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JUNE 7, 13, 2006

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## Silicon Valley News Notes

### A Slab in The Dark

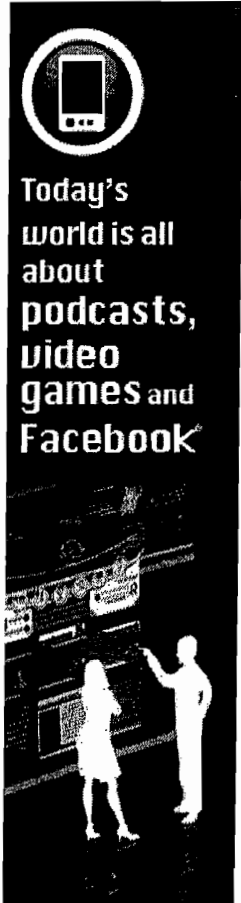
An ongoing federal lawsuit against Santa Clara County has dragged more skeletons out of the coroner's closet. Literally. And now documents obtained by *Metro* raise questions about the credentials of local medical examiners who assist criminal investigators in determining cause of death. For example, only one of the three full-time county medical examiners is certified in forensic pathology by the **American Board of Pathology (ABP)**. Two part-time medical examiners who worked for the office until last year also lacked certification in this subspecialty. Instead, several touted certificates from the **American College of Forensic Examiners (ACFE)**, an organization with a controversial reputation in the medical field. The **National Association of Medical Examiners (NAME)** established professional standards last year that do not recognize qualification from ACFE. "Their process, to say the least, is considerably less rigorous and demanding," says NAME president **John Hunsaker**. The gold standard for a medical examiner, he adds, is only certification in forensic pathology from the ABP. But **Capt. Bob Dixon**, spokesman for the sheriff-run coroner's office, defends ACFE, saying NAME is "nothing more than an advisory body." He's obviously not taking the national association's advice on this issue. Why does any of this matter? Take the case of the late **Nelson Galbraith**. Before his death in 2002, the 83-year-old man sued county officials for wrongfully accusing him of murdering his wife in 1995. Galbraith argued that former head medical examiner **Dr. Angelo Ozoa** grossly misidentified his wife's suicide, spurring a jury trial that lasted one day and cost him over \$300,000. His family is now carrying on the legal battle with the contention that Ozoa's reckless conclusion caused an unnecessary prosecution by the district attorney. Their lawyer, **Michael Goldsmith**, declined to comment, but the Galbraiths are taking their case to the Ninth Circuit Court of Appeals for the second time, after a federal judge again dismissed their allegations in April. **Jim Towery**, the high-octane San Jose attorney representing the county, says the Galbraith family "misdirected" their anger at the coroner's office. The district attorney's decision to prosecute Nelson Galbraith, the county holds, did not rely on Ozoa's report. But wait, what about the bigger problem—like maybe that it was wrong in the first place?

### Paper Chase

In case you needed a refresher on the media food chain of late: last year, **Knight Ridder** devoured the **Silicon Valley Community Newspaper** group and the company that publishes free dailies in Palo Alto, Los Gatos and San Mateo. Around the same time, the national newspaper company **New Times** (which owns weekly papers in San Francisco and the East Bay) took control of **Village Voice Media** in a merger transaction. Then Denver-based **MediaNews Group** added **San Jose Mercury News**, **Contra Costa Times** and **Monterey Herald** to their holdings in the East Bay and Peninsula. The deal gave MediaNews control of nearly every daily newspaper in the Bay Area, except the **Hearst-owned San Francisco Chronicle** (who contributed \$263 million to help finance the merger). Yep, that means one financially-intertwined group of companies will deliver news to more than 9 million people, a fact that worries some residents who think that newspapers still matter. Six local Congress people, including South Bay representatives **Zoe Lofgren**, **Anna Eshoo** and **Mike Honda**, have written a letter to the Department of Justice pointing out the antitrust implications of the MediaNews purchase. "We believe your inquiry should examine whether these transactions would significantly heighten the concentration of media ownership, and deprive readers in our districts of the quality and depth of news coverage that more varied ownership offers," they wrote. Eshoo told *Metro* that she has deep concerns about the merger. "A democracy embraces many voices to the many," she said, "not few to the many."

### More Fun in Condoland

**Jack Kerouac** once wrote, "You can't fight City Hall. It keeps changing its name." And how true that seems in Cupertino right now, as there seems to be no stopping the city's condo fever. Local resident **Patty Chi** tried to at least keep it in check by spearheading a petition drive to get two referenda on the local ballot to overturn City Council votes to rezone land and let developer **Toll Brothers** and **Vallco Fashion Park** start building condos along Stevens Creek Boulevard. The day city clerk **Kim Smith** reported that both petitions had twice as many signatures as needed to qualify for the ballot, City Attorney **Chuck Kilian** received



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notice that a lawsuit had been filed to prevent the referendum that challenged their project from ever seeing the light of day. The suit names Cupertino resident **Dorothy Stow** as the plaintiff, and alleges that the petitions were too confusing for anyone who signed them to know exactly what they were supporting and therefore should be invalidated. Sounds fair enough, right? Right, *except* that it was Toll Brothers' lawyers who filed the suit—apparently they needed an injured voter before they could allege voter injury. But while Stow's personal motivation for taking part in the suit remains a mystery (with neither her nor any of the lawyers involved commenting on the case) her ties to the city's government are not. In the four decades Stow has lived in Cupertino, both she and her husband have held high-ranking positions in the Chamber of Commerce and her husband is currently one of the directors of the Cupertino Rotary Club, along with Mayor **Richard Lowenthal** and Councilmember **Orrin Mahoney**. The City Council is refusing to take sides, which means Chi finds herself very alone in this fight. But for now, she's sticking to her guns. "The city has already approved over 100 condos," Chi says, "and those aren't built yet. Why can't they wait and see the impact?"

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