

# Slain gunman's motive sought

**THE SCENE:** Awakening to gunfire, resident steers drivers from danger

By Shelby Webb

At first, Lee Williams thought the three loud bangs that woke him Monday morning came from a nearby construction site heralding the start of yet another workweek in his West University neighborhood.

It was about 6:20 a.m. For a while, he lay awake in bed. There were more bangs, so Williams got up and went outside to investigate.

Down the street, in the predawn darkness, he saw someone shooting at cars.

"I ran back in, got my flashlight and came out here as traffic was coming down, because they use this as a cut-through street," Williams said. "I was waving at them to turn away, don't go that way."

He was screaming at the drivers to stop, to turn around. A police officer down the street was doing the same.

*Neighbors continues on A8*



Mark Mulligan / Houston Chronicle  
**Jennifer Molleda looks stunned to see the bloodied face of her husband, Alan Wakim. Two bullets went by him.**

★ » Watch videos of the scene and see how events unfolded at [HoustonChronicle.com/shooting](http://HoustonChronicle.com/shooting)

**THE SHOOTER:** Local lawyer wore vintage military gear during attack

By Dane Schiller, St. John Barned-Smith and Shelby Webb

A lawyer who opened fire on commuters for no apparent reason during the morning predawn rush hour in a Houston neighborhood Monday, wounding nine people, was wearing a vintage military uniform and had Nazi emblems on him, police said.

The rampage on a quiet street near West University Place began in the

predawn darkness and lasted 20 minutes before the gunman, whom police identified as Nathan DeSai, 46, was shot and killed by officers.

Six of the wounded were transported to area hospitals. The other three were treated at the scene and released.

Acting Houston Police Chief Martha Montalvo said at a news conference Monday afternoon police did not yet know exactly

*Shooter continues on A8*

## WORLD

### Historic peace deal signed in Colombia

The tragic toll of South America's oldest armed conflict begins to wind down with the signing of a historic agreement between Colombia's government and the country's largest rebel movement.

**Page A10**

## NATION

### Mall suspect confesses to shooting five

The man accused of killing five people at a Macy's store in a Washington state shopping mall before leading authorities on a 24-hour manhunt confesses to the slayings and is charged with five counts of first-degree murder.

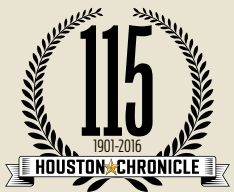
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## SPORTS

### Astros work extra for latest tough loss

A two-run rally in the ninth goes for naught as Seattle's Robinson Cano blasts a game-winning home run in the 11th to push the Astros further behind in the wild-card race.

**Page C1**



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Houston Legends:

William "Bill" Lawson was instrumental in Houston's path to desegregation.

**Page A6**

## CAMPAIGN 2016

# Debate fierce from start

## Trump, Clinton jockey for breakout moment in tight race



Win McNamee / Getty Images



Paul J. Richards / AFP/Getty Images

**Republican Donald Trump and Democrat Hillary Clinton debated Monday night on many issues, from the economy to immigration and race.**

**ON THE ATTACK:** Candidates assail each other over trade, Iraq, taxes

By Patrick Healy and Jonathan Martin  
NEW YORK TIMES

In a relentlessly antagonistic debate, Donald Trump and Hillary Clinton clashed over trade, the Iraq War, his refusal to release his tax returns and her use of a private email server, with Trump frequently showing impatience and political inexperience as Clinton pushed him to defend his past denigration of women and President Barack Obama.

Trump repeatedly interrupted Clinton and at times talked over her throughout the 90-minute debate, making slashing attacks that surely pleased his Republican base but may have been off-putting to women and undecided voters. He also left unchallenged her assertion that he paid no federal taxes for years.

For her part, Clinton repeatedly chided Trump for bungling his facts while accusing him of hiding information about his debts to *Candidates continues on A12*

### More coverage inside

» A look at the claims made in the debate and how they compare with the facts.  
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» Five takeaways from the first presidential debate.  
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» Political notebook: Jill Stein escorted off Hofstra's campus, protests and more.  
**Page A12**

★ » Get full coverage and analysis of Monday's debate at [HoustonChronicle.com/2016](http://HoustonChronicle.com/2016)

**ANALYSIS:** Temperament at heart of the first high-stakes showdown

By Kevin Diaz

Hillary Clinton and Donald Trump clashed sharply Monday in their critical first debate, a high-stakes showdown that put their contrasting outlooks and temperaments on full display for voters.

The much-anticipated encounter — the first of three presidential debates — saw both candidates vying to assuage the public's doubts about them, gain the initiative and reframe the dynamics of a race that is es-

entially tied, with 43 days left.

Throughout the 90-minute engagement, Clinton sought ways to reinforce the perception that her unorthodox Republican adversary is temperamentally unsuited and dangerously ill-informed for the job.

"The central question in this election is really what kind of country we want to be and what kind of future we'll build together," Clinton said, opening the debate. "You have to judge us — who

*Analysis continues on A12*

# Jury duty phone scam now more 'sophisticated'

By Keri Blakinger

When she got the call about her looming arrest, Emily Tonn was sitting at her Houston home relaxing, thinking nothing was wrong.

It was a Saturday in

mid-August — and on the other end of the line was an officer, telling her about two warrants that could land her behind bars for missing jury duty. Except it wasn't really a cop, and there wasn't really a warrant — it was one of the

con artists who have been targeting Harris County residents with the latest iteration of a tried and true jury duty phone scam.

"This type of jury scam has existed since before I was in office, but it was never this sophisticated,"

said Harris County District Clerk Chris Daniel, whose office oversees local jury duty.

Although similar grift hit the county two years ago, in the new version, scammers are demanding more money than before

— sometimes as much as \$7,000.

"In the past, it was someone with a foreign accent telling you to send it to a P.O. box, using hard cash," Daniel said.

Now, the scam has

*Jury continues on A5*

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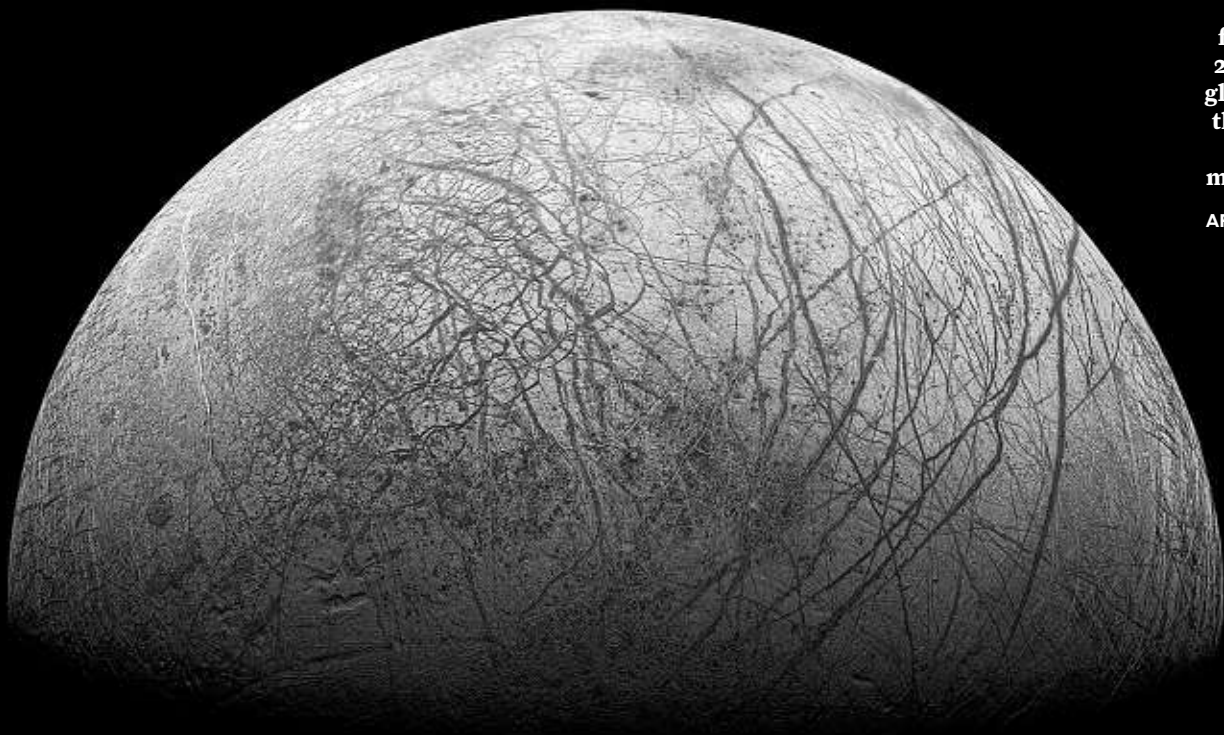




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PLANET TEXAS



This NASA file photo from Nov. 22, 2014, shows a global view of the surface of Jupiter's icy moon Europa.  
AFP/Getty Images

## Scientists find more evidence of water on Jupiter moon Europa

By Kim McGuire

Astronomers announced Monday that they have uncovered more evidence that suggests there are plumes of water erupting from the surface of Europa, one of Jupiter's icy moons.

New images taken by the Hubble Space Telescope hint the plumes exist, but scientists say they don't have

definitive proof.

Nonetheless, the images fuel the tantalizing prospect of taking samples from the plumes someday to learn more about Europa's vast underground ocean, which is kept in a liquid state by the friction from Jupiter's gravitational pull.

"Europa's ocean is considered to be one of the most promising places that

could potentially harbor life in the solar system," said Geoff Yoder, acting associate administrator for NASA's Science Mission Directorate in Washington. "These plumes, if they do indeed exist, may provide another way to sample Europa's subsurface."

If confirmed, Europa would be the second moon in the solar system known to

have water vapor plumes. In 2005, NASA's Cassini spacecraft detected jets of water vapor and dust spewing off the surface of Saturn's moon Enceladus.

NASA's Galileo spacecraft, which orbited Jupiter in the 1990s, was the first to provide scientific evidence there might be water on Europa.

Speculation about the moon intensified three years ago when Hubble captured images of what was believed to be a plume of water vapor released from Europa's southern polar region.

At the time, scientists weren't sure what they were seeing.

Now, by using an observation technique used to discover new exoplanets, they have more evidence to suggest plumes of water are being spewed from Europa.

Scientists may use the

infrared vision of NASA's James Webb Space Telescope, which is scheduled to launch in 2018, to confirm the plume activity on Europa.

NASA also is formulating a flyby mission in the 2020s. Scientists said confirmation of Europa's water plumes could someday lead to even more discoveries.

"Life, as we know it, requires liquid water, and Europa's on NASA's hit list because it is one of the most likely places to find water in our solar system," said Adrian Lenardic, a Rice University geophysicist. "If you find a place with liquid water, the potential that it could host life, be it probably little bacteria at this point in time, increases. And that's the excitement. That's the draw."

[kim.mcguire@chron.com](mailto:kim.mcguire@chron.com)

## 10-minute plays try to tackle crises

By Wei-Huan Chen

"Creatures of Habit," a 10-minute theater piece by Blaise Miller that's part of the Landing Theatre's "The Redemption Series" playing through Oct. 1, opens with four people seriously stressed out about shootings in America.

There's a liberal, who tweets about Trump supporters being racist; a conservative, who tweets about making America great again; a Christian, who sends #thoughtsand-prayers to the families of the victims; and a black Twitter activist, who expresses outrage at the killings of unarmed black people at the hands of white cops.

After the shootings at the Pulse nightclub in Orlando, Fla., David Rainey, artistic director of the Landing Theatre, invited playwrights across

the country to submit 10-minute plays about crisis in America. He wanted artists to respond to tragedy with moments of redemption.

Ten minutes is not adequate to tell a full story. Instead, the playwrights offer up scenes, emotions and theses. A few of them are stimulating in concept. They propose ideas that, while rooted in factuality, long for character and catharsis.

A cynic would say this is art that provokes more emotion than thought.

An optimist would say that "The Redemption Series" is a conversation igniter, that it's a brutal look at the true America that can spur change.

Years later, while looking back at "The Redemption Series," we'll see the plays not as salvation but a cry for help.

[wchen@chron.com](mailto:wchen@chron.com)



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Is America still one nation indivisible, or has it become divided? Read more and find out what the Latino vote means at

[HoustonChronicle.com/America-Divided](http://HoustonChronicle.com/America-Divided)

**Five trending stories from**  
[houstonchronicle.com](http://houstonchronicle.com):

**1 Gunman behind SW Houston strip mall shootings has died, police say**  
A horror during the morning commute. Police say the shooter was an attorney.

**2 Feds: Colorado's new pot laws a haven for Texas drug runners**  
Opportunity knocks for Texas' pot purveyors.

**3 Will water and oil mix in Bal-morhea?**  
The locals in an area known for its natural beauty aren't happy about a big petroleum find there.

**4 Why the U.S. is using more gas than ever**  
Despite more efficient vehicles, gasoline consumption has been going up.

**5 Air Force losing pilots, and the headwind is getting worse**  
The Air Force is losing pilots at an alarming rate to commercial operations, such as airlines.

### CORRECTION

A graphic about recent audits of local constables' office property rooms published Sept. 25 excluded one word in the description of Precinct 1's audit of November 2013. The audit found no major evidence problems.

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# CITY | STATE

GREATER HOUSTON

## Walking to school has become a tough course for most students

I trudged through shin-high grass and weeds, struggling to keep my balance on the sloping terrain of a ditch. Cars and trucks streaked by on my left; I glanced to my right and saw a pool of stagnant water. Pushing aside my worries about the Zika virus, I fixed my gaze straight ahead and pressed on.

After what seemed like hours I reached a stretch where the grass had been cut and the going was easier. I passed a sign: “Warning: Gas Pipeline.” That can’t be good, I thought.

I was walking along Gaston Road, a busy, two-lane thoroughfare in the Katy area, pretending to be 11-year-old Tanya Philip. More precisely, I was trying to replicate what Tanya would experience if she walked the most direct route from Tays Junior High School to her house



MIKE SNYDER

in Cinco Ranch. It took me 42 minutes to complete the journey of 1.7 miles. It would be hard to design an environment more hostile to pedestrians. To expect a child to endure this experience twice a day for nine months was unimaginable.

“The issue is not the distance,” said Tanya’s dad, Aby Mattathu. “The issue is safety.”

As the Chronicle’s Sebastian Herrera reported last week, Mattathu and other parents are at odds with the Katy Independent School District over its decision that students in the Highland Park neighborhood don’t qualify for bus service. Parents and district officials

have lobbed emails back and forth like kids shooting spitwads in a classroom, clashing over details such as how to measure the distance between a school and a student’s home, the meaning of “hazardous,” and why an adjacent neighborhood got bus service when Highland Park did not.

More than 60 parents have filed complaints to the district, said Mattathu, who has embarked on a multistep appeal process that could end with the school board. For now, he’s arranging carpools with other parents. Friday, the day I stopped by, was his day off, so it was his turn to collect Tanya and some other neighborhood kids.

In a sense, my walking test that day wasn’t entirely fair. Other, somewhat longer routes

*Snyder continues on A5*



Jon Shapley / Houston Chronicle

**Aby Mattathu picks up his daughter, Tanya Philip, second from left, and her two friends after school Friday in Katy. Mattathu is pushing Katy ISD to provide bus service to his neighborhood in Cinco Ranch.**

AROUND THE AREA AND STATE

### Work set to begin on monument

The main elements of the long-awaited new Texas African-American History Memorial will arrive Tuesday for installation on the grounds of the Texas Capitol.

State Preservation Board spokesman Chris Currens said Monday that large bronze friezes are to be lifted into place with a crane as workers begin installing the monument, being built just west of the capitol driveway on the south side lawn of the 1888 statehouse.

Site work has been underway for months for the monument, dedicated to the African-American experience in Texas — from exploration to slavery and from emancipation to achievements in the arts and sciences.

The monument is the first on the Capitol grounds to showcase the contributions of African-Americans to Texas history.

### Woodlands may test bike sharing

The Woodlands may play host to a test run of the latest technology in bike sharing this fall.

BCycle, a bike share equipment supplier, approached The Woodlands Township with a proposal that it use Town Center as a field trial location for its new BCycle Smart bike system in order to test equipment and gather user feedback.

“Since we’re so bike-friendly and upscale ... (BCycle) thought The Woodlands would be a good place (for the trial),” said John Powers, assistant general manager for community services for The Woodlands Township.

The proposed trial would go from Oct. 29 through Nov. 13.

### Commissioners to vote on Dome

Harris County commissioners on Tuesday are set to vote on the future of the Astrodome: the beginning of a new project to raise the floors of the stadium and put two levels of parking underneath.

Much of the debate over the Dome’s future has in recent years has come down to money: How much would it cost to demolish? At least \$30 million, the county estimates. How much does it cost the county to maintain, as is, every year? Roughly \$170,000.

The county has a new figure for the parking plan that could determine the historic stadium’s future: \$105 million, expected to be paid by the county’s general fund, hotel tax revenue and parking fees in roughly equal shares.

*From staff and wire reports*



Jon Shapley photos / Houston Chronicle

**Edward McGregor, who is serving a life sentence in a capital murder case, enters the 434th District Court in Richmond for a hearing Monday. McGregor’s attorney is seeking a new trial because he believes the conviction was based on inappropriately obtained testimony.**

## New trial sought for man convicted in 1990 slaying

By Emily Foxhall

RICHMOND — Attorney Randy Schaffer stood at a podium in the 434th District Court and explained to the judge the gravity of what he was about to discuss: “This is a case that strikes at the integrity of the entire system,” Schaffer said.

The matter before them was an allegation of prosecutorial misconduct, which Schaffer contends six years ago inappropriately led to the conviction of his client in a capital murder case.

The defense attorney argued that a Harris County prosecutor failed to disclose deals with

three key witnesses in the Fort Bend County case, offering them lighter punishment for their own crimes in exchange for testimony against the accused man.

Schaffer wants to see a new trial for his client, 43-year-old Edward George McGregor, who is serving a life sentence in prison. And the attorney said he hoped prosecutors would join in his request. “Why defend illegal and unethical conduct?” he posed.

But Gail McConnell, of the Fort Bend County District Attorney’s Office, offered a different view, saying the state believed the conviction was valid. They said the prosecutor in question

was “acting within the law,” McConnell said.

The back and forth was before Judge James Shoemaker, who presided over the original case. He must now outline a recommendation for the appellate court.

Arguments began at 2 p.m., an hour past the scheduled time. A bailiff brought in McGregor, dressed in a green jumpsuit with his hands bound in front of him. He raised his eyebrows as he approached Schaffer and sat next to him.

McGregor’s parents watched from the third row. Two aunts looked on in the same row,

*Attorney continues on A4*

## Fiery debate for DA office

Anderson, Ogg spar over victim’s jailing, evidence scandal

By Brian Rogers

Before the fireworks erupted on national television between Clinton and Trump on Monday, Houston saw its own fiery debate between the candidates for Harris County district attorney.

Republican incumbent Devon Anderson and Democratic challenger Kim Ogg pulled no punches in the only debate scheduled for the county’s top law enforcement post.

“I think it’s apparent for anybody who has been listening to Ms. Ogg that she is clearly not fit to be the Harris County district attorney,” Anderson said in closing after a raucous debate in front of more than 300 people. “She can’t do half of what she says she’s going to do.”

In her closing, Ogg reminded voters of the litany of problems that have erupted across the county’s criminal justice system. .

“We have a justice system that should rely upon evidence, but instead is being run by prosecutors who are led, apparently, by a win-at-all costs philosophy,” Ogg said. “I have a vision for a justice system that treats us all the same under the law, that tries to help people, not just convict them.”

The two women sparred over the treatment of a mentally ill rape victim who was jailed for several weeks last year by prosecutors under Anderson. They also talked at length about the emerging scandal over the unauthorized destruction of evidence at the Precinct 4 Constable’s Office.

The plight of the rape victim made national headlines when

*Debate continues on A4*

## Lawmaker plans to leave the House

Dukes, under investigation, cites health

By Mike Ward

AUSTIN — Longtime state Rep. Dawnna Dukes, who faces a criminal investigation of alleged misuse of state funds, announced Monday she plans to step down Jan. 10.

The 11-term Democrat, who has represented northeast Travis County in the Texas House since 1995, attributed her decision to health issues stemming

from a car accident in 2013.

“This has been a very difficult decision to make,” Dukes said in a statement, first reported by the Quorum Report newsletter.

“In light of my ongoing health issues and concerns, I find that I can no longer provide the active, effective leadership that is needed to continue my sworn duties. I must take the time to focus all of my energy to heal and continue to provide for my young daughter and extended family.”

*Dukes continues on A4*

### 4 children injured in Humble shooting



David Taylor / HCN

**Paramedics wheel an injured young man to an ambulance at the scene of a shooting Monday in Humble. Four children — ages 6, 11, 15 and 16 — were hospitalized. Their injuries were not expected to be life-threatening. Story on Page A4.**



CITY | STATE

# Metro officer out after incident

Video shows he beat man for not leaving rail site

By Dug Begley

A Metro police officer who violently beat a man earlier this month after he wouldn't leave a light rail station resigned Monday morning.

Officer Jairus Warren, who joined Metro in November, tendered his resignation after an internal investigation determined he should be fired for use of excessive force. The incident was captured on Metro's surveillance cameras used at all train platforms.

"You will see excessive force being used on the video," said Vera Bumpers, chief of the Metropolitan Transit Authority Police.

Metro has turned its internal investigation over to the Harris County District Attorney's Office, Bumpers said. Any criminal charges will be up to it, she said.

Warren and another officer, D. Reynoso, approached Darrell Giles around 7:30 a.m. Sept. 14. It was not the officers' first contact with Giles, Bumpers said.

"They had dealt with him a couple of times earlier that morning," she said. "He was combative and was not cooperative on any occasions."

The video, which contains no audio, shows Warren telling Giles to get on his feet during a brief exchange. The two exchange words, and Warren possibly kicked at Giles, who sprang quickly to his feet, based on the video.

Warren already was clutching a collapsible baton as he spoke to Giles, and when Giles stood, Warren began striking him with the baton, inflicting at least 10 strikes.

"There is no reason why any officer allowed their emotions to get that far," Bumpers said.

Reynoso, after a few seconds, intercedes and stops Warren after Giles fell to the concrete of the rail platform.

Bumpers said Reynoso brought the incident to supervisors' attention and he will receive additional training but not further discipline because he was not involved in the use of force.

Organizers of the Black Lives Matter movement in Houston pressed Metro to release the video of the incident and investigate the matter thoroughly. After Warren's resignation and Bumpers' statements and the release of the video, organizers were satisfied with Metro's response, said Kaelyn Bibb, a Houston-area organizer.

"She didn't seem satisfied or pleased about this situation either," Bibb said of Bumpers.

Bibb said the focus of the group will shift to seeking criminal charges.

The incident also will serve as a reminder for other officers, Bumpers said, but not lead to changes in current training practices.

"This incident is not a reflection of the men and women who work for Metro Police," she said.

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twitter.com/DugBegley

# Debate focused on notification of lost evidence

Debate from page A3

It was revealed that she was put in general population in the Harris County Jail last year after breaking down on the witness stand. She immediately was found walking into traffic in an apparent effort to kill herself. She was put in a mental ward after the court delayed the trial over the Christmas holidays. When the formerly homeless woman, named Jenny, was released from the hospital, she was not allowed to stay with family in Houston. Instead, prosecutors who were trying to convict a serial rapist had the woman jailed until she testified. While in jail, she had another breakdown and was given a black eye.

## Spurred new training

During Monday's debate, Anderson stood by her prosecutors.

"We regret very much what that victim went through because she did have the courage to come forward and testify against her rapist," she said. "If there is any silver lining to any of this, and there is just one, it's that this monster, this serial rapist, received two life sentences thanks to her courageous testimony."

She said the outrage over the incident has spurred new training, a focus on the marshaling of resources for women in



"Revictimizing a victim never justifies the end," said Democratic challenger Kim Ogg at Monday's debate, referring to the jailing of a mentally ill rape victim.

crisis and may lead to new legislation for victims to have attorneys appointed in similar situations.

Ogg, whose mother was kidnapped then escaped a serial rapist in 1962, said last year's incident should have never happened.

"Revictimizing a victim never justifies the end," she said. "There were so many other options that could have been taken."

The debate, moderated by KPRC anchor Khambril Marshall, then moved to the other big issue of the day: whether Anderson's office should have notified defense attorneys with pending cases that evidence in the property room of the Precinct 4 Constable's Office had been destroyed without permission.

Ogg took the incumbent

to task for finding out in February that evidence had been destroyed and staying mum. It was finally revealed by a defense attorney in August.

"She waited seven months to tell people, who had already pled guilty to crimes where evidence had been destroyed, that they were now entitled to a new trial," Ogg said. "You can't cause the problem, then take credit for fixing it."

Anderson said the lists of cases that were affected constantly changed, so there was no way to tell which cases were in jeopardy.

"We didn't know who to notify, whose cases to dismiss," she said. "We did it when we were ready and when we were sure."

Anderson also made news Monday night by



Gary Fountain photos

Republican incumbent Devon Anderson stood by her prosecutors in the case, saying they all "regret very much what that victim went through."

saying she plans to ask the county commissioners to consider a central property room for all of the eight constables' offices, a new proposal that seems to have come out of the debate.

## Competitors again

This is the second election in which the two have gone head-to-head since 2014.

Anderson, 50, was a prosecutor for a dozen years, then a felony court judge for four years and a defense attorney for five years before being appointed to fill the seat after her husband died in 2013.

Ogg, 56, also began her legal career as a prosecutor, then became the city's first gang task force coordinator, then spent seven years running Crime Stop-

pers of Houston. Since leaving that post, she has had a long career as a defense attorney.

Anderson closed the hour-long debate by saying Ogg was forced out of Crime Stoppers by the board of directors after revealing the identities of three juvenile rape victims, which Ogg denied.

Anderson reminded her critics that Ogg had run in the past as a Republican and voted in the GOP primary in 2008.

"She has no integrity," Anderson said. "She will say or do anything to get this job."

But there were laughs from the crowd when Anderson said her office was "transparent and responsive."

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# Four children hurt in shooting

By Mike Glenn

Detectives in Humble are investigating a shooting that sent four children to the hospital.

The shooting happened shortly after 6 p.m. Monday in the 2100 block of Grand Linden Court.

The wounded children's ages were 6, 11, 15 and 16, of-

ficials said.

They were taken by ambulance to the Texas Medical Center for treatment.

Their injuries were not expected to be life-threatening, Harris County Sheriff's officials said.

The shooting may have been the result of a fight between more than a dozen teenagers, authorities said

late Monday.

Harris County sheriff's deputies at the scene didn't know if the shooting was the result of gang activity.

Deputies said the two younger children were "innocent bystanders."

Sheriff's deputies took nine people into custody to question them about what happened at the scene.

The gun used in the shooting had not been found later Monday.

The children all live in the neighborhood. Sheriff's officials said there have been past shootings in the general area but not at the location where the children were wounded.

Deputies are trying to locate shell casings so they can determine what weapon was used in the shooting.

The darkness and a Mon-

day rainstorm that pounded the neighborhood made the task of gathering evidence difficult, officials said.

The search is expected to resume at first light, officials said.

The identities of the wounded children have not been released.

David Taylor contributed to this report.

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# Attorney questions deals with three witnesses

Attorney from page A3

across the aisle. "I'm ready to hear," the judge said.

"Excellent," said Schaffer.

## Woman lived on same street

It had been a long road to reach this point. The case dates to April 17, 1990, when a woman named Kim Wildman was killed in Missouri City.

That evening police officers arrived at Wildman's home to find a bloody pillow on the walkway and the front door ajar, court records show. Wildman was alive, but had suffered multiple stab wounds. She told officers a man she didn't know had attacked her. She later died.

McGregor and Wildman lived on the same street. He was not initially the prime suspect in the case. But DNA evidence ultimately connected McGregor to the victim. He was arrested May 2, 2006. Soon after, DNA evidence also connected him to the slaying of a woman in Harris County, Nina



Jon Shapley / Houston Chronicle

Attorney Randy Schaffer makes his final arguments during a hearing Monday in the 434th District Court in Richmond.

Barnum.

Beth Shipley, whose married name is now Beth Exley, was the prosecutor at the time on the Harris County case. She teamed up with the Fort Bend County prosecutor to try the Wildman case.

Schaffer said in a telephone interview last week the DNA link was "weak, circumstantial evidence." As Schaffer explained it, the prosecutors bolstered their case with the three witnesses who received benefits arranged

by Shipley in exchange for their testimony: a woman in prison who claimed McGregor confessed to her husband, and two men in Houston's jail who said he'd referenced the killings in a threat to them.

## 'A lot to think about'

In court, Schaffer detailed how each of the three offered what he called flawed testimony. But McConnell, of the Fort Bend District Attorney's Office, said that if rewards were given, it did not mean promises were made.

Schaffer returned to the podium with his rebuttal.

He warned the judge if he signed off on McConnell's interpretation of what happened, he would give prosecutors "carte blanche" to keep making the same kind of deal with witnesses. The judge said he would need time to make his decision. "You've given me a lot to think about," Shoemaker said.

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# Dukes allegedly used state funds for nonprofit group

Dukes from page A3

Dukes' surprise decision came Monday as the Texas Rangers and the Travis County District Attorney's

Office are investigating allegations that she improperly used state funds and resources, including having staff do personal errands for her and work on a nonprofit event she co-founded.

Dukes has denied any wrongdoing.

Within hours of her announcement, former Austin Mayor Pro Tem Sheryl

Cole said she was "seriously considering" running to replace Dukes.

"This morning I have received an incredible outpouring of support and encouragement from community leaders and my



Dukes

family," she said.

At the same time, Gabriel Nila, Dukes' opponent in the November general election, called for Dukes to step down immediately and not wait until Jan. 10.

If she waits until January, Gov. Greg Abbott would have to call a special election to replace her.

"If Rep. Dukes intends to resign in January due

to health reasons, there is no good reason for her to resign 100 days from now, after a general election and needlessly disadvantage her successor and cause an expensive special election," Nila said in a statement. "The constituents of this district deserve to have new representation immediately, not months after the new biennial session begins."

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# Jury duty scam has fooled many

Jury from page A1

evolved, and callers are sounding more official as they goad scared residents into forking over their hard-earned dollars.

### Fake deputies

In the current version of the racket — which started popping up about five months ago — a scammer calls, posing as a sheriff's deputy or representative of Daniel's office. They'll spout dire warnings about an impending arrest that can be avoided only if the victim immediately buys a reloadable money card and reads off the number to file with the supposed case.

"To appear legit, they'll have you mail the card as proof of payment," he said. Typically they'll use a downtown address that sounds like it could be the clerk's office — but it isn't.

In some cases, they'll instruct victims to put BLOODMON33Y on the envelope as a bizarre fake confirmation code. In others, they'll brazenly impersonate actual Harris County deputies on the phone.

"I got a call from someone saying he was Sgt. Pugh, saying I had two warrants out for my arrest for failing to appear for a June 20 jury duty and that I had to go purchase these cards in order not to be arrested and that he was going to set a court date so I could go dispute this," Tonn said.

The fake deputy — who bears the same last name as real sheriff's office employees — ordered her to stay on the phone while she drove to the store to get a REloadit card.

"He said I had to give him the numbers on the back of the cards so he could attach them to the citation number," she said.

So Tonn followed the man's instructions and

ended up forking over more than \$1,000. She didn't realize she'd been scammed until two days later.

"That Monday morning I was talking to a co-worker and pieces started adding up, and I started to question myself," she said.

She was right to wonder — because that's not really what happens if you miss jury duty.

"You will receive a failure to appear notice in the mail from us," Daniel said. "We never, ever, ever, ever make a phone call. Period."

Even so, at least seven recent victims have paid somewhere between \$2,000 and \$7,000 to sophisticated scammers.

### Lawyer: 'I felt foolish'

Keith Woods, a Houston civil attorney, realized something was amiss after he talked to a colleague about a fishy call he'd gotten in early August from the same fake deputy who contacted Tonn.

Woods wasn't home when the scammer rang, but the man left a message and Woods diligently returned the call.

"The first time I called back, the message I got was that I'd reached the Harris County Sheriff's Office," he said.

"Now I know that was just a burner phone."

Woods paid \$1,000, and the thief doled out a fake court date and told him to appear at 1001 Preston, Suite 100 — the home of the Harris County Tax Office.

"I felt foolish," he said. Earlier this year, a massive ring of guards and inmates at a Georgia prison was charged with running a jury duty phone scam that targeted some victims in Harris County. And according to Harris County Sheriff's Office investigator Joshua Nowitz, Georgia prisoners may be behind



Jon Shapley / Houston Chronicle

**Civil attorney Keith Woods was among those fooled by the jury duty phone scam. He paid \$1,000 and was given a fake court date and the tax office's address.**

the current scam.

"After we did the federal indictments in Georgia, the FBI pulled out, but the scam is still continuing, and it's being operated by the same groups of people in the same prisons," Nowitz said.

When new inmates from other cities get booked in, scammers will team up with them to identify wealthy ZIP codes to hit in their area, but it's unclear exactly what database or information source scammers are using to identify their marks.

After a few weeks or months focused on one spot, they'll shift focus and target another city.

Since not everyone reports it — or even realizes they've been hit — it's not clear how many people have fallen victim.

### 'Not unique to Houston'

Usually these criminals target the elderly, but Nowitz said younger people have been in the crosshairs of the jury duty scheme.

"It makes me angry that we can't stop it," he said.

The jury duty scam is one version of previous scams. In some schemes, it's the IRS calling, and in others it's the county clerk.

"There's been variations over the years — this scam is certainly not unique to Houston," said FBI Special Agent Shauna Dunlap.

One version that is popping up elsewhere but hasn't yet hit Harris County is an almost identical federal jury duty scam. That con surfaced in Tennessee, Alabama and Colorado, but wherever it is, it's utterly fake.

"Whether they're saying you missed your local jury duty or federal jury service, each and every case is a fraud designed to trick you out of your hard-earned money," Dunlap said. "We can't stress this enough, but no law enforcement official will ever call you by phone and demand money. Don't ever provide payment or personal info over the phone to an unsolicited caller. When in doubt, check it out."

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# Snyder: 'Burbs not designed with walkers in mind

Snyder from page A3

are available, with side-walks and a landscape that can be traversed without a machete.

But even these paths wouldn't impress experts on walkable design. The sidewalks, for example, are so narrow that children would have to walk single-file to allow for two-way traffic. As we all know, that is not a child's natural behavior. It's easy to imagine them bunching up and spilling into the street.

The route along Gaston Road, for all its flaws, was the shortest. And it illustrated an underlying issue in Katy and other suburban communities around the country: Millions of American children inhabit places designed almost exclusively for automobiles.

"Facilities for pedestrians and cyclists are seen as a nice pleantry to have, not as an essential part of an integrated transportation system," said Seth LaJeunesse, the associate director of the nonprofit National Center for Safe Routes to School. "It's either not considered at all or it's an afterthought."

The problem isn't just sidewalks, or their absence. The intersections I encountered varied in quality; some had marked crosswalks and lights telling pedestrians how many seconds they had remaining to cross; others had no such features.

The whole area seemed to have been created on the assumption that everyone would drive everywhere, always. I encountered just three or four fellow pedestrians — high school-age kids who cast a wary eye at the old dude stumbling along with a phone held in

**"Facilities for pedestrians and cyclists are seen as a nice pleantry to have, not as an essential part of an integrated transportation system. It's either not considered at all or it's an afterthought."**

Seth LaJeunesse of the National Center for Safe Routes to School

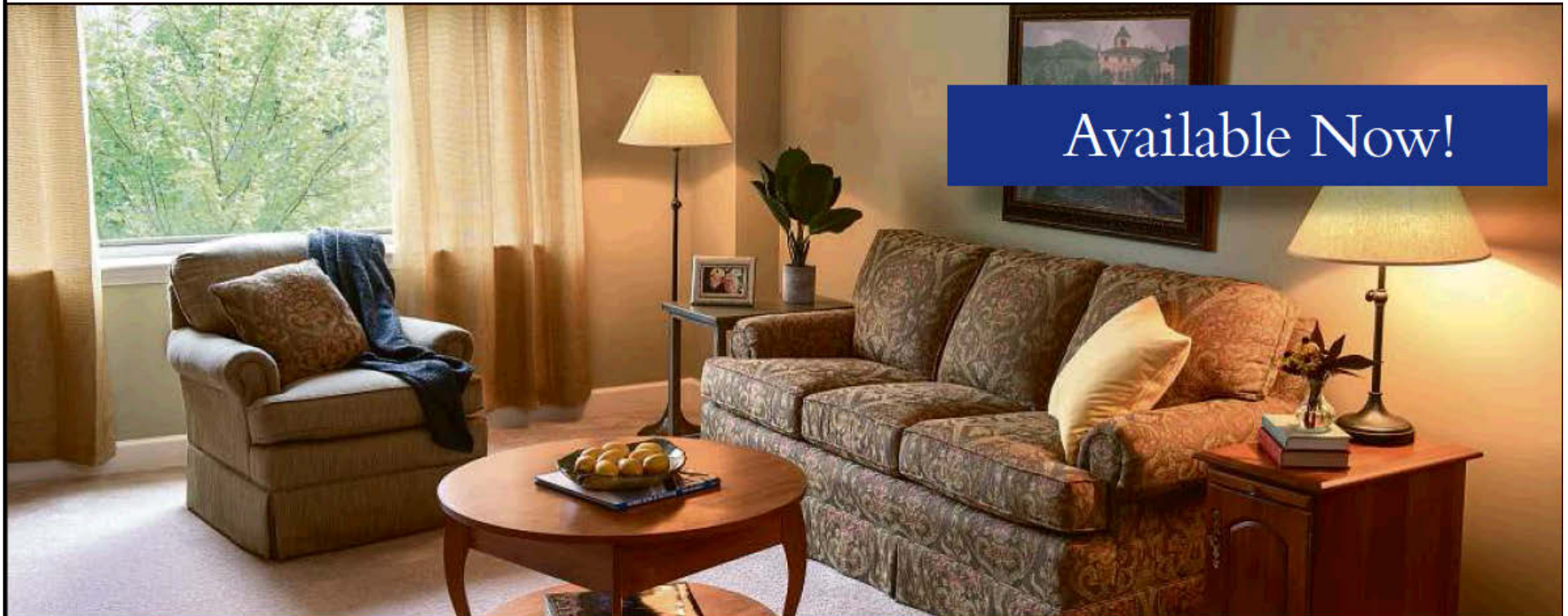
front of him (I was shooting video).

In 2009, the year with the most recent available data, just 13 percent of U.S. kids aged 5 to 14 usually walked or biked to school, down from 48 percent in 1969. Among students who lived within a mile of campus, the figures were 35 percent in 2009 and 89 percent in 1969, according to LaJeunesse. Suburban design isn't the only reason for this change, but it's an important factor, he said.

I walked to school for much of my childhood, but concern about this issue is not just some flight of Baby Boomer nostalgia. Walking or biking to school has obvious benefits in reducing obesity and otherwise keeping kids healthier; it promotes interactions with neighbors and helps reduce carbon emissions because fewer cars are on the road. Tanya's father told me he'd be delighted if his children could safely walk to and from school.

Public school districts should provide transportation for children who need it. But rethinking the way we build our neighborhoods might be a better long-term strategy.

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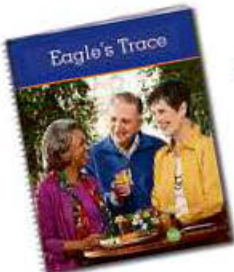
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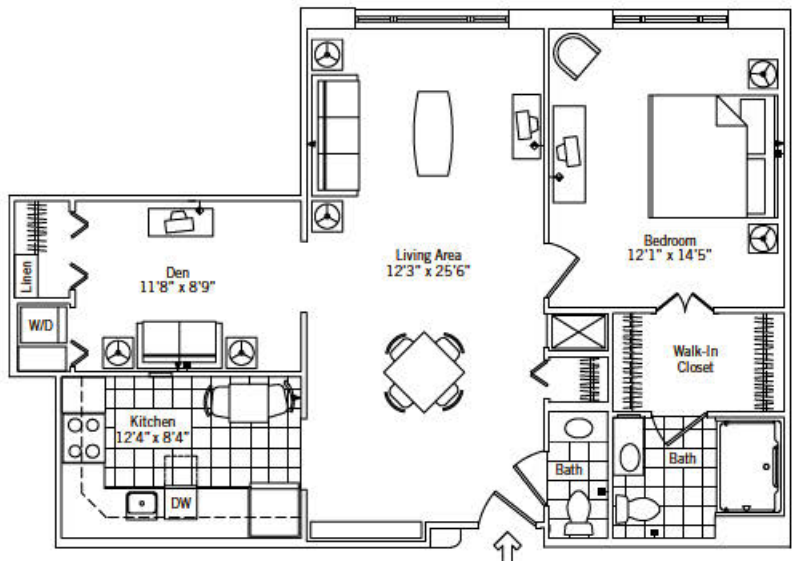
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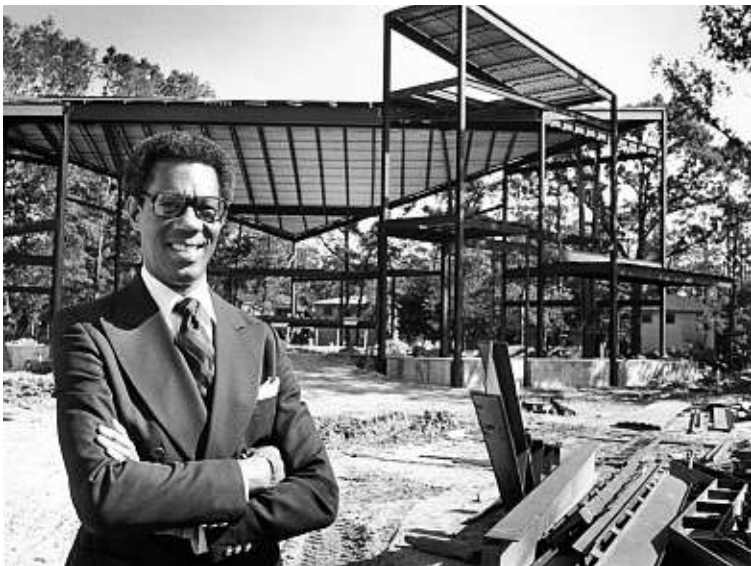
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HOUSTON LEGENDS



Houston Chronicle file  
Rev. William Lawson, center, with Dorcas O'Neal and John L. Gibson in 1965.



Houston Chronicle file  
Lawson saw Wheeler Avenue Baptist Church build a new facility in 1984 as the congregation continued to grow.



Houston Chronicle file  
Lawson with his family, from back left, Melanie, Audrey and Cheryl. In front, Eric and Roxanne.

# Houston a better place because Lawson answered God's call

Minister quietly helped city navigate an end to segregation, fueling its growth

THE REV. WILLIAM A. LAWSON

Founding pastor of Wheeler Avenue Baptist Church, now retired.

- Bachelor's degree in sociology at Tennessee A&I State University in Nashville in 1950. Bachelor's degree in divinity and a master's in theology from Central Baptist Theological Seminary in Kansas City.
- Married to Audrey H. Lawson of St. Louis, with four children.
- Moved to Houston to serve as director of the Baptist Student Union and professor of Bible at Texas Southern University.
- Wheeler Avenue Baptist Church was started in the Lawsons' home in June 1962. Congregation has grown to more than 5,000 members.
- In 1996, the William A. Lawson Institute for Peace and Prosperity was founded.
- Lawson is the author of a book of meditations called "Lawson's Leaves of Love."

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**By Fauzeya Rahman**

Even at a young age, it was clear. William "Bill" Lawson is one who needs persuading. Take when a teenage Lawson, dead-set on becoming a cartoonist, had his Superman daydreams interrupted with an image of him standing in a pulpit.

How could he be a preacher, he wondered. He often stuttered when he spoke. And sure, he belonged to a church in his hometown of St. Louis, but no one in his family was a man of the cloth.

But after seeing the same thing, day after day, Lawson was done fighting.

He finally told God, "All right, this isn't what I wanted to do, but I'm willing to do it."

"I wish I could say to people that the Angel Gabriel came into the room and said to me, 'Bill, you're going to be a preacher,'" Lawson said. "That just didn't happen."

Then there was the time in 1960 when his students at Texas Southern University asked him to help arrange sit-ins in Houston, as students in North Carolina had done.

"I said to them, are you serious? Your parents, grandparents worked their tails off to get you into school, and that's the last thing you ought to want to be involved in," he recalled. "You don't want to get a chance to be arrested, and have a jail record. What you want to do is to finish college, which is what they

dreamed of for you."

They did it anyway, and as anticipated, got arrested. Lawson and his wife then raised money to bail the TSU students out of jail, marking their own beginnings in the nascent movement.

Since then, Lawson has been witness to some of Houston's defining moments, often playing a starring role.

He was influential in the city's path to desegregation, founded the Third Ward institution known as Wheeler Avenue Baptist Church and has been a voice for groups in need of an advocate in this city for the past 60 years. He's marched, given speeches and arranged meetings, making his mark on this city's history.

In his canary yellow living room bathed in late morning light, the vibrant 88-year-old sat surrounded by mementos of his past. Alongside family photos with his late wife, Audrey, and their four children, some with icons such as Martin Luther King Jr. could stop visitors in their tracks. The former cartoonist's artwork enhances those yellow walls.

Sitting up straight on the couch in his navy suit and tie, he wove together stories of his life and Houston that still ring true today.

Lawson came to the city in 1955 as a Baptist chaplain and professor at TSU. At the time, TSU was little more than a collection of buildings strewn together, the state's answer to a lawsuit filed by a black man denied admission to law school at the University of Texas. "It didn't even have a library," he said. "So you can't imagine a state university without a library."

Lawson knew next to nothing about Texas or Houston. But the sight of those buildings right across the street from a housing project told him this might be the place for him after all.

"When I looked at it, and saw these few black students, young high school graduates, who now had a university to attend, and so it had a great deal of hope for them," he said. "It was almost laughable for other people."

The Lawsons' early Houston years coincided with major change within town and far beyond city limits. The day they moved to Houston happened to be the same day Emmett Till was lynched in Mississippi. Months later, the bus boycott in Alabama gave legs to an already growing movement.

Houston itself was on the verge of becoming a "mega city," as Lawson described, in a time of growing unrest in the nation. That is, if influential parties could get on the same page. The city was considered for everything from Major League Baseball to being the home of the nation's space center.

With growing interest in Houston's economic potential, Lawson and others decided that what was needed to discuss ending segregation in the city. Otherwise, Houston risked developing the same "ugly stain" as Birmingham.

But could it be done without the firehouses and police dogs?

The only way this could happen would be to do things quietly, as a group of white business owners, black leaders and other influential parties hammered out in talks at the Rice Hotel downtown. A hotel where Lawson had to enter

through the back door, and ride up a freight elevator. A media blackout helped the mega city in the making follow a quieter path to desegregation.

"The issue was not moral, it wasn't ethical," Lawson said. "The issue was not whether or not it was right to segregate. The issue was, what is going to be the economic potential of Houston at this time, in its history, if it doesn't do something like this?"

At the same time, Wheeler Avenue Baptist Church was coming into being. While the church celebrated its 54th anniversary this year, in its early days Lawson wasn't so sure it would last.

"By now you've learned, that I tend to resist whenever these opportunities come," he acknowledged. When 13 people standing in the living room of the Baptist Students Center wanted to start a church, Lawson thought for sure it wouldn't sustain the current state of civil unrest. "This is 1962, when all this other stuff is happening."

But not only did the civil rights movement provide the historical context for the church, it gave this A-frame building in the Third Ward a social conscience from the start. When Martin Luther King, Jr. came to Houston, it was from behind the wooden pulpit at Wheeler where he spoke.

Lawson's wife, Audrey, shaped the church from the beginning. Not only would the church have to focus on social issues, it had to be more than a standard church. The social worker told Lawson the church can't be in a growing black neighborhood, with "students who don't have enough money to go to school," with families facing struggles, and the church be limited to only Sunday services.



For the Chronicle  
Rev. Bill Lawson at Wheeler Avenue Baptist Church in 2012. Lawson says he will leave a legacy because he was able to talk in a way that was persuasive.

One example: the Wheeler Avenue Boy Scout troop, which celebrated its 50th anniversary in 2015. She was "very much concerned about what was happening to young black males," Lawson said, and wanted to build something out of the church.

While Lawson still thinks there are many groups without a voice today, he is confident Houstonians are still capable to come together to solve this city's most pressing issues.

He sees Houstonians as defined not just as Democrats or Republicans, or by their ethnicity, but rather just as human beings. Human beings who all have an interest in "seeing the best for ourselves, and our families."

"I don't expect to be here much longer, but I do expect we'll be able to leave some kind of legacy, because we've done some talking with people," he said.

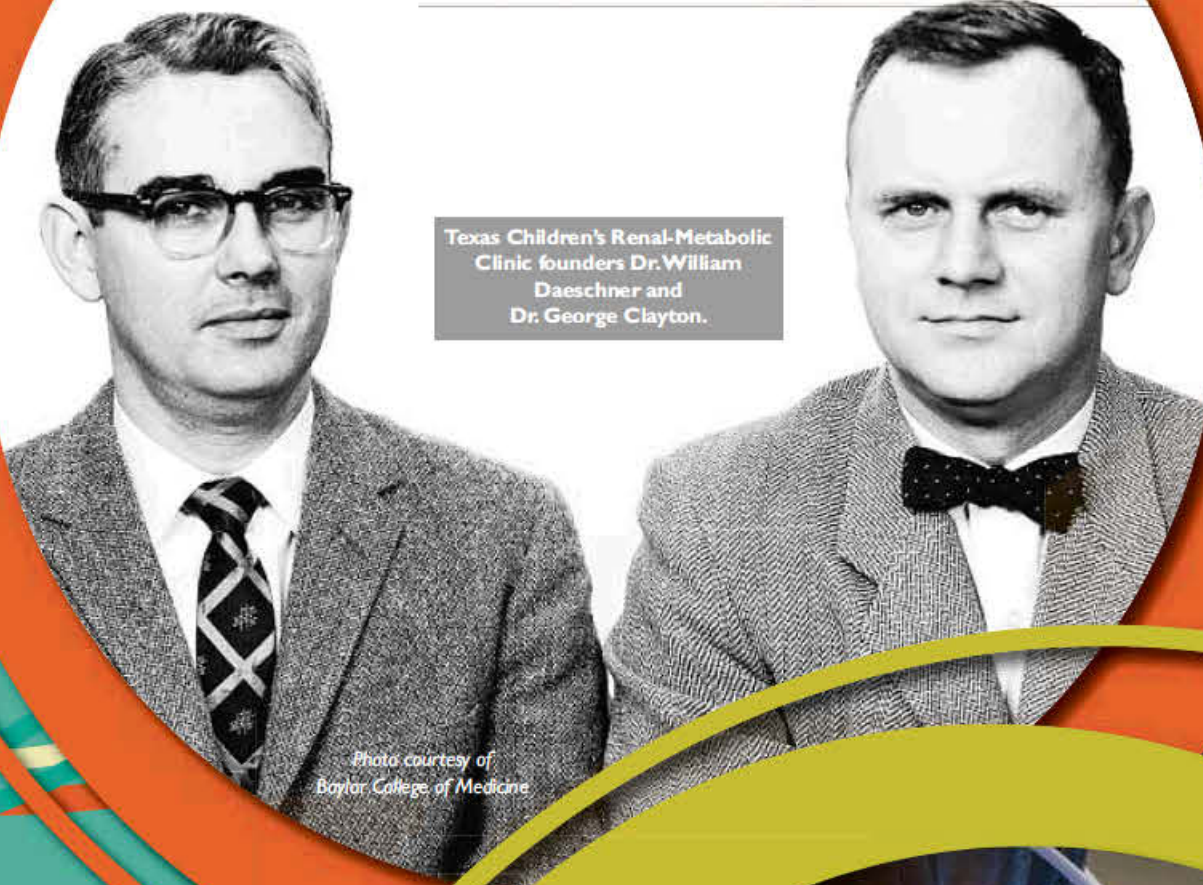
"And some of that they've heard."

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Two of the last big oil producers unite, ending the era of mega-mergers.	Matt Mullenweg was 19 when he co-founded WordPress, the world's most widely used blogging platform.	Figure skater Tara Lipinski became the sport's youngest gold medalist.	Two men with visions of beer and oranges spur a Houston arts movement.	Rice Stadium hosted Houston's first Super Bowl in 1974, when Miami beat Minnesota.	It was a medical moonshot, so of course some of the human genome project landed in Houston.	





Texas Children's Renal-Metabolic Clinic founders Dr. William Daeschner and Dr. George Clayton.

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FROM THE COVER

# Shooter's car had ammo, submachine gun

Shooter from page A1

what caused DeSai, described as a lawyer struggling to keep his small law practice alive, to do what he did.

"At this point, we are very open-minded in terms of motive," Montalvo said, adding that the department was working with the FBI to find answers.

Handgun used in attack

Police said DeSai used a .45-caliber handgun during the assault and they later found 2,600 rounds of ammunition and a Thompson submachine gun in his car, a black convertible Porsche parked near where he was killed.

DeSai lived in a condominium complex near the scene of the shooting at Wesleyan and Law streets.

A search of his home turned up additional weapons and several pieces of military regalia and other items going back to the Civil War. The .45-caliber handgun was bought in 2011. The Thompson submachine gun was purchased in 2009.

Officials would not say specifically what type of uniform he was wearing. Photographs of his body show DeSai apparently wearing military-style spats strapped over his boots. He was lying face up. His dark shirt was over his face.

Police said Nazi emblems were found in his clothing.

"We did find some old Nazi emblems about some of his personal effects, and I understand there were some in where he lived," said Houston Police Capt. Dwayne Ready. "To what extent that played ... I don't know, because there was also other, what I would refer to as historic or vintage military stuff in the apartment, going back to the Civil War."

Calls about a possible shooter started coming in to police about 6:30 a.m., about the time Eduardo Andrade was heading to an LA Fitness gym in his Audi A3.

"As I was driving by Law Street, I suddenly heard a big explosion," Andrade said. "I covered myself, accelerated and tried to get out of there. I did not know if someone was following me or trying to shoot me."

Two bullets struck his car, with a large piece of one lodged between his dashboard and windshield.

"It is so random," he said. "If I were going a little faster or a little slower, the bullet would have had a different trajectory."

Houston, Bellaire and



Officials investigate the scene where they say a local lawyer, Nathan Desai, shot and injured nine people Monday before he was killed by police.

West University Place police departments responded and exchanged gunfire with DeSai.

"Multiple officers engaged with the suspect, who was shooting randomly at passersby and anyone he could put his sights on," Ready said.

Officials did not say how many times DeSai, who died at the scene, was hit.

At least 75 spent shell casings were collected from the scene, and a bullet slug was pulled from the couch on the second floor of a nearby home.

Houston Police cordoned off the area and later searched DeSai's condo and car as well as used a robot to check his body for explosives.

Victims sent to hospital

Late Monday, in a statement, Memorial Hermann Red Duke Trauma Institute and Memorial Hermann Southwest Hospital said they had received five patients from the shooting. Three were discharged, two remained hospitalized, both in good condition. A sixth victim was in serious condition at Ben Taub Hospital.

Among the wounded was the adult son of local lawyer R.P. Cornelius. He was treated and released and was resting at home Monday night.

"My son is fine, thank you," Cornelius said. "We are moving forward and do not wish any interviews."

Police confirmed that all those who were shot during the spree were adults.

The names of the victims were not released.

Mayor Sylvester Turner, who was on a trade mission to Cuba, said he had been advised of the situation by Montalvo and other officials.

"We wanted to make

sure in view of what's happening across the country and what's been happening recently that this was not some act of terrorism," Turner said, "but one certainly can see when one has an incident of this kind it certainly creates terror on so many levels."

He said authorities were interviewing DeSai's friends, family and associates.

The night before he died, DeSai went by his parents' Houston home. He was in a hurry and took his dinner to go, recalled his father Prakash, a retired geologist. He said his son had been upset for months over troubles at his work, chiefly trying to attract clients.

"We are not getting any business," he recalled his son saying. "Who wouldn't be worried?"

DeSai parted ways last year with his law partner, Kenneth McDaniel.

"I'm reading stuff online talking about how he was possibly a fired employee that was disgruntled," said McDaniel, a civil attorney. "That's the farthest thing from the truth."

"Our partnership dissolved in February of this year — it was simply a matter of economics. We couldn't afford to operate as a partnership anymore."

McDaniel said he had worked with DeSai for about 12 years.

'Nothing odd about him'

He declined to discuss DeSai's personal life, saying he didn't know him outside the office.

DeSai held a bachelor's in psychology from the University of Houston and a law degree from the University of Tulsa, from where he graduated in 1998, according to the Texas State Bar Association.

DeSai was in good



Police investigate the suspect's car in Monday morning's shooting along Law Street at Wesleyan.

standing, and there was no history of disciplinary trouble or complaints pending against him.

He specialized in criminal, business and family law, according to the bar association.

His former law office, off the Katy Freeway, was empty Monday aside from a few trash cans.

Lettering on the glass door read, "McDaniel and DeSai LLP."

Friendswood lawyer Troy Ted Tindal met DeSai briefly in the summer of 2015 when he took over a federal employment case from him.

DeSai had contacted him to see if he was interested and said he had filed the federal lawsuit, but wanted to pass it off to someone who knew about governmental immunity.

Tindal said he spoke with him on the phone a few times and met with him when he handed over the files for the case.

"He was just exactly like anybody else," Tindal said. "There was nothing odd about him, nothing aggressive, nothing that would give you the idea that he had any sort of inclination for a mass shooting incident. He seemed like a

completely normal guy in the summer of 2015."

Cliff Saunders, a KTRH Radio reporter who lived near DeSai said he avoided him.

"I knew enough to stay away," he said of the man who seemed to have anger issues and would regularly barrel through the condominium parking lot.

But far more troubling was a phone call he got from his wife this summer about him.

"My wife called me and said, 'Don't go home; there is a guy walking around with an AR-15,' " he said.

He asked her who it was and she said, "the guy with the black Porsche."

DeSai was apparently angry at some roofers or construction workers who had awakened him. It is unclear if police responded.

Houston Police said officers had never previously encountered DeSai.

Harrowing ordeal

At the scene of the shooting Monday, Alan Wakim, who lived near DeSai, was wiping dots of blood from his face as he embraced his wife, Jennifer Molleda, in the parking lot of a strip shopping mall.

They stood by his Mustang. Two bullets had come through the windshield. One landed near the driver's headrest.

Molleda said she had seen DeSai before, but said that he kept to himself.

"He's very secluded, we've seen him take out the trash a few times," Molleda said. "You normally say hi to neighbors, but when neighbors don't say hi back, you tend to mind your own business."

Still, Molleda said she would have never expected him to go on a shooting spree.

"He's an attorney for God's sake, driving a Porsche," Molleda said. "He's a prominent individual; you don't expect this from someone like that."

Carolyn Allen, 76, was driving on Law when a bullet came through the windshield of her Lincoln Navigator.

Though cut on her stomach, legs and face, the retired schoolteacher kept driving until she thought she was safe, she said, recalling, "I'm not sitting here like a sitting duck."

As DeSai's father learned on the news early Monday that there was a shooting near Law, he was immediately concerned for his son's safety, but had no idea he would turn out to be the predator.

He had immediately called his cellphone and left a message: "There is a shooting in your area. I am worried."

Lindsay Ellis, Brian Rogers and Gabrielle Banks contributed to this report.

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# Neighbors hide in terror after spotting gunman outside

Neighbors from page A1

Unbeknownst to Williams at the time, a man dressed in some type of military uniform, later identified as Nathan DeSai, a Houston lawyer who lived nearby, was for some reason firing randomly at passing vehicles. In the next 50 or so minutes, he would wound nine people before being shot and killed by police.

For now, Williams was trying to stop people from getting hurt. The shots were getting closer. He could hear bullets whizzing past his head.

"At that point, we got back behind the telephone pole and the fence there," Williams said.

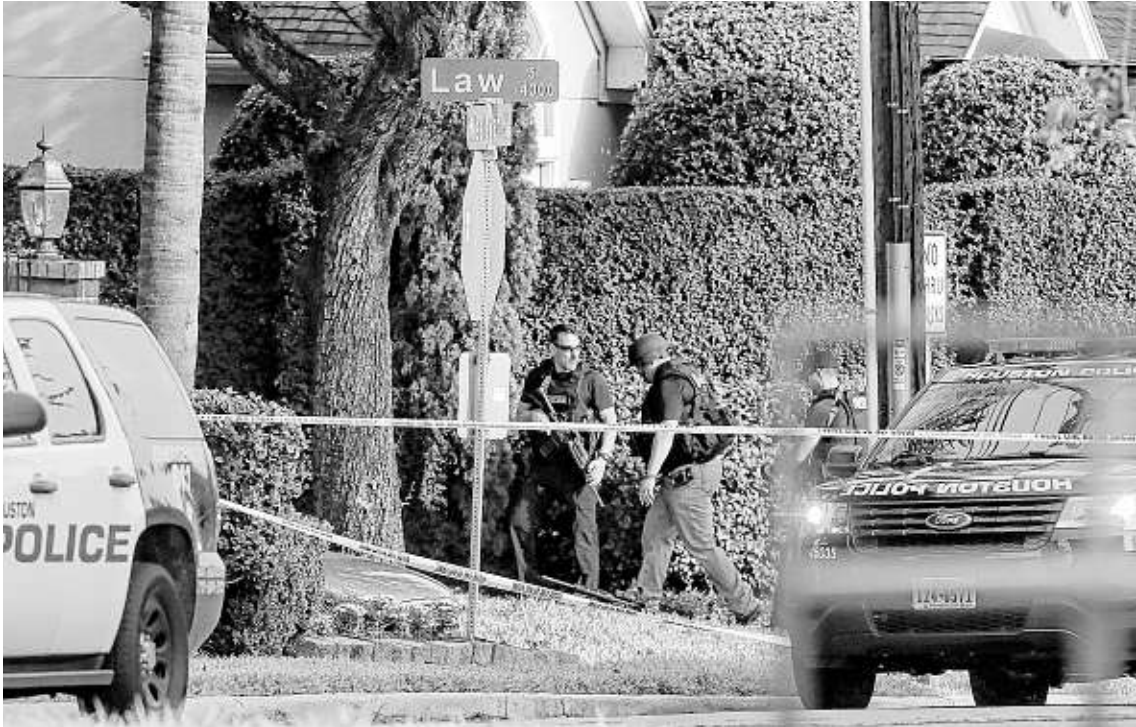
'Mom there's gunshots'

Williams lives near Law street, a popular cut-through for commuters trying to turn onto Wesleyan Street and avoid the congested intersection at Bissonnet.

Dan Hassen and his two sons were doing just that. The boys were late for an early-morning cross-country run. Williams turned them around.

At 6:49 a.m., Leslie Hassen, the boys' mother who was at home a block away from the shooting scene, got a text from one of her sons.

"Mom there's gunshots," it said. Then another: "Police he-



Police investigate the scene of a shooting along Wesleyan at Law Street that left multiple people injured and the alleged shooter dead Monday morning.

licopters." And another: "Watch the news." Then "OK we made it to the gas station." And "But we know someone got shot." And, finally: "There's tons of police cars and an ambulance."

This, to say the least, was not normal in a leafy, upscale neighborhood better known for its charming bungalows and tree-

lined streets than for violence or crime of any kind.

Leslie Hassen loaded her gun. She crouched at the top of her stairs, horrified by the messages.

"It's not something you should ever get from your son," she said, her voice wavering.

As the sun rose and the morning wore on, neighbors and curi-

ous onlookers gathered behind police tape that blocked off an entire block of Law Street.

Some held their hands over their mouths, shocked that such violence could occur on their doorsteps. Others, like Hassen, walked their dogs and stopped to chat and hug acquaintances.

It was a much calmer scene

than the one that awoke Eduardo Garza hours earlier. He and his brother live one floor below the alleged shooter in the Oaks at West University Condominiums. The sound of gunshots woke them both. Garza looked through his window blinds. He froze.

"I saw a person in dark clothing between the sidewalk and the street holding a gun. He popped off a couple rounds," Garza said.

'It's America right now'

Instinct took over. The two men hid in the back of the house. They avoided windows, fearing the gunman would target them through the glass. They called 911 once. They called again minutes later. And again.

Garza said the five minutes it took for authorities to arrive were the longest of his life.

Hassen, who knew three people injured in the shootings, said it was like a scene from a movie.

"You hear it all the time, and it's just right here," Hassen said, shaking her head. "It's America right now; it's disappointing."

She already knew what she would do when her kids got home from school.

"We're probably going to get on our knees and thank God, just thank Him for keeping ..."

She didn't finish the sentence.

Shelby.Webb@chron.com



# NATION | WORLD

## Historic peace deal between government, rebels signals end to conflict in Colombia

Ceremony is start of reconciliation for weary nation

By Joshua Goodman and Andrea Rodriguez  
ASSOCIATED PRESS

CARTAGENA, Colombia — More than 220,000 deaths, 8 million homeless and countless human rights violations: These are the tragic toll of South America's oldest armed conflict, which begins to wind down with the signing Monday of a historic agreement between Colombia's government and the country's largest rebel movement to end a half-century of hostilities.

Underlining the significance of the deal, President Juan Manuel Santos and the top commander of the Revolutionary Armed Forces of Colombia, or FARC, a rebel fighter known by the alias Timochenko, were to sign the accord in the colonial city of Cartagena.

Fifteen Latin American presidents as well as U.N. Secretary-General Ban Ki-moon and Secretary of State John Kerry were on hand.

### Symbols of peace

In a ceremony charged with symbolism befitting a historic moment that generations of Colombians thought they would never see, the more than 2,500 guests were asked to wear white as a sign of peace and Santos was to sign the 297-page accord with a pen made from a recycled shell used in combat.



Guillermo Legaria / Getty Images

A man flashes the peace sign as he gathers with others at Bogota's Bolivar main square on Monday to celebrate the historic peace agreement between the Colombian government and the Revolutionary Armed Forces of Colombia.

Earlier Monday, Santos and the foreign dignitaries attended a Mass celebrated by Cardinal Pietro Parolin, the Vatican's secretary of state, at a baroque church named for St. Peter Claver, a 17th-century Jesuit priest revered as the "slave of slaves" for his role aiding thousands of African slaves brought to the New World as chattel.

Across the country Colombians marked the occasion with a host of activities, from peace concerts by top-name artists to a street party in the capital, Bogota, where the signing ceremony was to be broadcast live on a giant screen.

It was also celebrated by hundreds of guerrillas gathered in a remote region of southern Colombia where their leaders signed the accord last week.

The signing won't close the deal, however. Colombians will be given the final say on endorsing or rejecting the accord in an Oct. 2 referendum.

Opinion polls point to an almost-certain victory for the "yes" vote, but some analysts warn that a closer-than-expected finish or low voter turnout could bode poorly for the tough task the country faces in implementing the ambitious accord.

### War crimes an issue

Among the biggest challenges will be judging the war crimes of guerrillas as well as state actors. Under terms of the accord, rebels who lay down their weapons and confess their abuses will be spared jail time and be allowed to provide reparations to their victims

by carrying out development work in areas hard hit by the conflict.

That has angered some victims and conservative opponents of Santos, a few hundred of whom took to the streets Monday to protest what they consider the government's excessive leniency toward guerrilla leaders responsible for scores of atrocities.

To shouts of "Santos is a coward!" former President Alvaro Uribe, the architect of the decade-long, U.S.-backed military offensive that forced the FARC to the negotiating table, said the peace deal puts Colombia on the path to becoming a leftist dictatorship in the mold of Cuba or Venezuela — two countries that along with Norway played a vital role sponsoring the four-year-long talks.

## Mall suspect confesses to shooting five

By Martha Bellisle  
ASSOCIATED PRESS

The man accused of killing five people at a Macy's store in a Washington state shopping mall before leading authorities on a nearly 24-hour manhunt was charged Monday with five counts of first-degree murder.

Arcan Cetin, 20, made a brief appearance in Skagit County District Court, and his bail was set at \$2 million.

Court documents released before the hearing said Cetin confessed to the slayings after his arrest, telling detectives who interviewed him that "he did bring the rifle into Macy's and shot all 5 victims."

Cetin was arrested Saturday, a day after a gunman opened fire in the department store's cosmetics department Friday night, killing a man, a teenage girl and three women.

His stepfather said after Monday's court appearance that Cetin had unspecified mental health problems.

"The only thing that we want to say at this time is that we both are totally devastated by what happened," said David Marshall, who attended the hearing with Cetin's mother.

Cetin's lawyer, Keith Tyne, did not speak with reporters.

Cetin was described by one neighbor as so "creepy,

rude and obnoxious" that she kept a Taser by her front door. He also had a string of run-ins with the law in recent years, including charges he assaulted his stepfather.

Cetin immigrated to the U.S. from Turkey and is a legal permanent resident, officials said.

The Seattle Times reported that court records show Cetin

faced three charges of assaulting his stepfather. The newspaper said Cetin also was arrested on drunken-driving charges. It gave no details on when the arrests took place or how the cases may have been resolved.

In the assault case, Cetin was told by a judge last December that he was not to possess a gun, the newspaper reported. However, the stepfather urged the judge not to impose a no-contact order, saying his stepson was "going through a hard time."

Police said that they interviewed the suspect's former girlfriend, who had worked at a different Macy's. No other details were released, including her name.

Social media accounts apparently belonging to Cetin showed he had a fondness for the military and video games.



Cetin

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NATION | WORLD

IN BRIEF



Charlie Niebergall / Associated Press

Cedar Rapids prepares for flooding

Facing their second-largest flood in city history, Cedar Rapids, Iowa, leaders and residents pinned their hopes Monday on a 10-mile system of quickly erected flood barriers to protect government buildings, homes and businesses in Iowa’s second-largest city. Residents are waiting anxiously as the quickly rising Cedar River — it was already past 20 feet on Monday — threatens to inundate the city with devastating floodwaters.

CITY NAME

Colonel charged with rape found dead

DENVER — A high-ranking Air Force Space Command officer who was charged with rape and other crimes was found dead in his Colorado home after civilian police received a report of a suicide, officials said Monday.

The body of Col. Eugene Caughey, 46, was found Sunday at his off-base home in Colorado Springs, city police said.

Caughey was relieved of his duties in June 2015 after the rape investigation began, the Air Force has said. His court-martial was scheduled for Oct. 17.

The officers who found him dead were responding to a report of a suicide, Colorado Springs police Sgt. Tim Stankey said.

ILLINOIS

Chicago teachers schedule vote to authorize strike

CHICAGO — Teachers in the nation’s third-largest school district announced Monday that

they have overwhelming support for a strike, but several steps remain before a possible walk-out could take place next month.

About 95 percent of the Chicago Teachers Union’s voting members favored the strike authorization after several days of high-turnout voting last week. The support was widely expected; about 88 percent supported a strike in a similar vote last December.

To strike, the union needs 75 percent support and must provide school officials 10 days’ notice. CTU’s governing board meets Wednesday to determine next steps. If board members decide to give notice, the earliest possible first day of a strike would be Oct. 11.

IRAN

Canadian prof freed after being held for months

TEHRAN — A Canadian-Iranian retired professor was released from prison on “humanitarian grounds” and flown out of Iran on Monday, Iran’s state-run news agency said, ending her months of detention alongside other dual nationals swept up by hard-liners in the security services.

Homa Hoodfar was flown to Oman, the brief report from the IRNA news agency said. Canadian Prime Minister Justin Trudeau hailed her release in a statement, thanking Italy, Switzerland and Oman for their help in the matter.

Hoodfar, 65, was questioned and barred from leaving Iran in March after traveling to the country to visit family after the death of her husband. Her family said she has been held in Tehran’s Evin Prison since June.

JAPAN

Jets sent to meet Chinese planes flying into strait

Japan scrambled jets Sunday after a fleet of Chinese aircraft flew into a strategically important strait near disputed islands in the East China Sea.

The People’s Liberation Army Air Force sent a fleet of 40 aircraft — comprising H-6K bombers, Su-30 fighters and air tankers — on what it called a “routine” drill through the Miyako Strait on route to the West Pacific for exercises, a Chinese defense ministry statement said.

Japan sent out the jets after eight of the Chinese

planes crossed back and forth over waters between Okinawa’s main island and Miyako-jima island near Taiwan, the Defense Ministry in Tokyo said in a statement.

Prime Minister Shinzo Abe told parliament Monday that he’s looking to improve relations with China, but any unilateral attempts to change the status quo must not be tolerated in the East China Sea, South China Sea or anywhere else.

Snake on a train? Passenger gets slithery surprise

TOKYO — A passenger spotted a snake curled around the armrest of another passenger’s seat on a Japanese Shinkansen “bullet” train on Monday, forcing the train to make an unscheduled stop.

No one was injured in the incident.

Experts suspected the snake may have been brought on to the train accidentally in someone’s luggage or with maintenance equipment. The foot-long snake later was identified as a rat snake after police consulted with a local zoo, according to Japanese media. Railway police removed the snake.

*From wire reports*

Trump steered cash owed him to foundation

Approximately \$2.3 million sent as tax-exempt

By David A. Fahrenthold  
WASHINGTON POST

Donald Trump’s charitable foundation has received approximately \$2.3 million from companies that owed money to Trump or one of his businesses but were instructed to pay Trump’s tax-exempt foundation instead, according to people familiar with the transactions.

In cases where he diverted his own income to his foundation, tax experts said, Trump still likely would be required to pay taxes on the income. Trump has refused to release his personal tax returns. His campaign said he paid income tax on one of the donations but did not respond to questions about the others.

That gift was a \$400,000 payment from Comedy Central, which owed Trump an appearance fee for his 2011 “roast.” Then there were payments of about \$1.9 million from a man in New York City who sells sought-after tickets and one-of-a-kind experiences to wealthy clients.

That man, Richard Ebers, bought goods and services — including tickets — from Trump or his businesses, according to two people familiar with the transactions, who requested anonymity. They said Ebers was instructed to pay the Donald J. Trump Foundation instead. Ebers did not respond to requests for comment.

The gifts begin to answer one of the mysteries surrounding the foundation: Why would other people give to Trump’s charity when Trump himself gave his last recorded donation in 2008?

The donations from Ebers and Comedy Central, which account for half the

money given to the Trump Foundation since 2008, also provide evidence of the Trump Foundation’s ties to Trump’s empire.

Did Trump pay income tax in the cases where he directed his own fees to the Trump Foundation? The first time the Washington Post asked, Trump’s campaign denied that any of the transactions had taken place.

“He’s never directed fees to the foundation,” said Boris Epshteyn, a senior adviser to Trump on Saturday.

The Post later presented Epshteyn with the Comedy Central and Ebers examples during the same interview. Epshteyn acknowledged the Comedy Central case had occurred but refused to comment on the others.

“To my knowledge, Mr. Trump has followed all applicable rules and regulations,” Epshteyn wrote in an email Sunday after being presented with the Post’s reporting on the donations from Ebers. “The rest is pure speculation and worthless conjecture on your part.”

Previously, the Post reported the Trump Foundation appears to have violated laws against “self-dealing,” which prohibit nonprofit leaders from using charity money to help themselves. In particular, Trump appeared to use \$258,000 from the charity to help settle lawsuits involving a golf course and an oceanside club. Trump also spent charity money to buy two portraits of himself.

“This is so bizarre, this laundry list of issues,” said Marc Owens, the longtime head of the Internal Revenue Service office that oversees nonprofit organizations who is now in private practice. “It’s the first time I’ve ever seen this, and I’ve been doing this for 25 years in the IRS, and 40 years total.”

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Syria says truce remains viable after week of Aleppo airstrikes

ASSOCIATED PRESS

BEIRUT — Syria’s foreign minister said Monday that an internationally brokered cease-fire is viable, as rescue workers in Aleppo sifted through the rubble from the heaviest airstrikes on rebel-held areas of the northern city in five years.

Foreign Minister Walid al-Moallem, speaking to Mayadeen TV from New York, also said the government is prepared to take part in a unity government incorporating elements from the opposition, an offer that has been rejected in the past.

Opposition activists say more than 200 civilians have been killed in the past week under a sustained

aerial campaign that U.N. envoy Staffan de Mistura called one of the worst of the 5½-year war. The U.N. Security Council convened an emergency meeting but failed to take any action because of rancor between Russia and the West.

“What Russia is sponsoring and doing is not counterterrorism, it’s barbarism,” said U.S. Ambassador Samantha Power. “It’s apocalyptic what is being done in eastern Aleppo.”

The Britain-based Syrian Observatory for Human Rights said airstrikes on Aleppo on Monday killed 12 people, including three children.

President Bashar Assad’s media adviser, Bouthaina Shaaban, said

the Syrian government abided by the cease-fire but the rebels did not in explaining why the offensive was resumed.

But Al-Moallem said ongoing communications between U.S. Secretary of State John Kerry and Russian Foreign Minister Sergey Lavrov meant a truce agreement brokered two weeks ago is “not dead.”

Kerry said the Syrian and Russian governments “seem intent on taking Aleppo and destroying it in the process.”

“While they’re pounding Aleppo, dropping indiscriminate bombs, killing women and children, talk of a unity government is pretty complicated,” Kerry said during a visit to Colombia.

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PRESIDENTIAL DEBATE



**DONALD TRUMP**  
Primed for TV, although his edgy side that percolated during the GOP primaries was often absent.



**HILLARY CLINTON**  
On the offensive and appeared at ease with showing her policy depth.



**LESTER HOLT**  
Admitted to being nervous. “That thud you heard backstage was the sound of my knees buckling ...”

FACTCHECK

Clinton errors, Trump hyperbole

ASSOCIATED PRESS

WASHINGTON — Donald Trump's habit of peddling hype and fabrication emerged unabated in the first presidential debate, while Hillary Clinton played it cautiously in her statements, though not without error. They both denied making statements that they are on the record as saying.

A look at some of the claims in the debate and how they compare with the facts:

**CLINTON:** Denying Trump's accusation that she called the Trans-Pacific Partnership trade deal the “gold standard” of trade agreements: “I did say I hoped it would be a good deal.”

**THE FACTS:** Trump is correct. As secretary of state, she called the deal that was taking shape the “gold standard” of trade agreements, in a 2012 trip to Australia, and championed the agreement in other venues around the world. She did not merely express the hope it would turn out well.

Clinton flip-flopped into opposing the trade deal in the Democratic primary when facing Bernie Sanders, who was strongly opposed to it.

■■■■  
**TRUMP:** When Clinton accused him of calling climate change a hoax invented by the Chinese: “I did not say that.”

**THE FACTS:** Yes he did, in the form of a 2012 tweet: “The concept of global warming was

created by and for the Chinese in order to make U.S. manufacturing non-competitive.” He later claimed he was kidding, but he's also repeated the claim that climate change is a hoax, and one that benefits China.

■■■■  
**TRUMP:** “I've been under audit for almost 15 years.”

**THE FACTS:** Donald Trump has never provided any evidence to the public that he is actually under audit. A letter released by his tax attorneys never used the word, merely describing his tax returns under continuous review. “Review” is not a formal term for any action by the IRS.

Trump has declined to provide the IRS' formal notice of audit to The Associated Press and other news outlets. And former IRS officials have expressed skepticism that anyone would be audited so frequently.

■■■■  
**CLINTON:** As part of a list of economy-building moves, called for “making college debt free so more young people can get their education.”

**THE FACTS:** Clinton has proposed making college tuition free for in-state students who go to a public college or university. But tuition free doesn't equate to debt free.

Under her plan, the government would pay for in-state tuition at public colleges for students from families earning less than \$125,000 a year. That



Al Drago / New York Times

**Kyle Boss reacts to a statement made by Donald Trump during a debate watch party at the Abbey bar and restaurant in West Hollywood, Calif.**

would leave students still bearing the cost of room and board, which makes up more than half of the average \$18,943 sticker price at a four-year public university, according to the College Board.

Experts worry about other effects: Will colleges raise tuition once the government starts paying, increasing the cost to taxpayers? Will more students flock to public colleges because of the subsidy, also raising costs?

■■■■  
**TRUMP:** “You don't learn a lot from tax returns.”

**THE FACTS:** Trump was explaining why he won't release his tax returns.

And yes, one can learn quite a bit. Tax returns might not answer every question about Trump's finances, but they'd provide vital information about his wealth, taxes paid, tax avoidance efforts, exact amounts of real estate holdings and charitable donations that can't be gleaned from any other source. For these reasons, every major party candidate for the last 40 years has released at least a few

years of recent tax returns.

■■■■  
**TRUMP:** Trump said that a 1970s racial discrimination case against his real estate business was settled “without any admission of guilt” and that the case was brought against “many real estate firms.”

**THE FACTS:** The first claim is technically correct; the second flatly false.

Trump and his father fiercely fought a 1973 discrimination lawsuit brought by the Justice Department for their alleged refusal to rent apartments in predominantly white buildings to black tenants.

A settlement that ended the lawsuit did not require the Trumps to explicitly acknowledge that discrimination had occurred — but the government's description of the settlement said Trump and his father had “failed and neglected” to comply with the Fair Housing Act.

Trump is also wrong to say that the suit was brought against many real estate developers — it was specific to buildings rented by him and his father.

ANALYSIS

Five takeaways from Monday's debate

ASSOCIATED PRESS

1. **TRUMP'S TEMPERAMENT:** If Clinton aimed to get under Trump's skin in the first 30 minutes of the debate, the Democratic nominee appeared to succeed. Clinton often put Trump on the defensive, saying he had “rooted for” the collapse of the housing industry and had considered climate change to be a hoax. In another exchange, Clinton said, “I have a feeling that by the end of this evening I'll be blamed for everything that ever happened.”

2. **CLINTON'S ZINGERS:** Often delivered with a smile, Clinton came prepared with pithy lines that undercut Trump's case on the economy. In an early exchange, Clinton said Trump would push for “trickle-down” tax cuts that would only benefit the wealthy, calling it, “trumped-up trickle-down.” When Trump got in a dig at Clinton's absence from the campaign trail, she said there was nothing wrong with spending time preparing for the debate. “You know what else I did?” she asked. “I prepared to be president.”

3. **TRUMP'S TAXES:** Clinton savaged Trump, saying he's got something to hide by not releasing his tax returns. She said Trump may not be “as rich as he says he is” or “maybe he's not as charitable” as he says he is. Clinton warned that perhaps Trump hadn't paid any federal income tax at all, noting that some of Trump's income tax returns in the 1970s showed he had paid no federal income taxes in certain years. Trump disclosed the returns to New Jersey casino regulators.

4. **CLINTON'S EMAILS:** Clinton took responsibility for using a private email server and gave Trump nowhere to go. Despite her past statements in which she changed her story from previous iterations or left wiggle room by not being completely accurate, on Monday she avoided getting wrapped up in a lengthy exchange. When Trump said he would release his tax returns if Clinton put out what he called her “33,000 deleted” emails, Clinton said, “I made a mistake using a private email” server. Trump interjected, “That's for sure,” prompting Clinton to respond, “I take responsibility for that.”

5. **RACIAL POLITICS:** Trump has said black voters have “nothing to lose” by supporting his candidacy but he was forced to answer for his role in claiming Obama was born outside the United States. Clinton accused Trump of spreading a “racist lie” that our “first black president” was not an American citizen, adding, “He has a long record of engaging in racist behavior.” Trump responded by recalling the bitter debates between Clinton and Obama during the 2008 Democratic presidential primary, saying Clinton treated Obama then with “terrible disrespect.” Later, when Clinton said Trump's view of black communities was too grim, Trump sighed, rolled his eyes and said, “Ugh.”

RACE

Birther issue resurfaces amid sparring

By Mike Tolson

Race relations and racial healing occupied a portion of the debate. Hillary Clinton called for revision to the criminal justice system, which she said has been too harsh on minorities, and for an examination of implicit bias which she claims infects everyone.

“Unfortunately, race still determines too much,” Clinton said. “We have to restore trust between communities and police.”

She also assailed Donald Trump for his years-long pursuit of the so-called birther issue questioning President Obama's birth certificate and citizenship, and for a business history and campaign tone that has appealed to racial extremists.

“He started his campaign activity with a racist lie and he continued to push it,” Clinton said. “He has a long history of engaging in racist behavior. In 1973, he was sued by the Justice Department because he would not rent apartments ... to African Americans.”

Trump defended his longstanding insistence that President Obama might not be an American citizen, which he recently dropped.

Trump said what African-American and Hispanic communities need is more law and order because they are being “decimated” by crime. He promised to extend the “stop-and-frisk” approach.

“We have a situation where our inner cities, African-Americans and Hispanics, are living in hell,” Trump said. “You walk down the street and you get shot. We have to stop the shootings and bring back law and order.”

As for the discrimination lawsuit, Trump said it was settled with no admission of guilt.

He cited a club he opened in Palm Beach County as a model of nondiscrimination.

mike.tolson@chron.com

THE ECONOMY

Creating jobs vs. slowing firms' exodus

By Lydia Depillis

Hillary Clinton and Donald Trump have been pummeling each other for months on the campaign trail over the economy, and parts of the first presidential debate sounded like a montage of their stump speeches and policy platforms.

But the slugfest also crystallized their wide differences.

The fundamental divergence between Clinton and Trump on this issue — to which moderator Lester Holt devoted his first segment, called “achieving prosperity” — is where they believe economic growth will come from.

Trump describes a world in which companies are fleeing America, sending manufacturing jobs to Mexico and China, on account of badly negotiated trade deals and countries that are manipulating their currencies.

When asked by Holt how he would bring jobs back to America, Trump mostly talked about how he would stem the losses.

“First of all, you don't let the companies leave,” Trump said, describing how he would raise tariffs on imported goods and lower corporate tax rates to push companies to put their capital to work at home.

Clinton, on the other hand, sees “achieving prosperity” more as a matter of moving into new sectors in which America can seize a natural advantage as well as redistributing the gains that have disproportionately flowed to the super-rich, through measures such as raising the minimum wage and encouraging employee ownership structures.

“I call it trumped-up trickle down, because that's exactly what it would be,” Clinton said of Trump's plan to cut individual and corporate taxes, noting that cutting taxes at the top would be particularly advantageous to the Trump Organization itself.

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SECURITY

Goals similar but methods are divergent

By Dylan Baddour

Issues of cyber security, the Islamic State and funding of the North Atlantic Treaty Alliance took up most of the national security conversation at Monday night's presidential debate.

Donald Trump said the U.S. should decrease the share it pays for the NATO budget, saying “we cannot be the policeman of the world.”

Clinton argued for maintaining American investment in the alliance.

“It is essential that America's word be good,” she said.

Both identified cyber security as an emerging priority, but offered few specifics on combating the threat posed by hackers, both independent and state sponsored.

Clinton raised alarm at a recent series of high-profile hacks, largely blamed on the Russian government, which Clinton said she thought was “probing” to test the U.S. reaction.

Trump said it might not have been Russia that orchestrated the hacks, but agreed with Clinton that “we have to get very tough on cyber warfare.”

Regarding the Islamic State, or ISIS, Trump blamed Clinton for “creating” the group with a poorly executed withdrawal of the American occupation from Iraq. Clinton said the withdrawal had been scheduled under the previous administration of President George W. Bush and could not be adjusted.

She called for increased bombardment of the group, cyber attacks to disrupt online propaganda, military aid to U.S. allies neighboring the ISIS stronghold and targeting of ISIS leadership.

Trump declined to offer specifics but agreed that “we have to knock the hell out of ISIS and we have to do it fast.”

He criticized Clinton for posting specific plans on her campaign website, saying it revealed too much to the terrorist group.

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IMMIGRATION

Little insight into big issue in Round 1

By Lomi Kriel

The two presidential candidates offered surprisingly little insight into their views on immigration during their first debate Monday night, even as Republican nominee Donald Trump has built his campaign around the issue.

The televised debate at Hofstra University in New York comes as new polls show the two candidates are essentially tied and as a Texas Lyceum survey this month found immigration and border security are the top issues on voters' minds. Nationally, a Rasmussen Reports poll last month found 51 percent of voters think gaining control of the border is more important than legalizing the status of 11 million immigrants here illegally, down 8 points from six months ago.

Immigration has been a defining feature of the election, propelling Trump to the top of a crowded Republican field as he promised to deport all immigrants here illegally and build a wall against Mexico. Clinton has said she would expand on attempts by President Barack Obama to give them temporary stays from deportation and work permits.

The candidates have taken polar opposite views on legal immigration, once an issue holding broad bipartisan support. On Monday, the two candidates touched only lightly on the divisive issue during the debate, with Trump saying the crime rate in the nation is out of control. Immigrants here illegally “have guns and they shoot people,” he said. Crime actually has decreased significantly since the mid-1990s.

Clinton didn't respond directly to his statements.

Trump also blamed Clinton for what he said have been “defective” trade agreements that have cost American jobs. Clinton argued that she held jobs, such as secretary of state, that did not give her a primary role in crafting trade agreements.

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FROM THE COVER

Candidates couldn't hide animosity

Candidates from page A1

Wall Street and foreign banks.

Trump's strongest moments came early in the evening, when he seemed to put Clinton on the defensive over her support for free trade agreements that he argues have cost Americans jobs.

But on issues of race and gender, Trump was less sure-footed. When he was pressed about what he would say to people offended by his years of questions about whether Obama was born in the U.S., Trump did not respond directly, instead claiming credit for Obama releasing his birth certificate.

"I say nothing because I was able to get him to produce it," he said of the birth certificate.

Clinton also tried to drive a wedge between Trump and the president, whose approval ratings are on the rise. "President Obama is a man of great dignity, and I could tell how much it bothered him," she said of the controversy.

She also broadened the issue beyond birtherism, which she called a "racist lie," and accused Trump of having "a long record of engaging in racist behavior." She singled out his family's real estate company for being sued by the Justice Department in 1973 for racial discrimination.

Trump did little to rebut her charges of racism. He instead said he had recently watched some of her debates with Obama in the 2008 Democratic primary and she had been quite harsh on her then-rival. "You treated him with terrible disrespect," he said. But Trump repeatedly demeaned Obama in the debate, at one point telling Clinton that he was "your president."

**Pressed on insults to women**

Later, Clinton recalled Trump's stream of insults to women over the years, a determined effort by her to rally female voters to her side.

"This is a man who has called women pigs, slobs and dogs, and someone who has said pregnancy is an inconvenience to employers, who has said women don't deserve equal pay unless they do as good a job as men," Clinton said. "And one of the worst things he said was about a woman in a beauty contest. He loves beauty contests, supporting them and hanging around them. And he called this woman Miss Piggy. Then he called her Miss Housekeeping because she was Latina. Donald, she has a name."

Trump did not have a forceful rejoinder, saying that most of his insults had been aimed at the comedian Rosie O'Donnell, with whom he had feuded. "I said very tough



Joe Raedle / Pool via Associated Press

**Hillary Clinton and Donald Trump showed cordiality to each other before and after Monday night's debate, which was moderated by Lester Holt of NBC News.**

What's next?

<b>Tuesday, Oct. 4</b> Vice presidential debate Longwood University Farmville, Va.	<b>Sunday, Oct. 9</b> Presidential Town Hall Washington University St. Louis	<b>Wednesday, Oct. 19</b> Presidential debate UNLV, Las Vegas  All times: 8 p.m.
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things to her, and I think everybody would agree that she deserves it, and nobody feels sorry for her," he said.

But Trump said mysteriously that he had "something extremely rough" to say about "Hillary and her family," then added, "I can't do it, I can't do it." He told CNN afterward that he was proud of "holding back" on Bill Clinton and his extramarital affairs because Chelsea Clinton was in the audience.

On crime, Trump targeted Clinton for not taking a sufficiently hard line, chastising her for refusing to say "law and order," and sketched a dystopian view of minority communities. Blacks and Hispanics, he said, "are living in hell because it's so dangerous."

He attacked Clinton from the right on policing, suggesting that she supported "stop-and-frisk" policies but was not saying so for unstated political reasons. But in an attempt to damage her with black voters, he also invoked her use of the word "superpredator" in 1990s to describe youthful criminals. "I think it was a terrible thing to say," he said.

Trump seemed most confident when he accused Clinton of lacking a record of success or results despite being in public life for 30 years. He

tried to pin blame on her for decades of U.S. policy, including the decision by Bill Clinton, to sign the North American Free Trade Agreement into law, as well as her past support for the Trans-Pacific Partnership.

"NAFTA is the worst trade deal maybe ever signed anywhere," Trump said, invoking a pact that is deeply unpopular in several swing states, and added that the TPP "will be almost as bad." After Clinton said she had opposed the Trans-Pacific trade deal, Trump interjected and, raising his voice, talked over her. "You called it the gold standard," he said, nearly shouting.

Clinton, in a measured tone and with a tight smile, responded with a harsh rejoinder. "Donald, I know you live in your own reality, but that is not the facts," she said.

**Taxes and Iraq**

Trump hurled so many accusations at Clinton — and with such fervor that he frequently had to sip water — that she found herself saying at one point, "I have a feeling that by the end of this evening, I'm going to be blamed for everything that's ever happened."

Clinton pressed Trump on his failure to release his tax returns, an

issue that polls show is resonating with voters. She suggested that he had not made them public because they would show that "you haven't paid any federal income tax for a lot of years."

Trump did not dispute her assertion, saying instead that the government would waste his money.

"It would be squandered, too, believe me," he said. At another point, he argued that he was "smart" to have avoided paying any federal income tax earlier in his career.

Beyond the frequent policy clashes and vivid personality differences, the hostility between the two candidates was unmistakable. Clinton was all icy stares and pointed rebukes, while avoiding the sort of prickly reactions that hurt Obama in his first debate against Mitt Romney in 2012.

Trump looked more irritable and impatient as the night went on, and ultimately lost his cool when Clinton noted that he had initially supported the war in Iraq.

"Wrong," Trump said. "Wrong, wrong."

Trump did signal support for the U.S. invasion of Iraq at first, but when the moderator, Lester Holt of NBC News, pointed that out, Trump lashed out. "That is a mainstream media nonsense put out by her," Trump said of Clinton. When Holt said "the record shows otherwise," Trump went on a long tangent about various antiwar comments he had made to allies like Sean Hannity of Fox News.

Analysis: First time for both to face other party

Analysis from page A1

can shoulder the immense, awesome responsibilities of the presidency."

Trump in turn sought to exploit Clinton's central weakness: the deficit of trust and honesty she has faced in her struggles to explain her use of a private email server as secretary of state. Trump — surprisingly playing more defense than offense — pivoted to the topic even as he was called on to release his tax returns.

"I will release my tax returns, against my lawyer's wishes, when she releases the 33,000 emails that have been deleted," he said.

Clinton acknowledge the blunder of using a private email server while secretary of state, which has become of a centerpiece of GOP political attacks for the past year.

"It was a mistake, and I take full responsibility for that," she said.

For Trump, the debate stage at Hofstra University in New York also provided a chance to cast off his past excesses — such as his "birther" attacks on President Barack Obama and his suggestion that climate change is a hoax — and reach his threshold goal of looking and sounding thoughtful and presidential.

Clinton, for her part, seemed at ease showing her greater policy depth — in contrast to Trump's showmanship flair — and tying Trump to the inflammatory rhetoric of his boisterous primary campaign.

"Just join the debate by saying more crazy things," Clinton said after Trump accused her of ineffectiveness on foreign policy and "fighting ISIS your entire adult life."

The two also sparred over Trump's past suggestion of a climate change hoax perpetrated by the Chinese, which he denied emphatically, despite a tweet to the contrary.

Clinton, often on the offensive, accused Trump of a record of "racist behavior" as well as a history of

demeaning remarks toward women and making bellicose statements about war and foreign policy, questioning both his judgment and temperament.

"I have much better judgment than she has," Trump responded. "I also have a much better temperament. ... I have a winning temperament. I know how to win."

He pressed Clinton on the slow economic recovery of the Obama administration and vowed to reduce taxes and create more jobs. While offering few details, he said, "It's going to be a beautiful thing to watch."

**Starting with advantage?**

For many analysts, Trump arrived on the stage with a central advantage over Clinton: the low expectations attached to the real estate mogul owing to his outsider status in presidential politics.

Clinton, a former first lady, senator, and secretary of state with years in public service, came in burdened with high expectations of winning on debate points against a celebrity billionaire who has logged long hours before the cameras, albeit as a reality TV star.

She also came onto the stage representing the status quo in what many see as a "change" election. "Hillary has experience," Trump said, "but it's bad experience."

In a pre-debate briefing, Republican National Committee strategist Sean Spicer praised Clinton's reputation as a "talented debater," versus Trump who, notwithstanding a dozen GOP primary debates, "is new to the format."

While both Trump and Clinton came to their inaugural face-off seasoned by a year of primary debates, Monday's contest was the first time either candidate had debated a rival from an opposing party.

Pre-debate maneuvering was intense, with the campaigns tussling over the proper role for NBC moderator Lester Holt in fact-checking any of the candidates' anticipated misstatements.

The buildup also was marked by

Trump's suggestion on Twitter that he was considering inviting former Bill Clinton consort Gennifer Flowers — a threat designed both to unnerve his opponent and remind voters of an unseemly episode from the Clintons' past. Flowers did not appear.

Trump's campaign also primed the pump of post-debate spin by promising supporters that surrogates, such as Texas operative Katrina Pierson, would "take on the mainstream media who will try to crown Hillary the winner."

In a fundraising email Thursday, Pierson said the campaign was planning to "flood" the airwaves with pro-Trump ads in battleground states after the debate, seeking to capitalize on what Trump aides see as a momentum shift in their direction.

The Clinton campaign prepared to host more than 1,200 debate watch parties in 50 states. It also launched a minute-and-a-half new web video called "Lies," highlighting contradictory Trump statements on a host of issues.

On the debate stage, Clinton faced the challenge of projecting personal warmth while at the same time drawing blood against an opponent who has traded on attitude over policy, eschews briefing books, and revels in a political zone that is all but impervious to fact-checking.

Clinton got off the first attack of the night by contrasting Trump's inherited wealth to her own middle-class upbringing. He referred to his father's \$14 million loan as "a very small amount" that he turned into a business empire worth billions.

When Trump accused her of playing politics as usual, Clinton was ready. "I think Donald just criticized me for preparing for this debate," he said. "Yes, I did. You know what else I prepared for? I prepared to be president, and I think that's a good thing."

With base voters largely dug in on both sides, both Clinton and Trump sought ways to reach moderate or undecided voters by rein-

forcing each other's historically high negative ratings in the polls.

Notably absent from the debate was the edgy side of Trump that helped him dispatch Republican opponents with debate insults like "Little" Marco Rubio, "low-energy" Jeb Bush and "Lyn" Ted Cruz.

**Potential game-changer**

His performance in Monday's encounter with Clinton proved more disciplined and less free-wheeling, in keeping with the broader demographics of a general election campaign. Facing a record gender gap with women, Trump also steered clear of his campaign's oft-used Clinton moniker, "Crooked Hillary," a piece of personal condescension that experts said could have opened up an unwelcome gender dynamic.

One of the central ironies of the debate — among many — was that Trump, a man frequently assailed for overt sexism, found himself facing the first woman to take the debate stage as a major party candidate.

But if Clinton's aim was to bait Trump into going off-script, lashing out at her or saying anything offensive that might be deemed over-the-top by independent or moderate voters, she had limited success.

For the campaigns, the debate — with an expected 100 million viewers — had the potential to be a game-changer in a contest featuring two major party candidates locked in stalemate in both national and most battleground state polls.

According to a Wall Street Journal poll released Monday, some 34 percent of Americans said the matchups between Clinton and Trump would be very important in picking a candidate to support.

Clinton and Trump are scheduled to face off for a second time on Oct. 9 at Washington University in St. Louis. The final debate is Oct. 19 in Las Vegas.

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POLITICAL NOTEBOOK

Green Party's Stein removed

Green Party presidential candidate Jill Stein was escorted by police off the Hofstra University campus hours before the school was to host the debate between Democrat Hillary Clinton and Republican Donald Trump.

Stein was "nicely escorted" from campus after authorities found that she did not have proper media credentials, a Nassau County police spokesman told ABC News.

Stein did not register enough support in national polls to participate in the Monday debate.

2,000 protesters outside debate

Police on Long Island say about 2,000 protesters gathered outside the scene of the first presidential debate.

Some of the diverse groups protesting Monday night's showdown at Hofstra University included Hardhats for Hillary, socialists and activists calling for a living wage. The protesters were confined to an area several blocks long.

Nassau County police say 24 people were arrested on mostly disorderly conduct charges. Police gave no other details on the arrests.

Pence, celebs in spin room

Some unconventional supporters of the presidential candidates were packing the spin room where reporters awaited the first debate of the general election.

They include a trio of sports figures: eccentric boxing promoter Don King, dressed in a bedazzling denim jacket; former Indiana basketball coach Bobby Knight; and billionaire Dallas Mavericks owner Mark Cuban.

Also working the room was Trump's running mate Mike Pence, who was being followed by a pack of reporters as he crisscrossed the media filing center doing interviews.

Kaine visits site of Fla. slayings

Tim Kaine has visited the Orlando, Fla., memorial site of the worst mass shooting in modern American history.

Weeping, he said, "We've got work to do."

The Democratic vice presidential nominee made the remarks during a brief stop at Pulse nightclub, where 49 people were shot and killed in June. He was joined by former congresswoman Gabby Giffords and her husband, Mark Kelly. The couple became gun control advocates after Giffords was shot in the head in 2011. Kaine laid white roses in front of a banner of rainbow doves. Many of the Pulse victims were members of the LGBT community.

Kaine was to join Giffords and Kelly in Orlando to watch Hillary Clinton and Donald Trump in their first debate.

MTV to promote voter registration

MTV is bringing back its 1990s-era show "Total Request Live" for a day, only this time as "Total Registration Live."

It will be part of a national voter registration effort on Tuesday, with a show airing at 5 p.m. CDT and simulcasting online. Model Kendall Jenner will appear, along with director Joss Whedon, Camila Cabello of Fifth Harmony and singer Ty Dolla \$ign.

Organizers say guests will stress the importance of voting. They also will test out technology helping people register via a text message or through Facebook.

From wire reports



EDITORIAL

Her night

Hillary shines under the spotlight.

Before Kennedy and Nixon faced off in the first televised presidential debate, former White House speechwriter Emmet John Hughes wrote an op-ed for the New York Times that imagined two futures. In one, as described in The Atlantic, television helped democracy flourish by bringing policy debates directly to voters. In the other future, television filled politics with a sloganized portrayal of governing that promoted charlatans.

Hughes hoped for the first but predicted the latter. Now the Grand Old Party is being led by a man who has never in his 70 years demonstrated familiarity with policy or interest in service. The former reality show host has made it this far on his carnival barker's ability grab attention, but his routine floundered when placed in front of a quiet crowd, a prepared opponent and dutiful moderator.

At Monday's debate, Donald Trump's answers were hollow where former Secretary of State Hillary Clinton was substantive. She was the happy warrior where he was curmudgeonly. Even his hair seemed flat in contrast to Clinton's energetic coif.

The debate revealed the real estate scion for what he is: uniquely unprepared.

The only thing worse than Republican nominee's performance would be if he actually implemented his platform. Trade tariffs would kill jobs at the Port of Houston. The government would support a failing coal industry at the expense of Texas natural gas. Trump's tax plan would send the national debt to unprecedented heights. Everything the aspiring politician says is a promise to make us less competitive.

None of this matters to Trump. He was born rich and he'll stay rich.

But for anyone who cares about growing the U.S. economy and leaving a better nation for their children, Clinton described a path built on proven policy.

Admittedly, few of Clinton's ideas are unique. On criminal justice issues, she touted diversion programs like those here in Harris County. On jobs, she pushed for profit sharing, paid family leave and other ways to bring more money and stability to workers.

Instead of talking about those working families, Trump stroked his ego. He defended stiffing small business owners. He bragged about putting himself first. He even hinted that he's evaded taxes. Instead of talking about the future of our nation, Trump talked about his new hotel.

Disorganized, stumbling and sniffing throughout the debate, Trump proved that he clearly isn't ready for prime time. It is alarming that someone like Trump has made it this far, but as people knew back in 1960, it certainly was predictable.



Music venue's plans are way out of tune

By Beth Lousteau

The Near Northside has a new neighbor — and, unfortunately, it's not a good one.

This historic working-class neighborhood just north of downtown has been beset by problems since White Oak Music Hall opened for business in April. While the mayor and City Council have repeatedly vowed to address them, residents are still waiting for that to happen.

A key test will come on Oct. 22 when the first of six already-scheduled shows is planned for the outdoor stage. This is important because the temporary permit for this temporary stage expires on Oct. 5. The outdoor stage, known as The Lawn, has been hosting events since April, and attracts crowds of up to 3,200 people. They've also been routinely exceeding the city's sound ordinance — and not just for concerts but even, in one recent example, a yoga class, leading to their third criminal citation.

It wasn't supposed to be this way. The city issues temporary permits for one-time events, such as parades or festivals, and also in some cases to allow new businesses to get off the ground while construction is being completed. The latter is what the developers of White Oak Music Hall received. They did not receive open-ended permission to operate a year-round outdoor amphitheater. Yet, somewhere along the way, they came to this mistaken conclusion, even going so far as to book six con-

certs well past the Oct. 5 expiration date of the temporary permit.

Why? Because receiving approval for a permanent stage — which has strict requirements for parking, traffic flow, electrical systems, restrooms and compliance with federal codes, such as the Americans with Disabilities Act — is a lot harder and more expensive. Just ask the developers. So far, their plans for a permanent stage have been rejected six separate times. The plans remain insufficient to meet minimum city standards and are even discriminatory in the case of the ADA deficiencies.

In large part, that's because the idea of a massive outdoor concert stage is so woefully incompatible with the area. If at some point, the city does approve plans for a permanent outdoor stage, residents will expect the city to treat concerns by residents of the Near Northside the same as they would of those in a more affluent neighborhood.

But the developers see the upcoming expiration of their permit as only a minor setback. In fact, Will Garwood, the lead developer of White Oak Music Hall, recently let slip to the Chronicle his plan for getting around it. "The stage will come down and it will come back up... They have the latitude to say that it's safe or not. They can't say you can't take it down and put it back up. We have every right to have a concert on the stage."

At a Sept. 7 City Council meeting, Mayor Sylvester Turner shot down this idea in no uncertain terms: "No

one is going to take down a stage and come back and get a temporary permit. Let me just debunk that. That's not happening."

Likewise, the city's Department of Public Works and Engineering confirmed it will not renew or issue a new temporary permit. It said the outdoor structure currently at the music complex is not meant for "long term, repetitive use" and that "a temporary permit is just that, temporary."

This could not be more clear. Yet the shows go on. The noise continues. The parking keeps overwhelming the narrow residential streets. And tickets keep selling for concerts scheduled for after Oct. 5.

Neighbors of the venue are not anti-development. We are not anti-music. And we are not against White Oak Music Hall. But we do not believe that this project — or any project — should receive a pass in the name of economic development. The burden of the venue's noncompliance then gets placed squarely on the surrounding neighborhoods.

That's why the city must keep its word and allow the venue's temporary permit to expire as scheduled. The city cannot justly allow this temporary stage, or any other nonpermanent stage, to operate beyond Oct. 5. If the developers won't do it on their own, the city must force them to be good neighbors.

Lousteau is a Houston resident.

LETTERS

Voter ID

Regarding "Texas asks high court to restore voter ID law" (Page A5, Saturday), it is amazing that an attorney for the NAACP found a college student without a picture ID and one who does not have one of the seven acceptable forms of identification. I still have my picture ID when a student in a Texas college and surely all enrolled students possess such an ID. When I was admitted to a hospital recently, I asked if I could be admitted if I did not show a picture ID, and the answer was no.

There is absolutely no way that 600,000 legal

inhabitants of Texas are unable to vote because they do not possess one of these forms. If they do not have proper identification, they cannot receive food stamps, drive a car, cash a check, visit a doctor, be admitted to a hospital or even attend some meetings.

The voter ID law should be embraced by all Americans regardless of party affiliation. Why do Democrats oppose the law? The right to vote is precious and should be protected by requiring a picture ID of every voter.

Margaret Thomas, Houston

Glass ceiling

Regarding "The glass ceiling is just cracked, not shattered" (Page A34, Sept. 11), looking beyond the presidential candidate's personalities, the real women's issues that should be addressed are:

On average, women today make 79 cents for every dollar made by their male counterparts for the exact same jobs. It's even worst for working mothers (73 cents), African-American women (63 cents), and Hispanic women (54 cents). Multiply those disparities over a lifetime of work, and you have dramatic differences in earning and retirement benefits.

Men are more likely to be in a workplace that offers a pension or 401K, which supplements their Social Security earnings.

Women are still more likely than men to be out of the workforce to shoulder the responsibility of caring for children and aging parents. When employed, women are twice as likely as men to work part-time, typically lowering income and retirement benefits.

Women live longer than men on average, so whatever benefits they qualify for must last longer.

Brenda Moss, Sugar Land

Astrodome

Regarding "Eighth Wonder" (Page A17, Saturday), it is time for the Astrodome to go. The entire region is in economic distress, between pension obligations in the public sector and the oil downturn affecting both public and private sectors. The case for retaining the Dome wanders from one idea to the next with an absence of a real, compelling and needed business model. The Eighth Wonder is a marketing slogan, not a recognized statement of architectural value.

While the editorial's local cheerleading is commendable, in this case it is encouraging misguided and unnecessary spending.

James Hamilton, Houston

Golf icon

Regarding "Arnie had aura like few others" (Page C1, Monday), anyone who currently reaps benefits from the PGA Tour should show up at the funeral or memorial service for Arnold Palmer.

Arnie made golf a television sport. Before him, it was just a curiosity on the TV for people like me. His charisma and style of play drew millions of followers, including me, who came to be known as "Arnie's Army."

Mike Ganis, Houston

BIBLE VERSE

For where your treasure is, there will your heart be also.

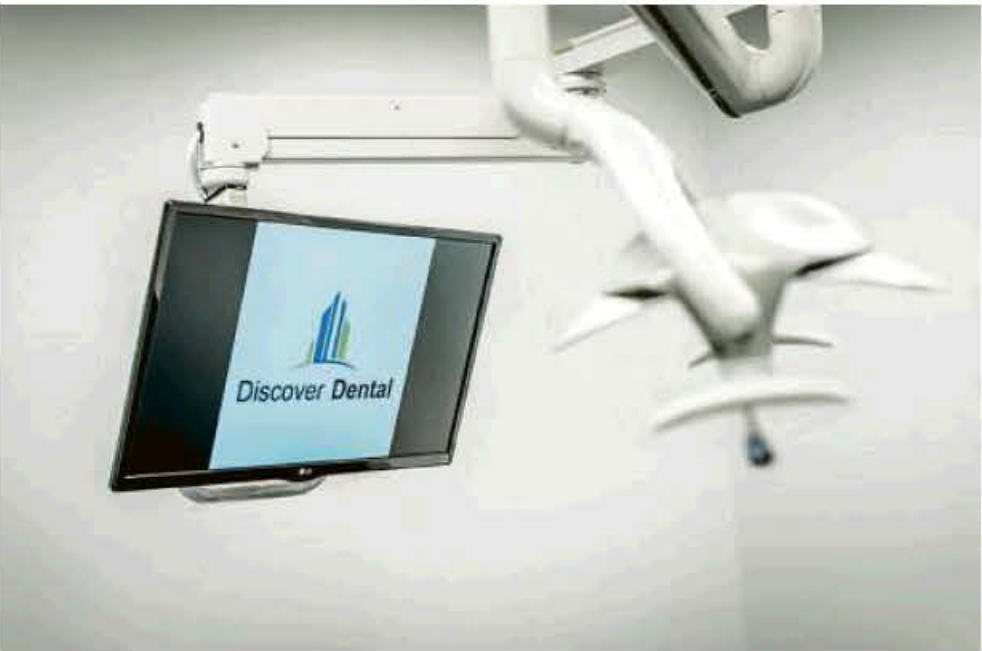
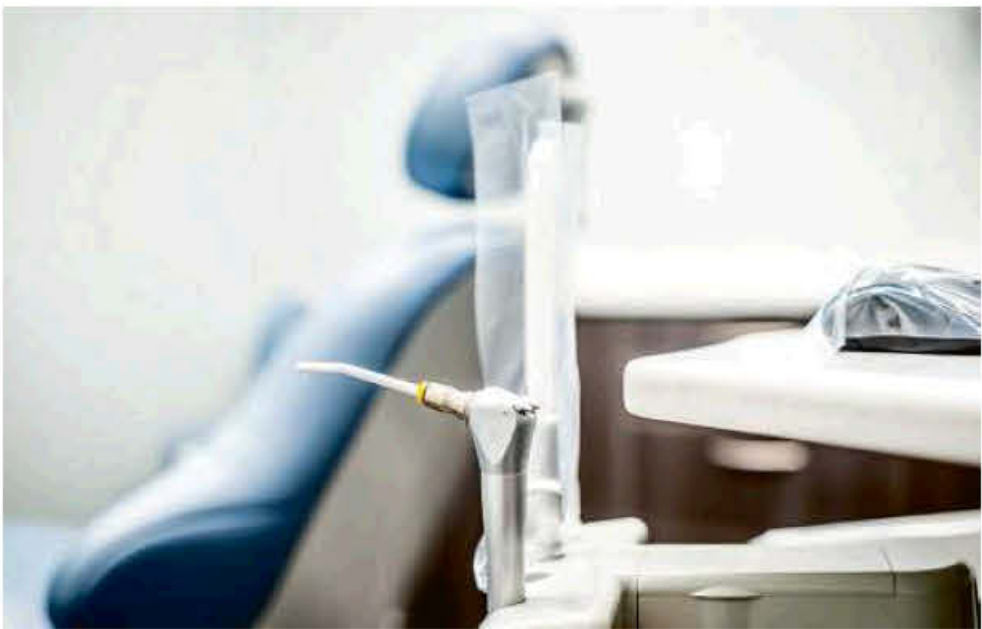
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INSIDE

*Airlines are getting on board with emissions plan that may cost sector \$24 billion annually.*

Page B3

# BUSINESS

AT A GLANCE

<span style="color: red;">▼</span>	<b>DOW</b>	18,094.83, down 166.62 (-0.9%)
<span style="color: red;">▼</span>	<b>S&amp;P 500</b>	2,146.10, down 18.59 (-0.9%)
<span style="color: green;">▲</span>	<b>OIL</b>	\$45.93, up \$1.45 (+3.3%)
<span style="color: green;">▲</span>	<b>NATURAL GAS</b>	2.997, up 4.2¢ (+1.4%)

MANUFACTURING

## Purolator to shut its Houston plant, lay off 74 workers

By Andrea Rumbaugh

A company that makes filtration products for polymer and plastic manufacturers cited “sustained market challenges” for closing its Houston facility and laying off 74 people, according to documents released Monday by the Texas Workforce Commission.

Purolator Engineered Filtration Products is expected to close its Houston plant in December, and its

manufacturing operations will be consolidated with a facility in Shelby, N.C.

Jeff Frederick, vice president of human resources for parent company Purolator Advanced Filtration Group, cited increased competition, customers’ wanting things faster and for less, and lagging effects from the downturn in Houston’s oil and gas sector among the factors that contributed to the closing.

“This was a difficult decision. We’re sorry to see the plant go, but it’s the right thing to do for the company’s future.”

*Purolator continues on B6*

## Texas coal mine a casualty



Nick Simonite / Associated Press file

**An NRG Energy power plant is close to Jewett. Westmoreland Coal Co. says it will close its Jewett Mine in Texas because NRG prefers Wyoming coal.**

NRG Energy’s decision to switch to a cleaner-burning variety from Wyoming will cost 250 jobs

By Jordan Blum

The Westmoreland Coal Co. said it will cut about 250 Texas jobs when it closes its Jewett Mine after NRG Energy opted to switch to cleaner-burning coal from Wyoming.

The move comes as the power in Texas and across the country increasingly switches to cleaner fuels. Power generators have largely turned to gas-fired power and renewable energy to replace dirtier and

less economic coal plants, but in this case, NRG is switching to low-sulfur coal with less carbon emissions than Texas lignite, commonly called brown coal.

Westmoreland informed the Texas Workforce Commission in a letter that it will cut the roughly 250 jobs in December and January. The 31-year-old mine for decades supplied NRG’s Limestone coal plant in

*Coal continues on B6*

ROCKET INDUSTRY

## SpaceX tries out Mars engine

By James F. Peltz  
LOS ANGELES TIMES

Elon Musk said SpaceX successfully tested its Raptor rocket engine that might one day be used to transport people to Mars.

SpaceX “achieved first firing of the Raptor interplanetary transport engine,” Musk said Sunday night on Twitter. The engine is powered by methane and liquid oxygen.

The disclosure came just before Musk’s scheduled appearance Tuesday at the International Astronautical Congress in Guadalajara, Mexico, where he is expected to discuss SpaceX’s efforts toward eventually reaching Mars.

Musk, the leader of electric car company Tesla, is also chief executive of SpaceX, a privately held company whose full name is Space Exploration Technologies Corp.

In June, Musk predicted the company could launch people to Mars in less than a decade and said he would provide more details at the conference in Mexico about SpaceX’s effort to one day colonize the planet.

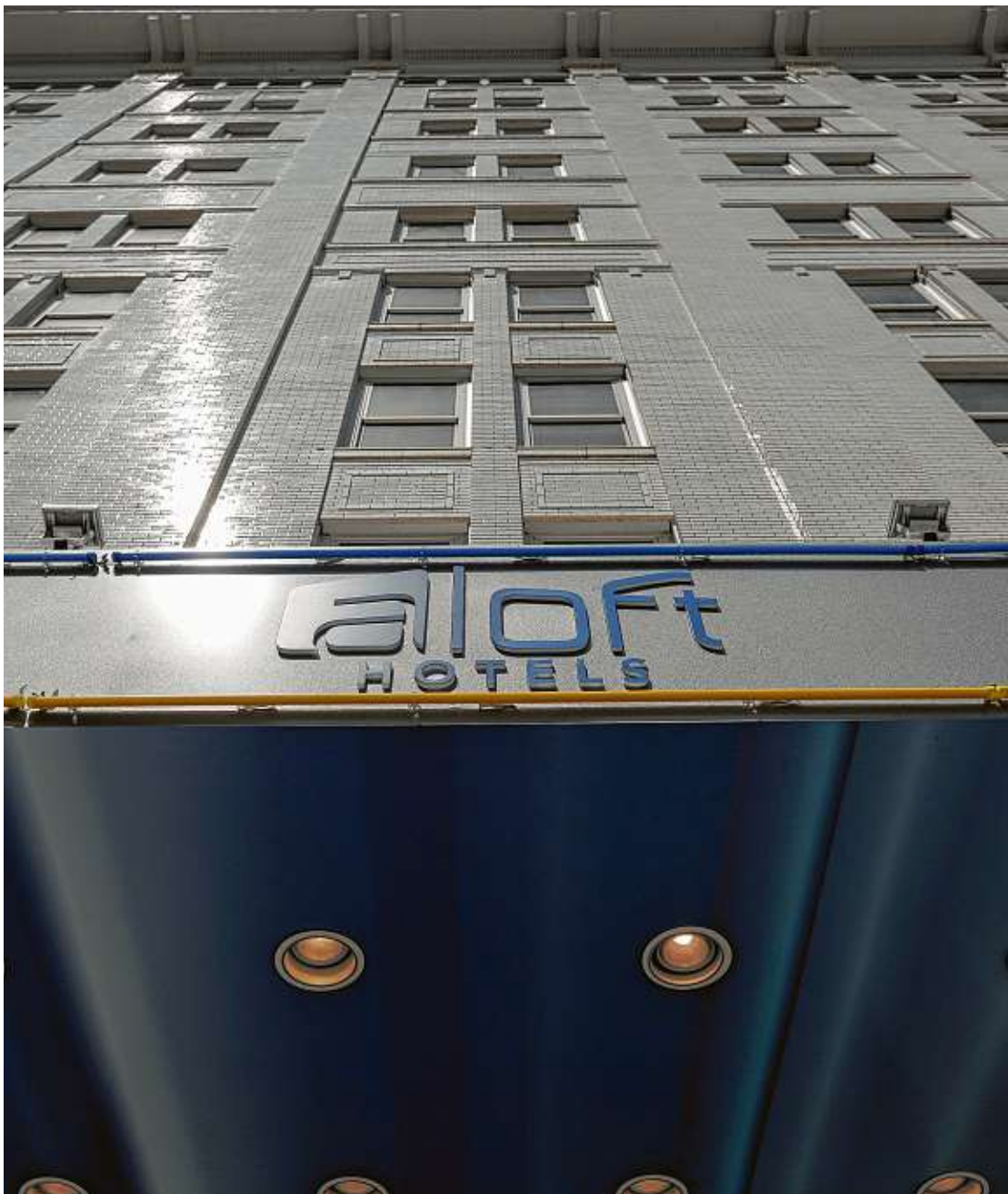
Meanwhile, SpaceX suffered a setback Sept. 1 when one of its Falcon 9 rockets, which was supposed to carry a communications satellite into orbit, exploded on the launchpad in Florida. The company said last week that early analysis suggests a “large breach” took place in the cryogenic helium system of the rocket’s second-stage liquid oxygen tank, but that it still looking for the root cause of the explosion.

Pending the outcome of that probe, the company said it could resume flights as early as November. While the investigation continues, SpaceX’s rockets, which fly missions for commercial satellite customers as well as the National Aeronautics and Space Administration, remain grounded.

“At this stage of the investigation, preliminary review of the data and debris suggests that a large breach in the cryogenic helium system of the second stage liquid oxygen tank took place,” SpaceX said in the statement.

A team of experts from SpaceX, NASA, the U.S. Air Force and the Federal Aviation Administration has ruled out any link between this year’s mishap and a June 2015 accident that destroyed a Falcon 9 rocket minutes into flight.

LODGING



Elizabeth Conley photos / Houston Chronicle

**The Aloft Houston Downtown hotel will open next month in a 1913 building that originally was the home of Stowers Furniture. The property will have 168 rooms.**

## Aloft hotel geared for millennials

Tech-savvy site to have features for guests, downtown residents

By Nancy Sarnoff

MILLENNIALS, those finicky 20- and 30-somethings who are influencing the way apartments, offices and homes are being designed, are now getting tailor-made hotels.

Catering to that demographic powerhouse, the Aloft Houston Downtown will open next month in the historic Stowers building, 820 Fannin at Walker.

The national hotel brand from Starwood Hotels & Resorts Worldwide, which has been acquired by Marriott International, aims to attract the millennial set with amenities like live music in the lobbies, laptop work areas, a bar and billiards table and furniture inspired by midcentury modern designs. There is also a rooftop swimming pool surrounded by



**Aloft, which has a roof-top pool and patio, wants business travelers during the week and leisure visitors on weekends.**

an expansive deck available for parties and special events.

As the second Aloft in Houston, the downtown property is scheduled to open Oct. 4 in the 1913 former Stowers Furniture building, a property that sat empty for years as developers tried to pitch it as a home to re-

tailors and office tenants. The other Aloft is near the Galleria.

The hotel owner and operator, Trend Hospitality of Sugar Land, expects the downtown property to attract young business travelers during the week and leisure visitors on

*Aloft continues on B6*

WELLS FARGO

## Fired for doing the right thing?

By Stacy Cowley  
NEW YORK TIMES

At least 5,300 Wells Fargo employees have been fired for ethics violations like setting up illicit accounts without customers’ knowledge to meet sales targets. Now there is another group of aggrieved Wells Fargo workers: people who say they were fired or demoted for staying honest and falling short of sales goals they say were unrealistic.

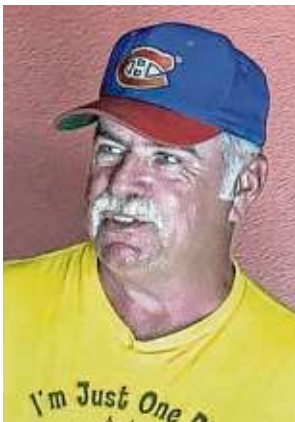
That second group of workers, who claim that they played by the rules and were punished for it, are starting to coalesce around two lawsuits that were just filed and that seek class-action status. The first was filed in Los Angeles last week by former Wells Fargo workers who say that while their colleagues created unauthorized accounts to meet cross-selling quotas, they were penalized or terminated for refusing to do the same.

The bank’s chief executive, John Stumpf, has often stated his goal that each Wells customer should have at least eight accounts with the company. That aggressive target has made the bank’s stock a darling on Wall Street, the lawsuit notes.

On Monday, a federal lawsuit with analogous claims was filed in the U.S. District Court for the Central District of California, seeking to create a class of current and former Wells employees across the country who had similar experiences.

“These are the people who have been left holding the bag,” said Jonathan Delshad, the lawyer representing the workers in both suits. “It was a revolving door. If you weren’t willing to engage in these

*Wells continues on B6*



Stuart Palley / New York Times

**Dennis Russell says the bank’s culture “comes down from the top.”**



BUSINESS

BIZFEED

AVIATION

Airline to use tracking system

Qatar Airways will be the first airline to adopt the GlobalBeacon plane-tracking system launched by Houston-based Flight-Aware and Virginia-based Aireon, the companies said Monday.

FlightAware and Aireon announced last week that they will use 66 low-orbit satellites to track planes in real time around the globe. The system is designed to prevent planes from losing contact with controllers, which happened with Malaysia Airlines Flight MH370, which disappeared in 2014.

“I am proud of Qatar Airways’ leadership position in this vital area of aviation safety and awareness,” Qatar CEO Akbar Al Baker said in a news release.

**REAL ESTATE**

**Sales of new homes in U.S. fell last month**

WASHINGTON — Sales of new homes retreated in August, one



Bill Montgomery / Houston Chronicle file

Among the carriers at Bush Intercontinental Airport is Qatar Airways.

month after surging to the highest level in nearly nine years. New-home sales dropped 7.6 percent last month to a seasonally adjusted annual rate of 609,000 units, the Commerce Department reported Monday.

**SILICON VALLEY**

**U.S. says firm discriminated against Asians**

SAN FRANCISCO — The U.S. Department of Labor has filed a lawsuit accusing a fast-growing Silicon Valley software company of systematical-ly discriminating against Asian job applicants.

Palantir Technologies was co-founded by tech financier Peter Thiel, with backing from an invest-ment arm of the CIA, and

was recently valued at \$20 billion. The privately held company makes powerful data-analytics software used by U.S. military, intelligence and law enforcement agencies, along with banks and insurance companies.

The lawsuit, which comes as Silicon Valley is grappling with broader criticism for a lack of diversity, claims Palantir “routinely eliminated” Asian job candidates. Palantir denied the allega-tions Monday.

**DISCRIMINATION**

**Investors want state to repeal LGBT law**

RALEIGH, N.C. — About 60 investors representing \$2.1 tril-lion in managed assets

are joining the NCAA, entertainers and more than 200 businesses in calling for North Carolina to repeal its law limiting LGBT protections against discrimination.

Trillium Asset Manage-ment CEO Matt Patsky said Monday that North Carolina appears headed for a “state-government-inflicted recession.”

The investors are seek-ing a full repeal of the law, which excludes gender identity and sexual orientation from state-wide anti-discrimination protections.

**TECHNOLOGY**

**Houston-based driver-safety company sold**

A Houston-based business that specializes

in safety technology has been bought by a Tennes-see firm.

Chattanooga-based Environmental Solutions Group has acquired Alli-ance Wireless Technolo-gies for an undisclosed amount, the companies said Monday. Alliance Wireless develops driver-monitoring equipment. Environmental Solutions is an equipment business that serves solid waste and recycling clients.

**MIDDLE EAST**

**Saudi Arabia cuts salaries for senior officials**

Saudi Arabia’s King Salman is reducing the salaries and benefits of senior officials, and the Cabinet cut bonuses for public employees on Monday, as lower oil prices continue to pinch the kingdom’s economy.

The royal decree orders a 20 percent reduction in the salaries of ministers.

**RETAIL**

**Grandson of Walgreen’s founder dies**

Charles Walgreen III, who expanded his grandfather’s drugstore chain into an \$18-billion-a-year company by 1999 when he stepped down as chairman, died Monday.

He was 80. He died at his home in Lake Forest, Ill., according to Deerfield, Ill.-based Walgreens Boots Alliance.

**ENTERTAINMENT**

**Chinese firm may buy Dick Clark Productions**

Dick Clark Produc-tions, the producer of the Golden Globe Awards and other TV programs, is in talks to be acquired by an arm of Wang Jianlin’s Dalian Wanda Group Co.

Dick Clark, part of Eldridge Industries, is holding exclusive talks with Beijing Wanda Culture Industry Group, according to a statement Monday. Dick Clark Productions was founded in 1957 by the late TV personality.

**IN OTHER NEWS**

- The **Treasury De-partment** auctioned \$40 billion in three-month bills at a discount rate of 0.250 percent, down from 0.305 percent last week. Another \$36 billion in six-month bills was auctioned at 0.426 percent, down from 0.500 percent.
- The **Federal Reserve** said the average yield for one-year Treasury bills edged down to 0.60 per-cent last week from 0.61 percent.

*From staff and wire reports*

Despite pressure, Pfizer decides it won’t split up

By Linda A. Johnson  
ASSOCIATED PRESS

TRENTON, N.J. — Drug giant Pfizer says it won’t split into two publicly traded companies, despite pressure from investors frustrated by its lagging stock price, ending years of Wall Street speculation over its strategy and future.

The biggest U.S.-based drugmaker said Monday it believes it is best positioned to maximize share-holder value in its current form, but it reserves the right to split in the future if the situation changes.

For several years, the maker of Viagra and the pain treatment Lyrica has been under growing pres-sure from analysts and in-vestors who argued that by splitting up, the resulting two companies might grow faster than one.

Now the drugmaker’s most likely path forward involves hunting for more acquisition targets, accord-ing to Bernstein analyst Dr. Tim Anderson, who had pressed Pfizer repeatedly to break up.

Pfizer has been buying several companies and products to help make up for a wave of sales losses to cheaper, generic competi-tion, most notably for the cholesterol pill Lipitor. It also attempted and failed at two mega-acquisitions, of Britain’s AstraZeneca in 2014 and this year of Ire-land’s Allergan.

Both those deals had been structured as tax in-versions, meant to allow Pfizer to move its head-quarters from New York — but just on paper — to a country with lower tax rates to reduce its U.S. tax bill. AstraZeneca rebuffed Pfizer, and the U.S. Treas-ury Department set up new rules that effectively blocked the Allergan ac-quisition.

Last month, Pfizer said it would spend \$14 billion to buy cancer drug devel-oper Medivation, and it is buying rights to AstraZen-eca’s portfolio of approved and experimental anti-biotic and antifungal pills.

Most research says talc not a cause of ovarian cancer

By Linda A. Johnson  
ASSOCIATED PRESS

TRENTON, N.J. — Two lawsuits ended in jury verdicts worth \$127 mil-lion. Two others were tossed out by a judge who said there wasn’t reliable evidence that the talc in Johnson & Johnson’s iconic baby powder causes ovar-ian cancer. So who’s right? And is baby powder safe?

Most research finds no link or a weak one between ovarian cancer and using baby powder for feminine hygiene, a practice gen-erations of mothers have passed on to their daugh-ters. Most major health groups have declared talc harmless. Johnson & John-son, whose baby powder dominates the market, says it’s perfectly safe.

Yet some 2,000 women have sued, and lawyers are reviewing thousands of other potential cases,. Meanwhile, jury selec-tion in the next trial began Monday.

A look at the issue:

**What is talc?**

Talc is a mineral that is mined from deposits around the world, includ-ing the U.S. The softest of minerals, it’s crushed into a white powder. It’s been widely used in cosmetics and other personal care products to absorb mois-ture since at least 1894, when Johnson & John-son’s Baby Powder was launched. But it’s mainly used in a variety of other products, including paint and plastics.

**Link to ovarian cancer?**

Like many questions in science, there’s no defini-tive answer.

While ovarian cancer is often fatal, it’s relatively rare. It accounts for only about 22,000 of the 1.7 mil-lion new cases of cancer ex-pected to be diagnosed in the United States this year.

Factors that are known to increase a women’s risk of ovarian cancer include age, obesity, use of estrogen therapy after menopause, not having any children, certain genetic mutations and personal or family his-tory of breast or ovarian cancer.

**Kinds of research**

Two kinds of research are possible. Neither of them, though, can conclu-sively prove something



Matt Rourke / Associated Press file

Johnson’s Baby Powder is squeezed from its container. Most major health groups have declared talc harmless but some 2,000 women have sued, claiming it causes ovarian cancer.

causes cancer. One looks back in time, after an ill-ness has occurred. It com-pares two groups of peo-ple, one with the illness, one without, and asks about past exposures that might be factors. But peo-ple have trouble remem-bering details years later.

The second approach follows a large group of people. It assesses their health at the start and fol-lows them for years, re-cording any illnesses while tracking possible influ-ences such as diet and use of medication, alcohol or other substances. Scien-tists generally find these “prospective” studies most reliable.

**What research shows**

The biggest prospective studies have found no link between talcum powder applied to the genitals and ovarian cancer. But about two dozen smaller, look-back studies over three decades have mostly found a modest connection — a 20 percent to 40 percent increased risk among talc users.

However, that doesn’t mean talc causes cancer. Several factors make that unlikely and there’s no proof talc, which doesn’t interact with chemicals or cells, can travel up the re-productive tract, enter the ovaries and then trigger cancer.

One large study pub-lished in June that followed 51,000 sisters of breast cancer patients found genital talc users had a re-duced risk of ovarian can-cer, 27 percent lower than in nonusers. An analysis of two huge, long-running U.S. studies, the Women’s Health Initiative and the Nurses’ Health Study, showed no increased risk of ovarian cancer in talc users.

**Lawyers and courts**

Like the studies, courts have produced mixed re-sults.

In the first trial two years ago, a South Da-kota jury found Johnson & Johnson liable for one woman’s ovarian cancer but didn’t award any dam-ages. This year, state court juries in St. Louis awarded plaintiffs \$72 million and \$55 million — verdicts the company is appealing.

But U.S. District Judge Nelson Johnson in Atlantic City threw out the first two of the 400 lawsuits in his court.

He reviewed the re-search and testimony from two doctors who are the plaintiffs’ key expert wit-nesses and concluded the two aren’t reliable, noting they had previously writ-ten that there was no proof talc causes ovarian cancer. Other courts approved them as experts, noted the plaintiffs’ attorney, Ted Meadows of Montgomery, Ala.

J&J attorney John Beis-ner says the health care giant plans to fight every lawsuit, rather than settle, “for the fundamental rea-son that the science on which they’re based is to-tally lacking.”

In the case that began Monday in St. Louis, law-yers for Deborah Giannec-chini of Modesto, Calif., says she was diagnosed with ovarian cancer in 2012 after years of talcum use.

Mylan concedes EpiPen profit estimate was off

By Carolyn Y. Johnson  
WASHINGTON POST

Lawmakers were skept-ical last week when Mylan chief executive Heather Bresch said that the com-pany made only \$100 in profit for a two-pack of EpiPens. During a House hearing, Bresch repeatedly referred to a poster board showing how little of the \$608 list price trickled back to the company.

The incredulity was warranted: The prof-its Bresch told Congress about were calculated after factoring in the 37.5 percent U.S. tax rate, according to a filing with the Securities and Exchange Commis-sion first reported by the Wall Street Journal. That tax rate is more than five times the overall tax rate the company actually paid last year and much higher than its actual U.S. tax rate, which tax specialists have pegged at close to zero.

Before taxes, the EpiPen profit is actually \$160 for a two-pack. At the hearing, Bresch said the company sold about 4 million two-packs a year.

“It is intellectually dis-honest to include tax pro-visions for U.S. taxes that aren’t due, and that the company does not in fact anticipate ever having to pay,” said Edward Klein-bard, a professor of law and business at the Univer-sity of Southern Califor-nia’s Gould School of Law.

Mylan has reduced its effective tax rate through an inversion by relocat-ing its headquarters to the Netherlands. Mylan de-fended the way it reported its profits.

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BUSINESS

# Disney said to be weighing a bid for Twitter

By Alex Sherman and Sarah Frier  
BLOOMBERG NEWS

Walt Disney Co. is working with a financial adviser to evaluate a possible bid for Twitter, according to people familiar with the matter.

After receiving interest in discussing a deal, Twitter has started a process to evaluate a potential sale. Salesforce.com also considering a bid and is working with Bank of America on the process, according to other people, who asked not to be named because the matter is private. Google has also been mentioned as a possible suitor.

Representatives for Twitter and Disney didn't respond to requests for comment.

Speculation that Twitter will be sold has been gathering steam in recent months, including last week's news of Salesforce's interest, given the social-media company's slumping stock and difficulties in attracting new users and advertising revenue. Disney, the owner of ABC and ESPN, could obtain a new online outlet for entertainment, sports and news. Jack Dorsey, chief executive officer of Twitter, is on the board of Disney.

"It's a video distribution play," said James Cakmak, an analyst at Monness Crespi Hardt & Co. "What Disney has to think about is what is its place in a post cord-cutting world. They are investing in technology for distribution — and this would give them the platform to reach audiences around the world."

Disney chairman and chief executive officer Bob Iger has a reputation as a strategic thinker with an appetite for bold bets, such as the \$7.4 billion acquisition of animation studio Pixar in 2006, just months after he became CEO.

With Disney's largest business — cable TV — losing viewers and facing more competition from online video services, Iger has invested in technology-related media businesses, including the Hulu video streaming service, digital media company Vice and Major League Baseball's BAM-Tech, which provides the platform for online video services such as HBO Now.

# Airlines embrace emissions plan that could cost \$24 billion a year

By Joe Ryan  
BLOOMBERG NEWS

NEW YORK — The aviation industry is supporting a United Nations proposal to limit pollution from international flights even though the measure may eventually cost companies \$24 billion annually.

Trade groups representing United Continental, Boeing and other industry leaders are pushing nations to join the agreement, which would require companies to offset their emissions growth by funding

environmental initiatives. The accord, being brokered in Montreal during 11 days of talks beginning Tuesday, would be the first global climate pact targeting a single industry.

Exhaust from international flights accounts for about 2 percent of global greenhouse gases, yet was largely omitted from the Paris accord on climate change last year because delegates feared divvying up responsibility for global routes could derail the broader deal. With aviation emissions forecast to

triple by 2050, airlines believe that regional or global regulation is inevitable. If their pollution must be controlled, airlines would prefer a single international standard, saying it would be far cheaper and easier than following a patchwork of local programs.

"We recognize that as an industry, we have an impact on climate change," said Michael Gill, executive director of the Air Transport Action Group, which represents airlines, engine makers, airports and pilots. "The industry is willing to

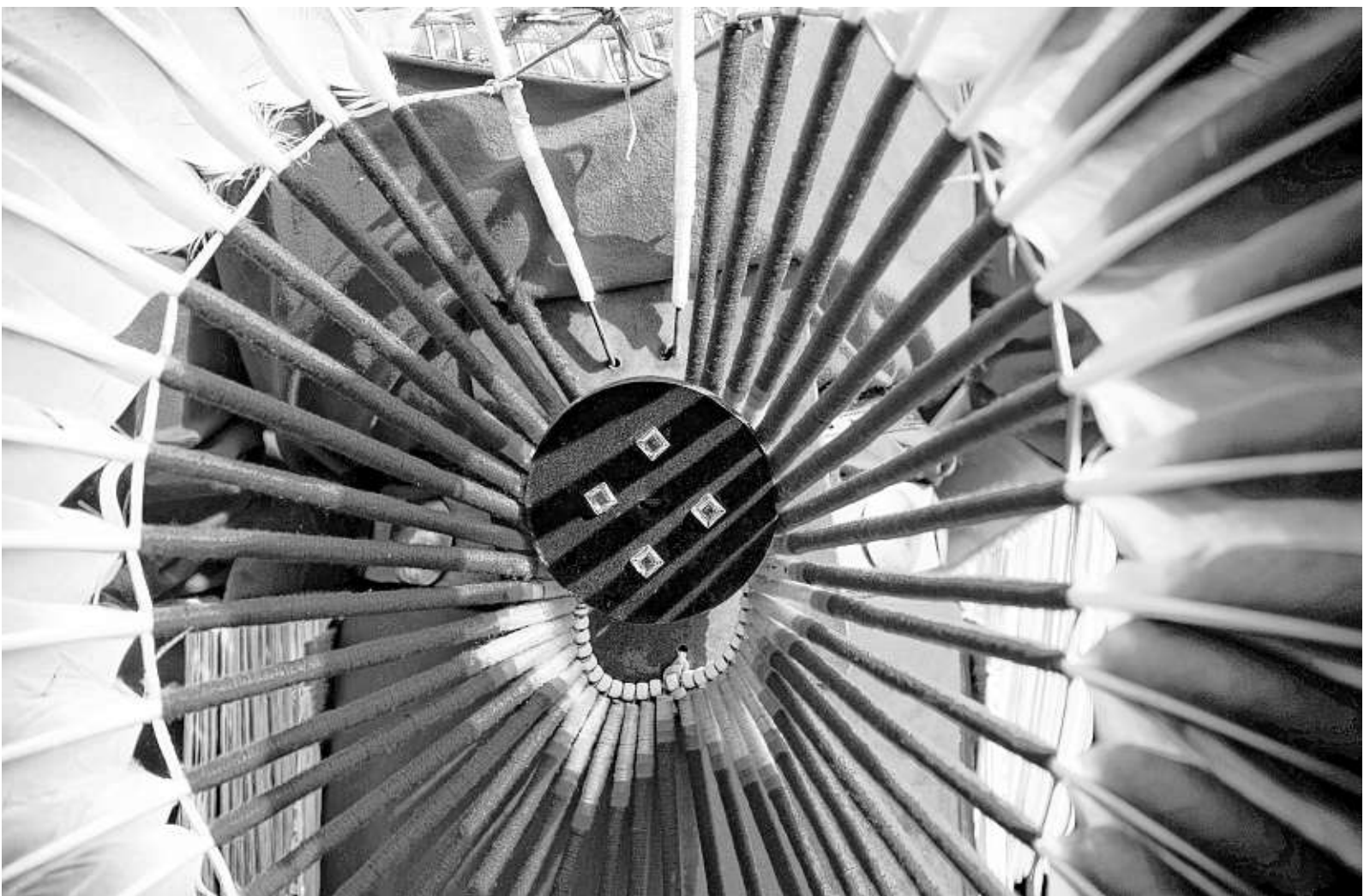
pay its share. We just want to pay our share in the most economic way possible."

To be clear, the 15-year agreement would not force airlines to cut their pollution. Instead, companies would compensate for any emissions growth after the accord begins in 2020 by buying credits that back renewable energy development, forest preservation or other environmental endeavors. Airlines estimate the annual industrywide cost may be as much as \$23.9 billion by 2035, or 1.8 percent of projected revenue.

If the deal fails, companies run the risk of facing even costlier regulation if Europe or others push ahead with regional plans.

Environmentalists also are pushing for the deal in Montreal, saying it's a first step that can be improved. Yet they criticize the current proposal for relying on voluntary participation during the first six years.

"It's peanuts," said Bill Hemmings, of the Brussels-based environmental group Transport & Environment. "It gets them off the hook."



Grant Hinsley / seattlepi.com

An intricate back-piece of feathers stretches out from a tribal member's torso in Seattle earlier this month during a demonstration in support of the Standing Rock Sioux fighting construction of an oil pipeline in North Dakota.

# N. Dakota says no Indian artifacts found at site

By James MacPherson  
ASSOCIATED PRESS

BISMARCK, N.D. — A North Dakota state inspection of an oil pipeline site has found no sign of the Native American artifacts or human remains that an American Indian Tribe says are present, the state's chief archaeologist said in a draft memo.

The Standing Rock Sioux tribe had cited the potential for burial grounds and other artifacts as a major reason to lead protests that have stymied completion of the project.

Chief Archaeologist Paul Picha said in the memo first published Monday by conservative blogger Rob Port that seven state archeologists inspected the 1.3-mile section along the route of the \$3.8 billion Dakota Access pipeline in southern North Dakota. The memo said only some animal teeth and bone fragments were found during the survey last week.

Historical Society spokeswoman Kim Jon-dahl confirmed the contents of the memo but said it was "a first draft of an

internal summary." She declined to say how the draft differed from later versions.

In early September, Standing Rock Sioux officials said crews bulldozed several sites of "significant cultural and historic value" on private land, which Dallas-based pipeline builder Energy Transfer Partners denies. It led to a clash between protesters and private security guards hired by the pipeline company. Law enforcement officials said four security guards and two guard dogs received

medical treatment, while a tribal spokesman countered that six people were bitten by guard dogs and at least 30 people were pepper-sprayed.

The Morton County Sheriff's Department is leading the probe of the Sept. 3 incident at the construction site near the Standing Rock Indian Reservation.

In an incident on Sunday, Morton County Sheriff Kyle Kirchmeier says about 200 people confronted about 30 security guards at a construction site. The sheriff says all but

three security guards left the construction site. The sheriff says law enforcement officers witnessed one of the security guards being carried by protesters for about 100 yards. The guard was treated for minor injuries by paramedics. No arrests were made.

Picha did not return calls Monday about the memo.

The state Historical Society and the Morton County Sheriff's Department declined to release the memo, saying it was part of an ongoing investigation by law enforcement.

# Chinese company faces charges over N. Korea sanctions

ASSOCIATED PRESS

WASHINGTON — The Justice Department on Monday unsealed criminal charges against a China-based company and four of its executives for conspiring to evade U.S. economic sanctions that target North Korea's nuclear weapons and ballistic missiles programs.

Also Monday, the Treasury Department blacklisted the same firm, Dandong Hongxiang Industrial Development Co., and the individuals. The department alleged in a statement that Hongxiang has provided financial services to a North Korean firm that is already sanctioned, Korea Kwangson Banking Corp.

International concern over Pyongyang's nuclear and missile programs is deepening following its fifth and largest atomic test explosion this month, its second this year.

That's fueling worries that North Korea is moving closer to its goal of a nuclear-armed missile

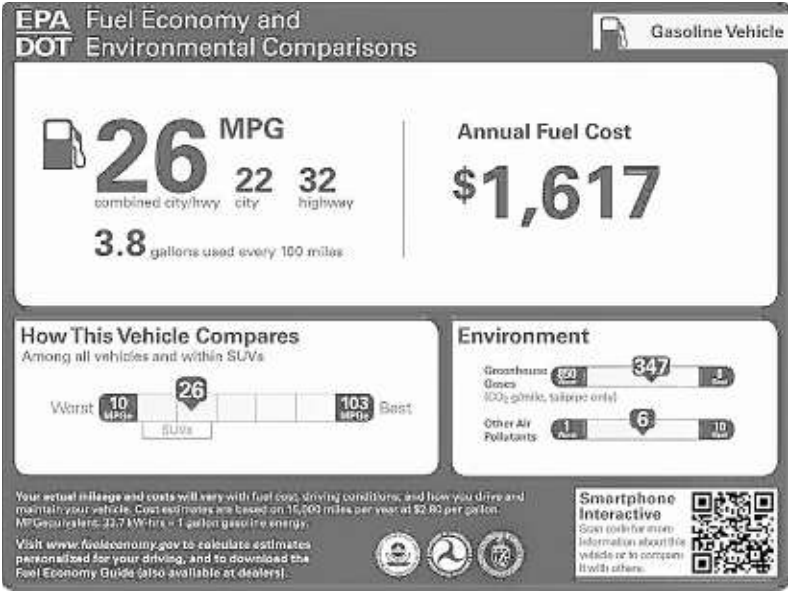
that could one day strike the U.S. mainland.

Last week, Chinese authorities said they were investigating Hongxiang, based in Dandong, a northeastern city on the North Korean border.

Police and China's foreign ministry said the company was suspected of unspecified "serious economic crimes." That was an unusually explicit announcement for Beijing, whose dealings with the North are shrouded in secrecy, in a sign of growing frustration with its traditional ally.

China signed on in March to the stiffest U.N. sanctions yet that limit trade with the North. It has tightened controls on cross-border flows of goods, but that hasn't allayed suspicions that North Korea can still conduct illicit business through China.

U.N. Security Council resolutions prohibit nuclear weapons development by the North and all ballistic missile activity.



Environmental Protection Agency / Associated Press file

Starting with 2017 vehicles, which recently began arriving at dealers, the formula was based on data from the 2011 to 2016 model years.

# Lower mileage estimates ahead for a third of new vehicles in U.S.

ASSOCIATED PRESS

DETROIT — Highway gas mileage estimates for about one-third of all new vehicles sold in the U.S. will fall by one mile per gallon because the government has changed the way it calculates the numbers on the window sticker.

The change, which begins with the 2017 model year, comes largely because

people are loading up cars with options such as heated seats that use electricity and create drag on engines. They're also running air conditioning more, and they're driving faster.

At least initially, it could make it hard for buyers to compare the mileage of vehicles from one model year to the next, although the government says it will update numbers soon so older

cars reflect the change. Consumers also will still be able to click and see the mileage under the old calculation.

It's all a part of the Environmental Protection Agency's quest to make the sticker estimates as close to real-world numbers as possible, said Byron Bunker, director of compliance with the agency's Office of Transportation and Air Quality.

# Ruling favors credit card giant

NEW YORK TIMES

American Express will be able to prevent businesses from pushing customers toward competing credit cards after all.

On Monday, a federal appeals court ruled that American Express could stop merchants that accept its cards from encouraging customers to use rival payment cards that charge the stores lower transaction fees. The decision reversed a lower court's 2015 ruling that such restrictions violated federal antitrust law.

The decision is a major victory for American Express, which wants to ensure that its customers, who pay higher-than-average membership fees, do not encounter any barriers to use its cards.

The Justice Department, which could appeal the ruling, had no immediate comment.



MARKET SUMMARY Data provided by Bloomberg

Chron.com/markets

ENERGY FUTURES

Prices in U.S. dollars per unit for energy commodities for the contract closest to delivery:

	C Date	Open	High	Low	Settle	Chg	Unit
Lt Sw Crude	NOV 16	44.62	46.20	44.43	45.93	1.45	barrel
Natural gas	OCT 16	2.949	3.018	2.943	2.997	0.042	MMBtu
Gas blend	OCT 16	1.38	1.42	1.37	1.40	0.03	gal
Heating oil	OCT 16	1.41	1.46	1.40	1.45	0.04	gal
Ethanol	NOV 16	1.48	1.49	1.48	1.48	0.00	gal

BLOOMBERG COMMODITY PRICE OUTLOOK

The median price of analysts surveyed by Bloomberg:

	2016 Forecast	2017 Forecast	2018 Forecast
Crude oil	43.00	54.00	60.50
Natural gas	2.43	3.05	3.00

ENERGY PRICES

Cash price in U.S. dollars paid at delivery for various commodities:

Name	Last Price	Pvs Day	Unit
Unleaded Gasoline - NY	1.46	1.44	gallon
North Sea Brent	45.67	44.86	barrel
W. Texas-Int. - Cushing	45.93	44.33	barrel
Nat Gas - Henry Hub	3.05	3.03	MMBtu

ETFS - \$1,000 INVESTED IN EACH

Performance of various index-based investment products:

ENERGY		\$1,000 return	\$1,000 return	\$1,000 return
Ticker	Name	1mo	6mo	1yr
XLE	Energy Select Se	977	1,103	1,111
XES	SPDR Oil & Gas E	957	1,012	935
USO	US Oil Fund	953	1,037	709

METALS

		\$1,000 return	\$1,000 return	\$1,000 return
Ticker	Name	1 mo	6 mo	1 yr
IAU	iShares Gold T	1,012	1,096	1,162
SLV	iShares Silver T	1,039	1,276	1,278

SOFT/LIVESTOCK/GRAIN

		\$1,000 return	\$1,000 return	\$1,000 return
Ticker	Name	1 mo	6 mo	1 yr
JO	DJ-UBS Coffee	1,063	1,130	1,138
CORN	Teucrium Corn	1,005	862	776
CANE	Teucrium Sugar	1,081	1,373	1,767
CATL*	ETFS Live Cattle	962	858	823
COW	iPath DJ-UBS Liv	938	809	769

\*Trades on London Stock Exchange

Deutsche Bank worries pull stocks down

By Marley Jay  
ASSOCIATED PRESS

NEW YORK — U.S. stocks slumped Monday, and banks took the biggest losses. Deutsche Bank plunged as investors worried about the financial health of Germany's largest bank. Pfizer pulled drugmakers down after it announced it won't break up into two companies.

Banks were also hurt by a drop in bond yields, which means lower interest rates and smaller profits on loans. Consumer

companies fell as home improvement retailers were affected by a slowdown in sales of new homes.

European banks tumbled after the German magazine Focus said Deutsche Bank won't get a government bailout if it asks for one. Its report cited "government circles" as its source.

"There's some stress in the banking industry there and questions about whether governments have the will to step in," said Steve Chiavarone, associated portfolio manager

for Federated Investors.

Focus' article also said the German government won't help Deutsche Bank by intervening with U.S. officials who want it to pay \$14 billion to end an investigation into its sale of mortgage-backed securities.

Deutsche Bank said it hasn't asked for help with the U.S. and isn't seeking a bailout.

A bank spokesman said Monday that John Cryan, its chief executive, had "at no point" asked Chancellor Angela Merkel to intervene

in the issue with the U.S. Justice Department.

The spokesman said a government bailout was "not on our agenda" and added, "Deutsche Bank is determined to meet the challenges on its own."

Oil prices bounced higher as investors monitor a meeting of oil producers in Algeria.

Saudi Arabia's offer to cut output opened the door to a future OPEC deal, though the kingdom doesn't expect an agreement when members of the group meet this week.



Michael Probst / Associated Press file

U.S. officials want Deutsche Bank, based in Frankfurt, to pay \$14 billion in a securities probe.

S&P 1500 MOVERS

Top and bottom performers based on one-day percentage change in stock price:

DAILY GAINERS

Tick	Name	Last Price	1-day % Chg	1-month % Chg	Volume
HHS	Harte-Hanks Inc	1.66	7.1	3.1	298,967
ATW	Atwood Oceanics	7.19	5.0	-12.2	4,895,234
RIG	Transocean Ltd	9.52	4.6	-5.6	14,682,633
DBD	Diebold Inc	25.60	4.5	-9.6	2,253,663
BAS	Basic En Svcs	0.53	4.5	11.1	2,770,002
FUL	HB Fuller	45.36	4.5	-3.6	510,810
CNX	Consol Energy	18.17	4.4	0.2	4,171,328
ERA	Era Group Inc	7.59	4.0	1.7	63,956
CAR	Avis Budget	38.93	3.8	9.2	2,565,804
X	US Steel	19.55	3.2	-1.2	17,361,261

DAILY LOSERS

Tick	Name	Last Price	1-day % Chg	1-month % Chg	Volume
UTI	Univ Tech Ins	1.56	-18.3	-33.9	805,756
ACOR	Acorda Therpt	22.99	-15.7	-5.4	2,830,653
GLF	GulfMark Offsh	1.59	-12.2	-35.4	1,184,583
BCEI	BonanzaCreek En	0.87	-9.8	-0.1	3,399,048
BABY	Natus Medical	39.71	-9.7	2.6	1,792,570
FNBC	First NBC Bank	10.00	-9.2	-27.2	884,771
MNK	Mallinckrodt	71.10	-6.8	-5.1	2,725,581
SWC	StillwaterMinng	12.26	-6.6	-4.8	2,025,956
AKRX	Akorn Inc	27.42	-6.2	2.1	1,223,064
ENDP	Endo Intl	21.99	-6.0	4.6	8,546,747

BLOOMBERG HOUSTON CHRONICLE 150

The Bloomberg Houston 150 includes major companies based in Houston and significant employers in the area.

Name	Ticker	Last Price	Chg Day	% Chg YTD	52W Low	52W High	Div Yld
ABM Industries	ABM	39.55	-0.17	38.9	26.50	40.47	1.67
Amer Natl Ins	ANAT	119.38	-0.88	16.7	91.20	122.85	2.75
Anadarko Petro	APC	58.54	-0.96	20.5	28.16	73.87	0.34
Apache Corp	APA	59.94	-0.08	34.8	32.20	62.19	1.67
Archrock Inc	AROC	11.86	0.17	57.7	3.41	14.63	3.20
AT&T Inc	T	41.14	-0.14	19.6	31.85	43.89	4.67
Atwood Oceanics	ATW	7.19	0.34	-29.7	4.82	19.65	...
Baker Hughes	BHI	49.16	-0.08	6.5	37.58	58.23	1.38
Banco Bilbao	BBVA	5.96	-0.19	-18.7	5.14	9.20	6.00
Bank of America	BAC	15.09	-0.43	-10.3	10.99	18.09	1.99
Benchmark Elec	BHE	24.81	0.04	20.0	18.36	25.08	...
BHP Billiton	BHP	32.63	0.09	26.7	18.46	38.10	1.72
BoardwalkPipeln	BWP	16.80	0.05	29.4	8.86	18.16	2.38
Boeing	BA	130.57	-1.21	-9.7	102.10	150.59	3.34
BP PLC	BP	33.68	-0.28	7.7	27.01	37.53	7.13
Bristow Group	BRS	12.65	0.15	-51.2	9.17	37.19	2.21
Buckeye	BPL	70.96	-0.65	7.6	47.07	75.10	6.83
C&J Energy Svcs	CJESQ	0.90	0.15	-81.2	0.18	6.23	...
Cabot Oil&Gas	COG	25.12	-0.39	42.0	14.88	26.74	0.32
Calpine Corp	CNP	13.67	-0.23	-5.5	11.53	16.60	...
Camden Property	CPY	87.29	0.81	19.5	64.01	87.53	3.44
CARBO Ceramics	CRR	10.07	-0.20	-41.5	10.05	25.62	...
Cardtronics PLC	CATM	43.78	0.13	30.1	28.01	48.46	...
Carizzo Oil&Gas	CRZO	34.78	0.58	17.6	16.10	43.97	...
CB&I	CB	27.15	0.49	-30.4	26.12	46.39	1.03
CenterPt Energy	CNP	24.26	0.07	32.1	16.05	24.71	4.25
Cheniere Energy	CQP	28.97	-0.40	11.1	19.22	31.49	5.87
Chevron Corp	CVX	98.78	-0.44	9.8	75.28	107.58	4.33
Cobalt Intl	CIE	1.08	0.02	-80.0	0.77	9.43	...
Columbia Pipeln	CPPL	16.05	0.75	-8.2	11.24	19.49	4.93
Comcast Corp	CMCSA	65.81	-1.34	16.6	52.34	68.36	1.67
Comfort Sys USA	FIX	29.26	-0.04	3.0	24.22	35.00	0.96
Conn' s Inc	CONN	10.95	-0.49	-53.3	6.54	28.00	...
ConocoPhillips	CPY	40.02	0.08	-14.3	31.05	57.24	2.50
Contango Oil&G	MCF	9.06	-0.11	41.3	3.68	14.14	...
Crestwood Eay	CEQF	20.67	-0.03	-0.5	7.90	30.80	11.61
Crown Castle	CCI	95.61	0.43	10.6	75.71	102.82	3.70
CVR Energy Inc	CVI	14.06	-0.65	-64.3	13.01	48.37	14.22
CVS Health Corp	CVS	89.92	-0.68	-8.0	86.50	106.67	1.89
Devon Energy	DVN	39.64	0.10	23.9	18.07	48.68	0.61
Diamond Offsh	DO	16.06	0.43	-23.9	14.18	26.72	...
Dow Chemical	DOW	52.13	-0.11	1.3	39.84	57.10	3.53
DR Horton Inc	DHI	29.92	-0.26	-6.6	22.97	34.56	1.07
Dril-Quip Inc	DRQ	51.64	0.28	-12.8	48.88	68.69	...
DXP Enterprises	DXPE	25.20	-0.03	10.5	12.67	34.49	...
Dynegy Inc	DYN	12.87	-0.10	-4.0	7.20	24.25	...
Enbridge Energy	EEL	24.65	0.00	6.8	14.27	29.99	9.46
Energy XXI	EXXIQ	0.04	-0.01	-95.7	0.02	2.61	...
Enterprise Prod	EPD	27.12	-0.16	6.0	19.00	30.11	5.90
EOG Resources	EOG	89.26	-0.49	26.1	57.15	95.93	0.75
EP Energy Corp	EPE	3.78	0.01	-13.7	1.60	7.99	...
EV En Partner	EVEP	2.23	0.06	-20.6	1.60	7.99	...
Exterran Corp	EXTN	14.24	-0.24	-11.3	10.83	19.36	...
Exxon Mobil	XOM	83.06	-0.39	6.6	71.55	95.55	3.61
Flotek Indst	FTK	12.96	-0.07	13.3	4.90	21.15	...
Fluor Corp	FLR	49.14	-0.04	4.1	39.48	55.69	1.71
FMC Tech	FTI	27.53	0.08	-5.1	22.30	35.93	...
Forum En Tech	FET	18.28	0.07	46.7	8.47	19.32	...
Francesca' s	FRAN	15.26	0.13	-12.3	9.75	19.90	...
FreeportMcMoRan	FCX	10.51	-0.12	55.2	3.52	14.20	...
Gen Electric	GE	29.54	-0.35	-5.2	24.26	33.00	3.11
Genesis Energy	GEL	35.49	-0.15	-3.4	19.55	44.32	7.78
Geospace Tech	GEOS	18.61	0.47	32.3	7.62	19.92	...
Goodrich Petro	GDPMQ	0.02	0.00	-93.9	0.01	0.90	...
Group 1 Auto	GPI	61.80	-0.29	-18.4	47.31	89.64	1.49
GulfMark Offsh	GLF	1.59	-0.22	-66.0	1.55	8.92	...
Halcon Res	HK	8.61	0.42	-79.9	6.79	174.87	...
Halliburton	HAL	41.38	-0.46	21.6	27.64	46.90	1.74
Helix Energy Sol	HLX	7.40	0.18	40.7	2.60	9.07	...
Hess Corp	HES	47.63	0.72	-1.8	32.41	64.08	2.10
Huntsman Corp	HUN	15.25	-0.18	34.1	7.46	18.12	3.28
Insperty Inc	NSP	73.38	-0.27	52.4	41.77	82.18	1.36
ION Geophysical	IO	5.95	0.08	-21.2	2.55	12.15	...
Jacobs Eng	JEC	50.71	0.06	20.9	34.76	55.89	...
JC Penney	JCP	9.57	-0.21	43.7	6.00	11.99	...

BLOOMBERG HOUSTON CHRONICLE 150 MOVERS

DAILY GAINERS

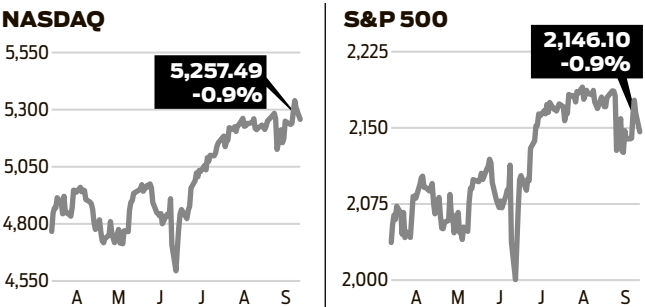
Tick	Name	Last Price	1-day % Chg	1-month % Chg	Volume
CJESQ	C&J Energy Svcs	0.90	19.3	145.2	2,421,467
GDPMQ	Goodrich Petro	0.02	5.7	-42.3	353,954
HK	Halcon Res	8.61	5.1	-25.0	764,295
ATW	Atwood Oceanics	7.19	5.0	-12.2	4,895,234
CPPL	Columbia Pipeln	16.05	4.9	18.8	5,371,097
RIG	Transocean Ltd	9.52	4.6	-5.6	14,682,633
OAS	Oasis Petroleum	9.45	3.3	-1.5	14,041,123
NBR	Nabors Indst	10.30	3.0	4.5	7,397,073
NE	Noble Corp plc	5.58	3.0	-3.6	8,790,062
EVEP	EV En Partner	2.23	2.8	-7.1	71,941

DAILY LOSERS

Tick	Name	Last Price	1-day % Chg	1-month % Chg	Volume
EXXIQ	Energy XXI	0.04	-15.8	12.3	499,354
GLF	GulfMark Offsh	1.59	-12.2	-35.4	1,184,583
KEGX	Key Energy Svcs	0.04	-7.5	-38.6	2,322,263
CVI	CVR Energy Inc	14.06	-4.4	1.6	1,180,400
CONN	Conn' s Inc	10.95	-4.3	63.4	1,109,763
BVNA	Banco Bilbao	5.96	-3.1	-1.2	1,972,742
UAL	United Contl	49.45	-2.9	5.5	4,692,396
BAC	Bank of America	15.09	-2.8	-4.4	93,694,495
NR	Newpark Res	6.63	-2.6	-11.6	326,536
VLO	Valero Energy	54.29	-2.5	-1.8	4,787,355

MARKET INDEXES

Daily close of the Nasdaq Composite index and the S&P 500 over the past six months:



U.S. AND INTERNATIONAL STOCK INDEXES

Daily close and change in value for selected stock indexes:

U.S. INDEXES					
Index	Last Price	Chg.	% Chg	YTD	
Dow Jones Ind.	18,094.83	-166.62	-0.9	3.8	
Nasdaq Composite	5,257.49	-48.26	-0.9	5.0	
S&P 500	2,146.10	-18.59	-0.9	5.0	
BBG Houston 150	439.35	-2.33	-0.5	4.3	
DJ US Total Stk p	22,252.19	-188.12	-0.8	5.5	
Russell 2000	1,240.94	-13.69	-1.1	9.2	
INTERNATIONAL INDEXES					
Index	Last Price	Chg.	% Chg	YTD	
FTSE 100	6,818.04	-91.39	-1.3	9.2	
Hang Seng	23,317.92	-368.56	-1.6	6.4	
Mexico IPC	47,252.54	-525.94	-1.1	9.9	
Nikkei 225	16,544.56	-209.46	-1.3	-13.1	
S&P/Toronto S E	14,619.46	-78.47	-0.5	12.4	



## TECHNOLOGY

# Ex-Verizon worker accused of selling customer records

By Jeff Martin  
ASSOCIATED PRESS

ATLANTA — A former Verizon Wireless technician is accused of using the company's computers to obtain customers' private call records — plus data showing where customers' phones were — and then selling them to an unnamed private investigator, federal prosecutors said.

Daniel Eugene Traeger, who worked in Alabama, sold the confidential information for more than four years, from 2009 to 2014, authorities said.

The court records don't say how many customer records were sold, or how they may have been used.

Representatives from Verizon Wireless didn't immediately return phone messages Monday requesting comment on how widespread the breach may have been.

Shortly after the charges were filed last week, Trae-



Mandel Ngan / AFP / Getty Images

**Former Verizon technician Daniel Eugene Traeger faces up to five years in prison, but prosecutors are recommending a lesser sentence because he accepted responsibility.**

ger pleaded guilty to a felony count of unauthorized access to a protected computer as part of a plea deal, court records show. His lawyer didn't immediately return a phone message Monday.

Traeger logged in to one Verizon computer system to gain access to customers' call records, authorities said. He used another company system known as Real Time Tool to "ping" cellphones on Verizon's

network to get locations of the devices, according to the plea agreement.

He then compiled the data in spreadsheets, which he sent to the private investigator for years, the court records show.

Though Traeger was based in the Birmingham area, the court records do not indicate whether the information that was sold involved Verizon Wireless customers in Alabama or elsewhere.

DR. MAC

## A shiny new iPhone 7 Plus makes a good first impression

I received a jet black iPhone 7 Plus with 256GB of storage a couple of days ago and have been testing it side by side with its predecessor, an iPhone 6s Plus with 128GB, ever since. It's too soon for a real review, but following are some quick impressions after 48 hours.

The first thing I noticed was that the stereo speakers on the iPhone 7 Plus are much louder and sound noticeably better than the speakers on any other iPhone. Alert tones I wouldn't have heard on my iPhone 6s Plus were loud and clear even with the iPhone in a pants pocket. That's cool and somewhat unexpected.

I also noticed the new solid-state Home button/Touch ID sensor almost immediately, as it has no moving parts and simulates clicking via haptic feedback (vibration). It feels strange the first few times I tried it but feels normal to me now.

Speaking of haptic feedback, the new iPhone 7 and 7 Plus have all-new



BOB LEVITUS

Taptic Engines that use vibration to enhance your experience. So, for example,

when you set the time or date in the Clock app, you feel a distinct click for each unit of measure, and the faster you spin the wheel, the faster the clicks occur. The sensation is realistic; I can't wait to see how third-party developers deploy it in their apps.

Apple claims the Retina HD display on the iPhone 7 models is "up to 25 percent brighter and comes with the cinema standard wide color gamut, so you can see more vibrant true-to-life colors right on your display." I looked at dozens of photos and videos with the iPhone 7 Plus and iPhone 6s Plus side by side and thought the difference was significant for most images.

I know: I'm probably biased, and I knew which screen was which. That's why I asked my mom and

my wife to compare the screens, and they confirmed what I saw. Both found the iPhone 7 Plus screen brighter and more colorful, and they felt it preserved more detail in shadows and highlights.

I really love the new jet black finish, which is reminiscent of the high-gloss black lacquer finish you'd find on a high-end piano, the result of a precision nine-step anodization and polishing process.

While it's as hard as other anodized Apple products, Apple warns, "its high shine may show fine micro-abrasions with use. If you are concerned about this, we suggest you use one of the many cases available to protect your iPhone."

I'm running out of space, but let me close by saying the iPhone 7 Plus camera is the best I've ever seen, and its new Portrait camera mode, now in beta, is nothing short of astonishing. I'll have more to say when it's out of beta.

doc@boblevitus.com

HELP LINE

## Software update an easy fix for Windows 10 error message

**Q: Ever since I finally broke down and downloaded Win 10, I have been receiving an error message when I start my PC, which says something along the lines of MSVCP120.dll is either not designed to run on Windows or it contains an error. I cancel the message and it comes back several times with various executables mentioned. How can I fix this?**

**A:** This error is related to a somewhat obscure software package called Visual C++ that is part of Windows and is used in the execution of certain background applications that are launched when you start your PC.

From the error it appears that some of the files related to this software have become corrupt or were not properly updated when you updated your PC. The good news is that it's relatively easy to fix.

To correct this problem, go to [tinyurl.com/helplinevisualc](http://tinyurl.com/helplinevisualc) and select Download. Then download and install both vc\_redist\_x64.



JAY LEE

exe and vc\_redist\_x86.exe. This will update your installed software and should

cause these error messages to go away.

**Q: Recently I've experienced delays when moving from window to window, link to link on the internet while using my Mac. Before the actual connection, the color wheel spins and spins, sometimes for minutes, and I'm wondering if this suggests a problem with the computer or with my internet connection.**

**A:** It is possible that this could be related to your internet connection, but it is more likely that this is a system problem. The spinning color wheel, affectionately called the Apple Beach Ball, is a sign that the system is waiting on resources to become available before being able to complete a task.

If this is an older Mac with a small amount of RAM, you might want to see about adding memory. If you can get at least 8 gigs, you will see a dramatic improvement in performance.

Also make sure you have plenty of free hard drive space. It is usually not a good idea to let your drive get more than 75 percent full.

Finally, make sure your system is up to date by clicking the Apple menu and selecting Software Update. Install any items found to make sure your system is up to date. Repeat as necessary.

There are also a few more things you can do, like checking the hard drive with the Disk Utility and repairing disk permission.

These are outlined at [osxdaily.com/2012/03/04/mac-maintenance-tips](http://osxdaily.com/2012/03/04/mac-maintenance-tips).

Lee co-hosts "Technology Bytes," 8 to 10 p.m. Wednesdays, on KPFT 90.1 FM and at [geekradio.com](http://geekradio.com). [helpline@chron.com](mailto:helpline@chron.com) [blog.chron.com/helpline](http://blog.chron.com/helpline)

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## BIDS &amp; PROPOSALS

## INVITATION TO BID

Sealed bids in duplicate addressed to Latham Creek Utility District (the "District") will be received in the offices of Jones/Carter, 6330 West Loop South, Suite 150, Bellaire, Texas 77401, until 10:00 a.m., Tuesday, October 4, 2016, and then publicly opened and read for furnishing all plant, labor, material and equipment, and performing all work required for the construction of:

## WATER PLANT Nos. 1, 2, &amp; 3 IMPROVEMENTS

The project is located in Latham Creek Utility District, Harris County, Texas. Water Plant No. 1 is located at 17650 Glenmorris Drive, Houston, Texas 77084 (H.C. Key Map No. 407-T). Water Plant No. 2 is located at 6161 1/2 Latham Way Drive, Houston, Texas 77084 (H.C. Key Map No. 407-X). Water Plant No. 3 is located at 13223 1/2 Canyon Knoll Drive, Houston, Texas 77095 (H.C. Key Map No. 407-Q).

The bidder shall submit a certified or cashier's check on a responsible bank in the State equal to two percent (2%) or a five percent (5%) bid bond of the maximum total bid amount. Make the cashier's check or bid bond payable to the Owner.

Plans, specifications, and bidding documents are available at [www.civcastusa.com](http://www.civcastusa.com). Said documents may be examined without charge in the office of Jones/Carter, 6330 West Loop South, Suite 150, Bellaire, Texas 77401.

**ATTENTION:** Pursuant to Texas Government Code 2252.908, you must be able to provide the District with a printed, executed and notarized original of a completed Certificate of Interested Parties form (Form 1295) with the bid. Failure to do so will result in the District's inability to execute the contract. To complete the disclosure of interested parties form, or for further information, please visit the Texas Ethics Commission's website at <https://www.ethics.state.tx.us>.

There will be a pre-bid conference in the offices of Jones/Carter, 6330 West Loop South, Suite 150, Bellaire, Texas 77401 at 10:00 a.m., Tuesday, September 27, 2016. **Attendance is not mandatory.**

The Owner reserves the right to reject any or all bids and waive any or all irregularities. No bid may be withdrawn until the expiration of sixty (60) days from the date bids are opened.

## INVITATION TO BIDDERS

Sealed Bids, in duplicate, addressed to Harris County Municipal Utility District No. 120, Attention: Mr. Gary Gassmann, President, Board of Directors, will be received at LJA Engineering, Inc., 1904 West Grand Parkway North, Suite 100, Katy, Texas 77449 until 11:00 a.m. Local Time, Wednesday, October 5, 2016 and then publicly opened and read for "Construction of the Harris County Municipal Utility District No. 120 Water Well No. 1 Improvements for Harris County Municipal Utility District No. 120, Harris County, Texas".

Scope of Work of the Contract includes the improvements of the water well no. 1.

Bids received after the closing time will be returned unopened. A Non-Mandatory pre-bid conference will be held on Wednesday, September 28, 2016, at 10:30 a.m. Local Time, at the office of LJA Engineering, Inc., 1904 West Grand Parkway North, Suite 100, Katy, Texas 77449.

Each Bid must be accompanied by a bid bond or a certified or cashier's check, acceptable to the Owner, in an amount not less than 5 percent of the total amount bid, as a guarantee that the successful bidder will enter into the Contract and execute the Bonds on the forms provided and provide the required insurance certificates within 7 days after the date Contract Documents are received by the Contractor.

Bidding documents may be examined at LJA Engineering, Inc., AGC of Texas, Construct Connect, and Amtek or may be obtained by prospective bidders or suppliers upon payment of ninety-five dollars (\$95.00 non-refundable plus cost of delivery) (\$50.00 for electronic copy) for each set of documents at LJA Engineering, Inc., 1904 West Grand Parkway North, Suite 100, Katy, Texas 77449.

The Owner reserves the right to reject any or all Bids and to waive all defects and irregularities in bidding or bidding process except time of submitting a Bid. The Successful Bidder, if any, will be the responsible Bidder which in the Board's judgment will be most advantageous to the District and result in the best and most economical completion of the Project.

Harris County Municipal Utility District No. 120

## LEGAL NOTICE FOR REQUEST FOR PROPOSAL

The Sheldon Independent School District will accept proposals until:

**3:00 P.M., Wednesday, October 12, 2016**

## PROCUREMENT OF ELECTRICITY

Sheldon Independent School District (SISD) is accepting proposals from retail electric providers (REP), political subdivision corporations formed under Section 304.001 of the Texas Local Government, Regional Service Centers, and any other entity legally permitted to supply and/or provide electrical power and related electrical power demand response and ancillary services to SISD as further specified and detailed in the Request for Proposal Packet.

**Proposals are due at 3:00 P.M., Wednesday, October 12, 2016** at the Sheldon ISD Central Office, 11411 C.E. King Parkway, Houston, TX 77044. Proposals must conform with the requirements set forth in the Request for Proposal packets, except as otherwise noted in such packets. Request for Proposal packets may be obtained from AEG Affiliated Energy Group, Retail Energy Division, fax (214) 292-8514, or via an email request to [SheldonISD@affiliatedenergy.com](mailto:SheldonISD@affiliatedenergy.com). Interested parties must request the Request for Proposal Packets at least 24 hours prior to the aforesaid Due Date. SISD reserves the right to accept, reject or postpone any or all sealed proposals, and to waive irregularities in proposals to the fullest extent permitted by law.

Lone Star College Bid Requests:

• CSP#461 Air Handling Units for Montgomery Campus. Due: 10/18/2016 @ 2:00 p.m. Mandatory-Pre-proposal Conference, Tuesday, 10/04/2016 at 1:30 p.m. at Lone Star College-Montgomery Campus, Room A121. • Online WebEx pre-proposal meeting will be held on Wednesday, 10/05/2016, 10:00 a.m. call-in number 832-813-6701. Contact [phillip.l.barker@lonestar.edu](mailto:phillip.l.barker@lonestar.edu) 832-813-6211. Must register to bid: <http://www.wapssdsc.lonestar.edu/istar/supplier.htm>.

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## BIDS &amp; PROPOSALS

## INVITATION TO BIDDERS

SEALED PROPOSALS addressed to Mount Houston Road Municipal Utility District for construction of the Water, Sanitary Sewer, & Drainage Facilities to Serve Westview Landing Section 2, LJA Job No. 1750-2020D, will be received at the office of LJA Engineering, Inc., 2929 Briarpark Drive, Suite 320, Houston, Texas 77042, until 2:00 p.m., Tuesday, October 11, 2016, and then publicly opened and read aloud.

Copies of the Plans and Specifications may be obtained from the Engineer for a non-refundable fee of \$100.00 per set (\$50.00 for electronic copy).

Mount Houston Road Municipal Utility District will hold a non-mandatory pre-bid conference at the office of LJA Engineering, Inc., 2929 Briarpark Drive, Suite 320, Houston, Texas 77042, at 2:00 p.m., Tuesday, October 4, 2016. Mount Houston Road Municipal Utility District reserves the right to reject any and all bids. The Successful Bidder, if any, will be the responsible Bidder which in the Board's judgment will be most advantageous to the District and result in the best and most economical completion of the Project. (Texas Water Code 49.273)

Bid security in the form of bid bond or cashier's check payable to Mount Houston Road Municipal Utility District in an amount not less than five percent (5%) of the Bid submitted, must accompany each Bid.

Dates of Advertisement: 09/20/16; 09/27/16

## BIDS &amp; PROPOSALS

## INVITATION TO BID

Sealed bids in duplicate addressed to Balmoral LT, LLC on behalf of Harris County Municipal Utility District No. 400 will be received in the offices of Jones/Carter Consulting Engineers, 8701 New Trails Drive, Suite 200, The Woodlands, Texas 77381, until 10:00 a.m., Tuesday, October 4, 2016, and then publicly opened and read for furnishing all plant, labor, material and equipment and performing all work required for the construction of water, sanitary and drainage facilities in Balmoral Sec 1.

The project is located in Harris County Municipal Utility District No. 400, Harris County, Texas. The site is approximately 4,000 feet north of North Sam Houston Parkway East and East of Woodland Hills Drive, Harris County Key Map No. 376-V.

For construction contracts over \$50,000 the bidder shall submit a certified or cashier's check on a responsible bank in the State equal to two percent (2%) cashier's check or five percent (5%) bid bond of the maximum total bid amount. Make the cashier's check or bid bonds payable to the Owner.

Plans, specifications, and bidding documents are available at [www.civcastusa.com](http://www.civcastusa.com). Said documents may be examined without charge in the office of Jones/Carter Construction Division, 8701 New Trails Drive, Suite 200, The Woodlands, Texas 77381.

There will be a pre-bid conference in the offices of Jones/Carter, 8701 New Trails Drive, Suite 200, The Woodlands, Texas 77381 at 10:00 a.m., Tuesday, September 27, 2016. Attendance is not mandatory.

The Owner reserves the right to reject any or all bids and waive any or all irregularities. No bid may be withdrawn until the expiration of 60 days from the date bids are open.

## INVITATION TO BID

Sealed bids in duplicate addressed to Rochester Enterprises, LLC, on behalf of Newport Municipal Utility District will be received in the offices of Rochester Engineering, 9421 FM 2920, Building 16A, Tomball, Texas 77375, until 2:00 p.m., October 11, 2016, at which time all bids will be publicly opened and read for the construction of the project:

**Newport Municipal Utility District Water, Sanitary Sewer, Drainage and Detention to serve Newport Place Project No. 2016-1001**

There will be a pre-bid conference at the project location, 600 South Diamondhead Blvd, Crosby, Texas, 77532 at 2:00 p.m., October 4, 2016. Attendance is not mandatory.

Each bid must be accompanied by a Certified or Cashier's Check, from a responsible bank in the State of Texas, or a Bid Bond, issued by a surety legally authorized to do business in the State of Texas, equal to five percent (5%) of the total bid amount. Make the Cashier's or Certified Check or Bid Bonds payable to the Owner. The successful bidder will be required to provide a performance bond, maintenance bond and a payment bond, as provided for in the bid documents, for the full amount of the contract. The above described construction will be performed in accordance with plans and specifications and any addenda thereto which may be issued prior to the opening of bids. Plans, specifications and bid documents may be obtained at the CivCast USA Website ([www.CivCastUSA.com](http://www.CivCastUSA.com)).

Documents are also available for review at the office of the Engineer. ATTENTION: Pursuant to Texas Government Code 2252.908, you must be able to provide Newport Municipal Utility District with a printed, executed and notarized original of a completed Certificate of Interested Parties form (Form 1295) with the bid. Failure to do so will result in the District's inability to execute the contract. To complete the disclosure of interested parties form, or for further information, please visit the Texas Ethics Commission's website at <https://www.ethics.state.tx.us>.

The Owner reserves the right to reject any or all bids or to accept any bid deemed advantageous to it and waive informalities in bidding. No bid may be withdrawn until the expiration of 60 days from the date bids are open. All bids received after the above designated closing time will be returned to the Contractor unopened.

Harris County Municipal Utility District No. 120

## LEGAL NOTICE FOR REQUEST FOR PROPOSAL

The Sheldon Independent School District will accept proposals until:

**3:00 P.M., Wednesday, October 12, 2016**

## PROCUREMENT OF ELECTRICITY

Sheldon Independent School District (SISD) is accepting proposals from retail electric providers (REP), political subdivision corporations formed under Section 304.001 of the Texas Local Government, Regional Service Centers, and any other entity legally permitted to supply and/or provide electrical power and related electrical power demand response and ancillary services to SISD as further specified and detailed in the Request for Proposal Packet.

**Proposals are due at 3:00 P.M., Wednesday, October 12, 2016** at the Sheldon ISD Central Office, 11411 C.E. King Parkway, Houston, TX 77044. Proposals must conform with the requirements set forth in the Request for Proposal packets, except as otherwise noted in such packets. Request for Proposal packets may be obtained from AEG Affiliated Energy Group, Retail Energy Division, fax (214) 292-8514, or via an email request to [SheldonISD@affiliatedenergy.com](mailto:SheldonISD@affiliatedenergy.com). Interested parties must request the Request for Proposal Packets at least 24 hours prior to the aforesaid Due Date. SISD reserves the right to accept, reject or postpone any or all sealed proposals, and to waive irregularities in proposals to the fullest extent permitted by law.

Lone Star College Bid Requests: • CSP#461 Air Handling Units for Montgomery Campus. Due: 10/18/2016 @ 2:00 p.m. Mandatory-Pre-proposal Conference, Tuesday, 10/04/2016 at 1:30 p.m. at Lone Star College-Montgomery Campus, Room A121. • Online WebEx pre-proposal meeting will be held on Wednesday, 10/05/2016, 10:00 a.m. call-in number 832-813-6701. Contact [phillip.l.barker@lonestar.edu](mailto:phillip.l.barker@lonestar.edu) 832-813-6211. Must register to bid: <http://www.wapssdsc.lonestar.edu/istar/supplier.htm>.

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**713-224-6868.**

## BIDS &amp; PROPOSALS

## INVITATION TO BIDDERS

FORT BEND ISD, in accordance Texas Education Code 44.031 and Texas Government Code 2269, is soliciting prospective proposals for

**CSP 17-019KB Renovations, Roofing and Upgrades at Administration Building, Administration Annex Building, Transportation Building West (Hodges Bend) and Transportation Center (Lake Olympia) Architect: OC+A Architects, (BP-OC+A)**

Submissions will be due 10/26/2016 @ 2:00 P.M.

**CST Package "A" Base Bid and all documents except Alternates and SBE documents.**

**Package "B" Alternates Due NO LATER THAN 2:00 P.M. 10/26/16.**

Pre-Proposal Conference held on 10/12/16@2:00 PM

Both Package "A" and "B" will be opened and read aloud at 2:00 PM.

**NO LATE BIDS WILL BE ACCEPTED.** Contact: Kathleen Booker @ 281-634-1805 Bid may be downloaded from: <http://purchasing.fortbendisd.com/CurrentBids.aspx>.

Mail response in a SEALED envelope with CSP # on outside to: FBISD, 555 Julie Rivers Drive, Sugar Land, TX 77478, ATTN: Kathleen Booker

**LEGAL NOTICES**

Trend Barber College is applying for reaffirmation of accreditation with the Commission of the council on occupational Education, address is 7840 Roswell Road Building 300, Suite 325 Atlanta GA 30350, Phone 1-800-917-2081 or 770-396-3898. For Comments.

To place bids or proposal notices email [legals@chron.com](mailto:legals@chron.com)

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Trend Barber College is applying for reaffirmation of accreditation with the Commission of the council on occupational Education, address is 7840 Roswell Road Building 300, Suite 325 Atlanta GA 30350, Phone 1-800-917-2081 or 770-396-3898. For Comments.

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FROM THE COVER

PIPELINES

# Williams move heads off proxy battle

Big shareholder applauds plans by company to overhaul board

By Jim Polson and Tim Loh

BLOOMBERG NEWS

Williams Cos. headed off a proxy fight with activist shareholder Corvex Management after the pipeline owner announced renewed plans to overhaul its board.

The Tulsa-based company appointed Stephen Chazen, former chief executive officer of Occidental Petroleum Corp., and

Peter Ragauss, an ex-chief financial officer of Baker Hughes, to its board, according to a statement Monday.

The company may name two more independent directors before the company's November annual meeting while three directors who've served for several years won't run again, Williams said.

Happy with moves

Corvex immediately applauded the appointments, saying in a separate statement that it'll no longer solicit proxies after earlier nominating 10 new directors.

"Corvex looks forward

to working with the newly-constituted board to unlock the significant value inherent in the company," Keith Meister, managing partner, said in the statement.

The reshuffling marks Williams' latest step forward following the collapse of a deal for Energy Transfer Equity to buy Williams for about \$33 billion — a transaction Meister had long supported and Williams chief executive officer Alan Armstrong had long opposed.

Since then, Armstrong has plotted a course for the company as a standalone and moved to focus its operations on transporting

natural gas. That's included the sale of Canadian assets and an announcement that it may sell its stake in a Louisiana complex that produces natural-gas liquids.

In August, following reports that Williams had rebuffed a takeover bid from Enterprise Products Partners, Meister initiated a proxy battle aimed at replacing all six of the remaining Williams directors. He compared them to inferior athletes and said they're unwilling to disagree with Armstrong.

If Williams appoints two new directors by November — which it said

is its "goal" in Monday's statement — the newly constituted governing body will consist of 11 members, seven of whom will have been added since the Energy Transfer deal fell apart.

More merger talks?

Such a board will probably be more willing to "engage in the most appropriate actions" to enhance shareholder interests, TJ Schultz, an analyst at RBC Capital Markets, said in a note to clients on Monday. That could include re-engaging in merger talks with Enterprise Products Partners.

"We continue to like

WMB regardless of a standalone plan or as a potential takeout," Schultz said.

Williams added the first three new directors on Aug. 29, all current or former executives at other energy companies. They included former American Midstream Partners CEO Stephen Bergstrom, Pioneer Natural Resources Co. CEO Scott Sheffield and PPL Corp. CEO William Spence.

The three took "a leadership role in discussions with Corvex which resulted in the announced plan to enhance the board's composition," Meister said.

# Aloft joining the trend of hotels in downtown

Aloft from page B1

weekends. For the bar and rooftop pool, the company hopes to capture what it sees as a captive downtown audience: a growing residential population of young professionals looking for new places to hang out.

Long ignored by most residential developers, the urban core is now filling with thousands of new upscale apartments in one of the biggest revitalizations the area has ever seen. There are some 3,600 residents within the central business district, and that number is expected to triple over the next several years.

New hotels abound, too. In addition to Aloft, 1,965 hotel rooms are under development in the

Central Business District, according to the Houston Downtown Management District.

They include the 1,000-room Marriott Marquis, the Hotel Alessandra, Le Meridien, AC Hotel by Marriott and the Hampton Inn/Homewood Suites. Other properties have recently opened or are being renovated, in part, in anticipation of the Super Bowl in February.

But as low oil prices depress the local economy, hotel occupancy and room rate revenue across the Houston area have slipped. Demand has fallen from when the energy industry was booming and visitors were abundant.

William Franks, vice president of development for the new project, said a

hotel like Aloft has been "sorely lacking" downtown.

"There's no question that oil affects the Houston market, but in our situation it is really different," Franks said. "This particular brand of hotel is something Houston has been needing for a long, long time."

Federal and state tax credits helped finance the \$30 million-plus redevelopment of the Stowers building, now 11 stories with the addition of the rooftop pool.

Though the building's design weighs heavily toward a modern aesthetic, such vintage touches as an original staircase, crown molding and copper piping remain.

With a tech-savvy



Elizabeth Conley / Houston Chronicle

A king-size bed is in a room at the Aloft Houston Downtown. The hotel will have systems like keyless doors that can be opened with a swipe of a smartphone.

mandate, the hotel will have systems like keyless doors that can be opened with a swipe of a smartphone.

Aloft even has its own special language. Guests

will hear "lift" instead of elevator, "WC" instead of restroom and "tactic" instead of conference room from its employees or, rather, its "talent."

The property's 168

rooms will have weekday rates of between \$249 and \$269 and between \$149 and \$169 on the weekends.

nancy.sarnoff@chron.com  
twitter.com/nsarnoff

# Purolator to move work to N.C.

Purolator from page B1

cision and has been taken with considerable review of all the facts regarding the current business climate and the persistent and ongoing challenges in our end markets," Robb Junker, president of Greensboro, N.C.-based Purolator Advanced Filtration Group, wrote in a letter to Mayor Sylvester Turner.

Frederick said North Carolina was chosen over Houston because the company owns that facility, while it leases space in Houston.

Equipment in the North Carolina facility is also newer and

more efficient, he said.

In addition to polymer filtration, Purolator EFP designs, engineers and manufactures specialty wire cloth parts for the automotive, electronic and consumer markets. After the Houston closure, Purolator EFP will have six facilities around the world.

Laid-off employees will receive severance packages, Frederick said. They can apply for positions in North Carolina.

He described this as a "difficult decision that we needed to make for our business."

A few of the company's Houston employees working in sales,

and customer service will remain in Houston and work from a local warehouse owned by Clarcor, the parent company of Purolator Advanced Filtration Group. This facility will also be used to store products.

Another handful will remain on staff through June, at the latest, to prepare the property, at 8733 Daffodil, for its return to the landlord.

"We're confident that the decision we've taken will mean success for our business in the days ahead," Frederick said.

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# Coal mining found in 40 Texas counties

Coal from page B1

Jewett, which is between Houston and Dallas. NRG is switching from lignite to more efficient, cleaner coal from the Powder River Basin in Wyoming.

In the letter, the Colorado-based coal company said it "will be forced to cease production operations at the Jewett Mine by the end of the year and terminate the employment of its workforce there. We regret this action, but it is unavoidable."

The Jewett Mine is described as a 35,000-acre surface mine complex. The mine, which is one of the largest in Texas, produced about 5.3 million short tons of coal a year, according to the U.S. Department of Energy.

Although Texas is known more for oil and gas, the Lone Star State has active coal mining in about 40 counties, according to the Railroad Commission. The only bigger coal mines than Jewett in Texas are the Kosse Strip and Three Oaks mines owned by Dallas-based Luminant, based on Energy Department production data. The Kosse mine is just a little west of Jewett and the Three Oaks mine is northeast of Austin by Rockdale.

But, early this year, Luminant, a Dallas power generation company, closed three small North Texas mines to switch to Powder River Basin coal.

Limestone is one of NRG's two major coal plants in Texas, including the W.A. Parish plant southwest of Houston. The Par-

ish plant has always used Powder River Basin coal.

"This is a very difficult decision and one that we don't take lightly," NRG spokesman Dave Knox said Monday in a statement. "NRG comprehensively evaluates the fuel sources for each plant for a number of criteria. Powder River Basin coal is currently the most competitive option for Limestone."

Knox noted that Texas coal plants are at a disadvantage because of low natural gas prices and a lack of incentives in the Texas power market to keep struggling plants running.

NRG will work with Westmoreland to restore the area to its condition before the mine opened.

The decision comes just before President Barack Obama's proposed Clean Power Plan is debated in court. The plan is intended to reduce emissions at power plants, especially coal-burning facilities.

But environmental rules are not the reason coal plants are struggling or closing, said Thad Hill, CEO of Houston-based Calpine, which is the owner of the nation's largest fleet of natural gas-fired power plants. Because of the shale boom and plentiful supplies of natural gas, coal plants can't compete on costs.

"It's been an economic choice," not an environmental one, Hill said Monday.

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twitter.com/jdblum23



Forrest M. Mims III

NRG Energy is switching to low-sulfur coal with less carbon emissions than this Texas lignite, commonly called brown coal.

# Wells Fargo denies allegations in former employees' lawsuits

Wells from page B1

types of illegal practices, they just booted you out the door and replaced you."

In a statement on Monday, Wells Fargo said: "We disagree with the allegations in the complaint and will vigorously defend against the misrepresentations it contains about Wells Fargo and all of the Wells Fargo team members whose careers have been built on doing the right thing by our customers every day."

One former employee planning to join the lawsuit is Dennis Russell, 62, who said he was fired in 2010 after a five-year career as a telephone banker at Wells Fargo's call center in Orange County, Calif. Russell handled incoming customer service calls and was expected to refer 23 percent of his callers to a sales representative for additional product sales, he said.

But the customers Russell spoke with were usually in dire financial shape, he said Monday. Looking at their accounts, he could see mortgages in foreclosure, credit cards in collections and cars being repossessed for overdue loan payments.

"The people calling didn't have assets to speak of," Russell said. "What products could you possibly offer them in a legitimate way?"

The two fresh lawsuits echo many of the allegations in a 2015 lawsuit filed by the Los Angeles city attorney's office. Wells Far-

go settled the case this month, agreeing to pay \$185 million in fines, including a \$100 million penalty levied by the Consumer Financial Protection Bureau, the federal watchdog agency that conducted its own investigation.

But some Wells Fargo employees tried, years earlier, to sound the alarm — with personally disastrous results.

Christopher Johnson, 38, a plaintiff in the lawsuit filed on Monday, said he hesitated to get involved in the legal case because it brought back memories of "a very dark time in my life." He was fired in 2008 after working for Wells Fargo for five months.

In trainings, the company repeatedly emphasized the importance of its ethics code and urged employees to call its confidential hotline if they observed anything inappropriate. But just two weeks after he started working as a business banker in a Wells Fargo branch in Malibu, Calif., his manager began pressuring him to open accounts for his friends and family — with or without their knowledge, Johnson said. When he refused, he was criticized for not being a team player.

Johnson soon learned that his colleagues routinely opened unauthorized accounts for customers who they thought wouldn't notice, like elderly clients or those who didn't speak English well. Disturbed by this practice, he did as he was instructed during training and called the com-

pany's ethics hotline.

Three days later, he was fired for "not meeting expectations," he said. Broke, Johnson was evicted from his house, he said.

Johnson, who now works as a writer, said he had stepped forward at his mother's urging: "She was like, 'Your story needs to be told. You got fired because you tried to do the right thing.'"

Russell also lost his home after he lost his Wells Fargo job. Unable to find a new position in the industry, he now works part time for a church in Costa Mesa, Calif., helping with its outreach programs for the homeless.

Last week, he watched — in disbelief, he said — as Stumpf was grilled by the Senate Banking Committee and insisted that Wells Fargo never wanted its employees to do anything unethical to meet their sales goals.

"It's a crock," Russell said. "They established the culture that made this happen — it comes down from the top."

Although Wells Fargo settled the civil cases with Los Angeles and its federal regulators, more fallout could be coming. Richard Cordray, the director of the Consumer Financial Protection Bureau, strongly hinted that the agency had referred the case to other federal bureaus for criminal investigation.

On Thursday, the House Financial Services Committee will hold its own hearing on the scandal. Stumpf plans to appear, Wells Fargo said.



BUSINESS

U.K. CEOs consider moving, survey says

By Danica Kirka  
ASSOCIATED PRESS

LONDON — A survey of company CEOs in Britain suggests that a majority is considering moving some business away from the U.K. amid concerns about the country's future outside the European Union.

Research by KPMG shows that three-fourths of the 100 executives questioned would consider moving their headquarters

or some operations outside Britain in order to keep a link to the EU's common tariff-less market.

The British government is likely to take months to trigger the official negotiations to leave the EU, leaving the details of any exit uncertain for years.

Some companies, however, may start shifting operations abroad with little fanfare.

British voters defied the leaders of both major political parties by deciding

in June to leave the EU.

"We hear it time and time again that business needs certainty," Simon Collins, KPMG's UK chairman, said in a statement. "Policymakers should be really concerned about a leaching of British business abroad, and should engage with business early to understand what assurances they can offer and closely monitor any shifts overseas."

Meanwhile, another survey shows that opti-

mism in the financial services sector has fallen for a third consecutive quarter, the longest drop since the global financial crisis in 2009.

The CBI/PwC Financial Services Survey of 115 firms shows finance houses, building societies and investment firms reported the sharpest drops in optimism as uncertainty after the vote to leave the EU took hold.

The results are important because so much of

Britain's economy hinges on financial services — some 2 million people across the U.K. are directly or indirectly employed by the sector.

Andrew Kail, U.K. financial services leader at consultancy PwC, says the worry is about "the domino effect on people, productivity and position as a financial hub that must be guarded against."

Though economic indicators have been relatively stable since the vote, many

experts say it's still too early to tell how companies are reacting.

In another development, the president of the European Central Bank said both markets and the economy have been "resilient" in the wake of Britain's Brexit vote.

But Mario Draghi cautioned members of the European Parliament in Brussels on Monday that the long-term effects of the breakup "will be much more difficult to foresee."

LIFE TRIBUTES

Bishop, Henry  
Bisso, William

Boldrey, Garnet  
Goree, James

Mitzner, David  
Kresse, Herman

Senger, Don  
Timmons, Terence

Voutchas, Louise  
Wellman, Brenda

Wiggins, Leonard

CAPT. WILLIAM A. "CAPPY" BISSO, III  
1941-2016



Capt. William A. "Cappy" Bisso, III, (08 August 1941 – 24 September 2016) aged 75, was the fourth generation Chairman of the Board of the 127 year-old family business, BISSO MARINE, LLC.

Capt. Bisso was a native of New Orleans, LA, and attended Ridgewood Preparatory School before attending the University of Southern Mississippi. He joined the family business in 1962 and served in various capacities in all divisions of the company before ascending to its Chairmanship.

Following the devastation of Hurricane Katrina in 2005, Capt. Bisso moved his family and the headquarters of the company from New Orleans, Louisiana, to Houston, Texas. Through his vision and leadership, BISSO MARINE, LLC evolved

from a local inland marine service provider into a full service subsea and offshore midstream infrastructure contractor with operations around the world.

Capt. Bisso served on several boards and executive committees including the U.S. Coast Guard Foundation, the National Ocean Industries Association and was a founding member of the Harris County Sheriff's Office Foundation in Houston, Texas. Capt. Bisso's past board services include the Louisiana State Mineral Board; Executive Committee of the International Salvage Union in London, England; Trustee for the National World War II Museum and The Republican National Finance Committee and the 1988 Republican National Convention Committee.

Capt. Bisso was the only child of Capt. William A. Bisso, Jr. and Lillian J. Bisso. He was the loving and



devoted husband of Darlene M. Bisso and the father of their only child, William A. "Beau" Bisso, IV. He was the father-in-law of Eva C. Bisso and the devoted grandfather of William A. Bisso, V and Joseph R. C. Bisso.

Capt. Bisso was a Master Mason, member of Dante Lodge, F&AM, and a Shriner, member of Jerusalem Temple, AANOMS both of New Orleans, LA. Capt. Bisso loved classic automobiles, American history, traveling around the world with his

wife, and spending time with his grandsons.

Relatives and friends are invited to attend a Funeral Service on Thursday, September 29, 2016 at 2:00 p.m. at Lake Lawn Metairie Funeral Home, 5100 Pontchartrain Blvd, New Orleans, LA 70124. Interment will follow in Metairie Cemetery. Visitation will be held prior to the service beginning at 11:00 a.m. In lieu of flowers donations may be made to the charity of your choice.

DAVID MITZNER  
1915-2016

The United States Holocaust Memorial Museum mourns the loss of David Mitzner, a Holocaust survivor, born in Warsaw, Poland. David and his wife, the late Ruth R. Mitzner, were Museum Founders and longtime friends and partners. He remained deeply devoted

to advancing the cause of Holocaust remembrance and education. The Museums sends heartfelt condolences to his entire family.

Tom A. Bernstein, Chairman  
Allan M. Holt, Vice Chairman  
Sara J. Bloomfield, Director

DON ANTHONY SENGER  
1945-2016

Deacon Don Senger passed away on September 26, 2016 in Houston, TX. Don was born on January 12, 1945 in Racine, WI

The visitation will be held on Wednesday, September 28, 2016 at The Settegast-Kopf Co Funeral Directors in Sugar Land, TX from 6pm until 8pm with a vigil service at 7pm. The funeral mass will be held on Thursday, September 29, 2016 at St. Theresa Catholic Church, 705 St Theresa Blvd, Sugar Land, TX 77498 at 10am with a burial to follow after the funeral mass.

The Settegast-Kopf Company  
@ Sugar Creek  
15015 Southwest Freeway  
Sugar Land, TX 77478  
(281) 565-5015  
Condolences may be offered at  
www.SettegastKopf.com

TERENCE PENICK  
TIMMONS  
1950-2016



Terence P. (Terry) Timmons, a Houston native, died September 21, 2016. A memorial service will be held on Friday, September 30, at 1:30 p.m. at Golding Chapel, Christ Church Cathedral, 1117 Texas Ave. For a complete obituary, visit [www.earthmanhunterscreek.com](http://www.earthmanhunterscreek.com).

Earthman Hunters Creek  
Funeral Home  
8303 Katy Freeway  
Houston, TX 77024  
(713) 465-8900  
Condolences may be offered at  
[www.EarthmanHuntersCreek.com](http://www.EarthmanHuntersCreek.com)

LOUISE MARIE  
HILDEBRANDT-VOUTCHAS  
1921-2016

Louise Marie Hildebrandt-Voutchas, 95, of Tomball, passed away Sunday, September 25, 2016. She is preceded in death by her husband John George Voutchas, parents H. Edward and Anna Lydia Hildebrandt, two brothers Vernon and Melvin Hildebrandt.

She is survived by her step daughter Cassandra Voutchas.

Funeral service will be 1:00 PM Wednesday, September 28, 2016 at Trinity Lutheran Church, 5201 Spring Cypress Rd. Spring TX 77379. Burial will be Thursday, September 29, 2016 at 10:00am at Houston National Cemetery.

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for a year — or  
forever — through  
sponsorship. Visit  
[chron.com/obits](http://chron.com/obits) for  
details and to offer  
your condolences  
and view those from  
family and friends.

[chron.com/obits](http://chron.com/obits)

GARNET LOIS BOLDREY  
1928-2016

Garnet Lois Boldrey, born December 31, 1928, passed away peacefully at her home on Saturday September 17, 2016.

She is survived by three children, Valorie Langille (Bruce) and J. Kevin Boldrey, Cathy Wright (John),. She adored her six Grandchildren -Nathan Ernst (Ana), Cameron Ernst, Craig Langille, Scott Langille (Megan), Jane Boldrey and Evan Boldrey and three Great Grandchildren - Gabriella Ernst, Noah Ernst and Evan Langille.

Garnet was a member of St. Luke's United Methodist Church in Houston while working there with the Senior Ministry. Since moving to the Woodlands she has belonged

to the Woodlands United Methodist Church where she was actively involved in Friendship Class and Senior Prime Timers.

A Memorial Service was held at The Woodlands United Methodist Church Robb Chapel. Interment will be at her family cemetery in Chauncey, IL.

In lieu of flowers, memorials may be made to Woodlands United Methodist Church / Senior Ministry or American Cancer Society.

KLEIN  
Magnolia-Woodlands  
14711 FM1488 @ FM149  
281-252-3428  
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BRENDA WELLMAN  
1952-2016

Brenda Wellman lost her courageous two year battle with cancer Saturday night, with daughter Rachal at her side. Brenda was born in Mobile, Al and grew up in Picayune, Ms. She was a free spirit, always looking for new adventures. She spent many happy years in Morgan City and Houston, working through floods and high water for J&J Marine Diving. And she made great friends in her lifetime, we will miss her but never forget her. We hate the cancer that took her life, but we thank our Lord

for delivering her through pain and darkness. Brenda was proceeded in death by her brother Michael Taylor and her friend Ricky Casas. She is survived by daughters Rachal & fiancé Dayon, Christina and Alyssa and son Jason and grandchildren Dayon Jr, Devin, Brenique, Robert John, Matthew and Avariegh. Family members include sisters Cynthia Gomez. Catharine Watson, Millie Kiefer and brother George Eric Ritchie. Cremation Services under the direction of Crespo Funeral Home - Broadway.

LEONARD WIGGINS  
1932-2016

Leonard "L.D." Wiggins, age 83, was born on October 18, 1932 in Houston, Texas and went to be with the Lord on September 23, 2016 at his residence in Houston, Texas. He was a lifelong member of Bethel Tabernacle, Houston, Texas.

He is survived by his wife of 64 years, Patsy Wiggins, children, Shelley Kennedy and partner, Debra Denny, Ginger Wedgeworth and husband, Rev. Mike Wedgeworth, grandchildren, Karissa Cordell and husband, Wes, Kelli Orange and husband, Phillip and Candace Briley; great grandchildren, Keaton, Konner, Jewel, Schuyler, LaMarq, Chazzlyn, Alexis and Layla. He is also survived by one sister, Katherine Metts.

The family will receive friends on Tuesday, September 27, 2016 from 5:00 P.M.-7:00 P.M. at Bethel Taber-



nacle Church, 1020 FM 1960, Houston, Texas with the funeral service to begin at 7:00 P.M. Pastor David L. Fauss and Rev. Mike Wedgeworth will be officiating. Graveside will be at Brookside Cemetery on Wednesday, September 28, 2016 at 11:00 A.M.

Claire Brothers  
A Riley Smith Family  
Funeral Home  
713-271-7250

HERMAN JOSEPH KRESSE  
IV  
1929-2016

Herman Joseph Kresse IV of Houston, Texas, died on September 25, 2016, at age 87, after a courageous battle with cancer. He was born April 9, 1929, in Luxora, Arkansas.

He met his sweetheart, Patricia Anne Bridges, at college and they were married on June 12, 1950. In their 66 years together, they had eight children: Susan (Charles) Berniard, Mark Kresse, Joe (Kim) Kresse, John (Brenda) Kresse, Matt (Sandra) Kresse, Steve (Angie) Kresse, Geoff (Jackie) Kresse, and Margaret McCoy.

He is predeceased by his parents, Herman and Felicia Kresse; Beloved son, Mark Edward; sister Barbara Beem; brother Lawrence Kresse; and his great-granddaughter Sophie Marie Knight.

He is survived by his wife,



Patricia; sister Linda Tinnon of Little Rock, Arkansas; his remaining children; 19 grandchildren and 19 great-grandchildren.

Condolences for the family may be sent online at [www.ForestParkWestheimer.com](http://www.ForestParkWestheimer.com).

Forest Park Westheimer  
Funeral Home  
12800 Westheimer Road  
Houston, TX 77077  
(281) 497-2330  
Condolences may be offered at  
[www.ForestParkWestheimer.com](http://www.ForestParkWestheimer.com)

In Loving Memory Of  
HENRY ALLEN BISHOP

1951-2016

Henry Allen Bishop, 65 of Deer Park, Texas, passed away Monday, September 19, 2016 after a short battle with cancer. He was born July 31, 1951 to B. Henry Bishop and Johnnie McCarn Bishop in Houston, Texas.

Allen spent his 45 year career at various engineer-

ing companies as a piping designer/CAD operator.

He is survived by his son Marcus and wife Krista, daughter Jennifer and husband Chris Gottselig.

Visitation will be at Forest Park East on September 28th at 11:30am, followed by a chapel service at 12:30pm.

CEMETERY LOTS

New LISTING  
FOREST PARK LAWNDALE 4 plots  
Spaces Together 6, 10, 11, 12  
Lot 615, Sect #29. All 4 = \$8,500  
Indiv \$2,500. Call 713-850-1717

CEMETERY LOTS

Memorial Oaks Katy Frwy 77079.  
20% OFF CLEARANCE PRICE  
2 Spc. Sec. 10. Lot 112. \$6,999 Ea.  
Call Vicky 281-460-9987

SUNSHINE FADES AND SHADOWS FALL,  
but sweet remembrance outlasts all.



WEATHER

TODAY'S FORECAST

Skies will be cloudy through the day today. A few showers are possible in the morning hours. Skies will remain mostly cloudy through the evening hours, becoming partly cloudy overnight.

METRO AREA OUTLOOK

TODAY: Cloudy, a slight chance for a few showers. Highs in the mid-80s.

TONIGHT: Mostly cloudy. Lows in the upper 60s.

AIR QUALITY

Today's forecast for the entire metro area:

Ozone watch

Good Unhealthy Moderate Very unhealthy Unhealthy/sensitive groups Hazardous

POLLEN AND MOLD

Yesterday's readings by the City of Houston:

Count per cubic meter of air

Tree pollen None 0

Weed pollen Heavy 52

Grass pollen None 0

Mold pollen Medium 6,766

Note: No measurements on week-ends; charts in Sunday and Monday papers reflect reading from previous Friday

UV FORECAST

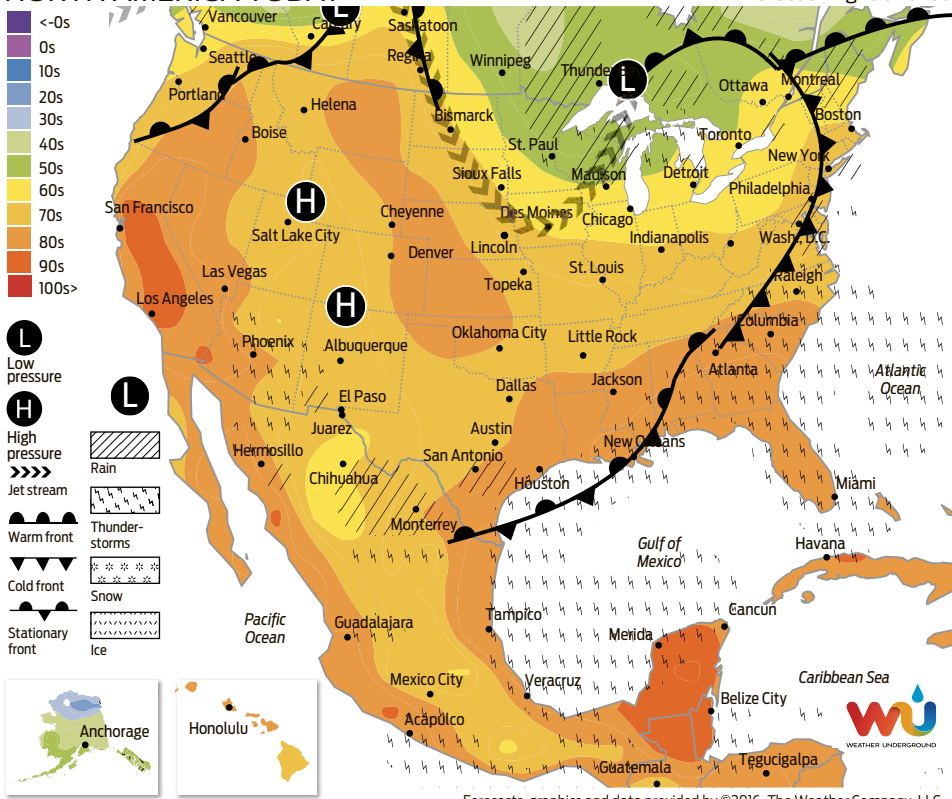
1 2 3 4 5 6 7 8 9 10 11

Low Moderate High high Extreme

HOUSTON'S SEVEN-DAY FORECAST

85 68	88 66	88 61	84 62	86 64	85 68	86 68
TODAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	MONDAY
20 percent chance showers.	Mostly sunny. Light wind.	Sunny. Northeast wind 10 mph.	Sunny. Northeast wind 10 mph.	Sunny. Light wind.	Sunny. Northeast wind 10 mph.	Sunny. Northeast wind 10 mph.

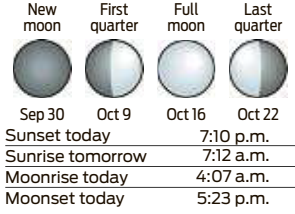
NORTH AMERICA TODAY



INTERNATIONAL

	Today	Tomorrow
<b>Africa</b>		
Cairo	87/69/s	89/70/s
Cape Town	60/49/r	63/50/pc
Casablanca	82/67/pc	88/69/s
Dakar	86/79/s	86/79/pc
Johannesburg	79/55/s	77/47/pc
Lagos	85/75/ts	85/75/ts
<b>Asia/Pacific</b>		
Beijing	73/50/s	69/47/s
Ho Chi Minh	90/76/ts	87/76/ts
Hong Kong	95/83/pc	90/77/pc
Islamabad	94/74/s	94/74/s
Jakarta	88/76/ts	87/76/ts
Karachi	90/79/s	89/78/pc
Kuala Lumpur	92/78/ts	93/77/ts
Manila	86/78/ts	84/78/ts
New Delhi	97/78/s	98/79/s
Seoul	73/65/r	74/63/cd
Shanghai	88/77/r	81/73/ts
Singapore	90/78/ts	92/77/ts
Sydney	70/50/pc	66/56/s
Taipei	83/80/ts	89/79/ts
Tokyo	84/75/pc	84/75/pc
<b>Canada</b>		
Calgary	54/40/pc	56/36/pc
Edmonton	58/35/pc	58/39/pc
Montreal	69/49/pc	68/49/pc
Toronto	67/60/pc	67/59/pc
Vancouver	62/49/s	62/46/s
Winnipeg	58/40/pc	64/44/s
<b>Europe</b>		
Amsterdam	70/62/s	68/61/pc
Athens	77/61/pc	78/59/s
Berlin	73/56/s	69/58/pc
Copenhagen	65/57/pc	64/57/pc
Dublin	63/54/pc	71/53/pc
Frankfurt	72/51/pc	74/54/pc
Geneva	70/49/pc	75/51/s
Istanbul	68/61/r	72/60/pc
London	71/54/pc	74/61/s
Madrid	85/59/s	81/55/s
Moscow	50/41/cd	49/37/cd
Paris	71/57/pc	75/58/pc
Prague	69/51/s	70/55/pc
Rome	78/57/s	78/55/s
Stockholm	65/52/pc	60/46/r
Vienna	71/47/pc	74/58/s
Warsaw	63/40/s	68/55/r
Zurich	66/47/r	71/48/pc
<b>Latin American/Caribbean</b>		
Bogota	68/47/pc	68/47/r
Buenos Aires	73/57/s	69/50/pc
Caracas	81/66/ts	80/65/r
Havana	86/71/ts	89/72/ts
Kingston	91/81/pc	92/81/s
Lima	67/62/pc	68/62/s
Rio	75/65/pc	77/66/pc
San Juan	91/71/sh	91/79/sh
San Salvador	86/65/pc	86/66/pc
Santiago	79/51/s	74/45/s
Sao Paulo	69/53/s	78/57/s
St. Thomas	89/80/r	92/81/s
<b>Mexico</b>		
Acapulco	90/76/ts	93/77/pc
Cancun	88/76/pc	88/76/pc
Guadalajara	80/62/pc	79/62/pc
Guanajuato	79/59/pc	79/59/pc
Mazatlan	90/76/s	90/76/pc
Merida	92/74/pc	94/74/pc
Mexico City	71/57/s	70/58/ts
Puerto Vallarta	89/76/s	87/76/ts
Tampico	83/76/s	84/77/ts
Veracruz	85/76/ts	85/76/ts
<b>Middle East</b>		
Baghdad	104/70/s	100/67/s
Beirut	81/70/s	81/71/s
Dubai	100/83/s	98/83/s
Jerusalem	77/60/pc	78/60/pc
Kabul	90/60/s	88/59/s
Mecca	110/82/s	107/82/s
Riyadh	104/73/s	104/73/s
Tehran	88/66/s	87/63/s
Tel Aviv	83/70/pc	83/69/pc

MOON PHASES



COASTAL FORECAST

**GALVESTON BAY :** Northeast winds 10 to 15 knots becoming north 5 to 10 knots in the afternoon. **Tonight:** North winds 5 to 10 knots.

**MATAGORDA SHIP CHANNEL TO HIGH ISLAND OUT 20 TO 50 MILES :** Northeast winds 10 to 15 knots. **Tonight:**Northeast winds 5 to 10 knots.

GALVESTON TIDES

**HIGHS:** 3:42 a.m. 1:59 p.m.

**LOWS:** 9:35 a.m. 9:10 p.m.

RIVERS, CREEKS AND BAYOUS

	Location	Flow	Latest stage	24-hr. chg.
Brays Bayou	South Main	54	16.7	0.0
Brazos River	Bryan	43	11.1	+0.5
	Hempstead	50	14	-0.3
	Richmond	48	13.8	-0.2
Buffalo Bayou	Piney Point	50	29.3	-0.4
	Shepherd Dr.	23	2.3	-0.4
Clear Creek	Friendswood	12	1.5	-0.6
Colorado R.	Austin	29	11.4	-0.8
	Bastrop	25	3.2	+0.2
	La Grange	32	8.6	+4.9
	Columbus	34	0	-11.1
	Wharton	39	8.6	+0.1
	Bay City	44	5	-0.2
Greens Bayou	Eastex Fwy.	61	40.6	+1.5
Guadalupe R.	Hunt	12	8	+0.1
	Comfort	26	3.7	+0.3
	Spring Branch	36	2.9	+0.2
	New Braunfels	7	2.7	+0.4
	Gonzales	31	12.9	0.0
	Cuero	20	9.2	0.0
	Victoria	21	7.6	0.0
	Dupont	20	13.1	-0.1
Little River	Little River	30	3.1	+1
	Cameron	30	3.1	+0.1
Navasota R.	Easterly	19	5.1	+1.8
Neches River	Evadale	19	6.9	-0.2
Pine Island B.	Sour Lake	25	11.6	0.0
Sabine River	Bon Wier	30	16.7	-3.4
	Deweyville	24	22.4	0.0
	Orange	4	2.1	-0.2
	Burkeville	43	13.4	-4.5
San Bernard R.	E. Bernard	17	6.6	-0.1
	Sweeny	16	12.1	-0.2
E. San Jac. R.	Cleveland	19	4.6	+0.1
W. San Jac. R.	Conroe	116	95.9	+1.1
San Jacinto R.	Sheldon	10	1.9	-0.6
Sims Bayou	Telephone Rd.	30	6.3	-0.6
Trinity River	Goodrich	36	5.2	0.0
	Liberty	26	7.2	+0.1
Village Creek	Kountze	20	4.4	+0.5
White Oak B.	Heights Blvd.	48	0	0.0

TEXAS LAKES

	Full level	Actual level	Release cfs
Canyon Dam	909	909.1	211
Conroe	201	200.9	0.0
Houston	41.73	42.4	0.0
Lake Travis	681	680.5	1929
Livingston	131	42.4	979

Lands' End CEO leaves after less than 2 years

ASSOCIATED PRESS

DODGEVILLE, Wis. — The CEO of Lands' End, recruited from the New York fashion house Dolce & Gabbana in a bit of a culture clash, has stepped down after less than two years on the job.

Federica Marchionni was brought to the Dodgeville-based company with its button-down shirts and casual clothing in February 2015. Her employment agreement specified that she would not have to move to the small southwestern Wisconsin city and that her primary workplace would be in New York.

The company said Monday that Marchionni's departure was effective immediately.

'It is time'

"The board of directors and I have agreed it is time for others to bring Lands' End into the future," Marchionni said in a statement.

The Lands' End board appointed Joseph Boitano, executive vice president and chief merchandising and design officer, and James Gooch, executive vice president and chief



Associated Press file

**Federica Marchionni's tenure with Land's End had been strained at times.**

operating and financial officer, as co-interim chief executive officers.

A global executive search firm has been hired to assist with identifying a permanent CEO, the company said. The search will consider internal and external candidates.

Josephine Linden, board chairman, said Marchionni has helped Lands' End transform by offering merchandise that was more relevant to shoppers.

"Federica is stepping down at this time, leaving Lands' End well positioned to continue its evolution and capture the

growth opportunities that exist for our iconic brand in this dynamic retail environment," Linden said in a statement.

Marchionni's tenure had, at times, been strained. Her decision to feature feminist and abortion rights advocate Gloria Steinem in a Lands' End catalog drew the ire of some customers who flooded the company's Facebook page with comments and caused two private religious schools to stop purchasing uniforms from the company.

Public apology

Steinem had been interviewed by Marchionni for the Lands' End "Legend Series," which features people "who have made a difference in both their respective industries and the world at large," according to the company. The company issued a public apology and removed Steinem from its website.

It has been a rough period for many traditional retailers, and Lands' End is no exception. Annual sales have fallen for four consecutive years and net income for two.

The company lost money in its latest fiscal year.

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