulate the catch of tuna in the western and central Pacific Ocean.

The parting of ways came less than a week after U.S. officials boycotted a United Nations environmental conference held in southern Japan in protest over Japan's decision last month to scale up its whaling activities for research purposes.

A Japanese government official said Wednesday that Japan was opposed primarily to the proposed tuna commission's decision-making rules, which in most cases don't allow members to dissent from a majority decision.

"Every country has its own set of circumstances, and there is a possibility that the majority will agree to some regulations that simply can't be implemented by one country or another," said Ikuo Takeda, an official in the Fishery Agency's International Division.

He was speaking a day after members of the Japanese delegation in Honolulu warned that Japan might ignore any new regulations if its concerns were not taken into account.

Two-thirds of the world's tuna is caught in the region and is valued at \$1.5 billion to \$2 billion a year.

While Pacific tuna stocks are not currently threatened, supporters of the agreement said it is necessary to ensure their future.

The agreement allows the commission to set limits on how many fish could be caught, where they could be taken, the times of the year fishing would be permitted and what type of gear could be used.

Besides Japan, South Korea opposed the deal, while China, France and Tonga abstained.

Tokyo is weathering a storm of international criticism raised in late August when Japanese fishermen killed sperm and Bryde's whales for the first time in more than a decade.



Michael Smith/Newsmakers

MAD VOLUNTEER: Mothers Against Drunk Driving volunteer Deanna Hoskins becomes emotional during a 20th anniversary rally outside the U.S. Capitol on Wednesday in Washington D.C. Six hundred drunk driving victims and activists called on Congress to enact pending legislation to lower the drunk driving limit to .08 blood-alcohol content in every state.

World/Nation

The Associated Press

Connecticut

Collection of African documents given to college

TORRS — The African National Congress is giving thousands of boxes of documents, including some of Nelson Mandela's anguished personal letters, to the University of Connecticut.

South African officials said the archive, launched Wednesday, will remind the world how decades of brutal white rule were overcome.

"It is a disease which, if we are not able to cure it, will repeat itself in the 21st century," said Frene Ginwala, the speaker of South Africa's parliament and a prominent ANC leader.

The \$1.1 million project will take several years to set up.

The collection will focus on documents that were kept secret for years, from schoolchildren's drawings to the correspondence of leaders such as Mandela, South Africa's former president and Chris Hani, the late leader of the ANC's military wing.

Canada

Ten arrested in Toronto, Vancouver drug seizure

TORONTO — Canadian police said Tuesday they made one of the largest heroin seizures in the nation's history, confiscating 343 pounds of illicit drugs, some packed into fake duck eggs.

According to police officials, 10 ethnic Chinese in Toronto and Vancouver were arrested on drug smuggling and possession charges after police and border patrol agents intercepted two separate shipments.

Police had been investigating Asian drug smugglers in separate investigations since last year. While the shipments arrived separately in Toronto and Vancouver, police believe they were linked because of the amount of heroin involved and the proximity of their arrival.

The first shipment was seized Aug. 31 in Toronto and contained 125 pounds of heroin, along with 37 pounds of ecstasy pills hidden inside fake duck eggs, said Supt. Ben Soave of the Royal Canadian Mounted Police.

East Timor

Wild rampage in Indonesia casts shadow over U.N.

DILI — Thousands of armed militiamen and their supporters rampaged through a U.N. office in West Timor, killing at least three workers — including one from Puerto Rico — and burning their bodies.

The brutal attack brought new pressure against Indonesia's president as he gathered with world leaders at the United Nations.

Four U.N. helicopters swooped down to the border town of Atambua and safely evacuated 54 people, but world leaders quickly and harshly punished Indonesia for not doing more to protect aid workers.

Witnesses said Indonesian security forces stood by as the mobs torched the U.N. office and beat the workers.

The unprecedented violence — one U.N. official said it was one of the worst attacks on U.N. personnel anywhere in the world — cast a shadow over the U.N. Millennium Summit, which opened Wednesday in New York.

Texas

Law banning same sex marriages overlooked

SAN ANTONIO — A woman and a transsexual, who was born a man, obtained a marriage license Wednesday, taking advantage of a court ruling that defines gender only by chromosomes.

Jessica Wicks and Robin Manhart Wicks, who took Jessica's surname this year, were allowed to get their license, even though they consider themselves a same-sex couple. Had Jessica Wicks been born a woman, their marriage would be illegal.

However, because of a state appeals court ruling that said chromosomes determine gender, the two will be able to wed.

Phyllis Randolph Frye, an attorney for the Wicks, said the couple has advanced the rights of gays, lesbians and transsexuals across the country.

Plea bargain sends man to jail

Former doctor pleads guilty to poisoning patients in two states.

THE ASSOCIATED PRESS

CENTRAL ISLIP, N.Y. — A former doctor suspected in a string of poisoning deaths on two continents, pleaded guilty Wednesday to killing three patients in a Long Island hospital and was sentenced to life in prison without parole.

Prosecutors said Michael Swango killed for pleasure, and they read entries from a handwritten journal in which he mused about "the sweet, husky, close smell of indoor homicide." Another entry suggested that murder was "the only way I have of reminding myself that I'm still alive."

Swango, 45, pleaded guilty to three counts of murder in a plea bargain that spared him the possibility of the death penalty.

He was accused of giving lethal injections to three patients in 1993 at the Veterans Affairs Hospital in Northport.

He also pleaded guilty to lying on his resume' to get medical jobs. Swango also is suspected of poisoning patients in Zimbabwe and served time in prison for poisoning co-workers in Illinois.

A book about him, "Blind Eye: The Story of a Doctor who Got Away with Murder," suggests that Swango may have killed as many as 35 patients as he moved from hospital to hospital, lying about his background.

According to the book, Swango was dubbed "Double-0 Swango" by classmates

at Southern Illinois University Medical School, who joked that he had a "license to kill" just like James Bond, Agent 007, after several of his cases ended in death.

Under the plea bargain, Swango will return to Ohio to acknowledge the murder of a 19-year-old gymnast killed in 1984 by a dose of potassium at Ohio State University's hospital. As part of the plea agreement, Zimbabwe agreed not to pursue charges.

"I just hope Michael spends the rest of his life in a living hell," said Carol Fisher, whose father, Thomas Sammarco, was one of Swango's Long Island victims.

"Unfortunately, there are maniacs like Swango in this world," said Rosalinda Conroy, whose stepfather, George Siano, was murdered. "You just don't think they're going to be your doctor."

After the 1984 death in Ohio, Swango returned to his Quincy, Ill., home and worked as an emergency medical technician.

That job ended with his conviction for lacing co-workers' coffee and doughnuts with ant poison. Five of them became ill, and Swango served two years. He also lost his medical license.

In 1993, he landed a residency in New York state by lying on his job application. He was dismissed after his record became public knowledge, and he went to Africa. Within a year, patients in a Zimbabwe hospital showed signs of poisoning.

He was suspended there in 1995, and was arrested two years later in Chicago as he was boarding a flight to Saudi Arabia for a new medical job

Lieberman to run for senate, vice presidency

THE ASSOCIATED PRESS

HARTFORD, Conn. — Sen. Joseph Lieberman can run for both the vice presidency and re-election to the Senate, the state Elections Enforcement Commission confirmed Wednesday.

The panel's general counsel, Jeffrey Garfield, rejected the complaint of a politics professor who said Lieberman's re-election campaign was "frivolous" and "irresponsibly self-indulgent" and urged that he be eliminated from the Senate ballot.

Lieberman had already announced his intention to run for re-election when Al Gore selected him to be his running mate. If elected to both offices, Lieberman would have to resign from the Senate.

Garfield said a 1964 written opinion by the attorney general found that state election laws permitted such a dual candidacy.

Garfield said he had informed Fairfield University Professor John Orman of his decision.

Orman said Wednesday he was deciding whether to press his case further.

Weather

TODAY
Thunder storms
high 81, low 58

TOMORROW
Partly cloudy
high 82, low 65

Daily Nebraskan

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