News in brief

'Objectionable' books banned from libraries

WICHITA FALLS, Texas (AP) — A federal judge struck down a local law that allowed signers of a petition to yank "objectionable" books from the public library.

U.S. District Judge Jerry Buchmeyer on Tuesday said the resolution was unconstitutional. It allowed the removal of books if 300 library-card holders signed a petition.

City Council members took the action after protests over what to do about the placement of *Heather Has Two Mommies* and *Daddy's Roommate* on the library's shelves.

One of the books portrays a lesbian couple who raise a daughter. The other describes a man who leaves his wife and son for a boyfriend.

In his decision, Buchmeyer labeled the issue an "unfortunate story of the censorship of two children's books."

"It puts the responsibility for censoring children's books on the parents, where it should be," said Linda Hughes, the city's library administrator and a defendant.

The issue caused legal wrangling among residents, city officials and religious leaders over First Amendment rights and whether the books should be deemed objectionable.

PepsiCo loses fizz

Judge tosses Coca-Cola lawsuit

NEW YORK (AP) — A federal judge tossed out a lawsuit Pepsi filed against Coca-Cola, saying there was no fizz to Pepsi's claim that its chief rival monopolized the market for fountain-dispensed soft drinks.

> ***"It reaffirms that we are playing by the house rules in what is a very competitive, yet a very open environment."***
>
> — Polly Howes
> Coca-Cola spokeswoman

Judge Loretta A. Preska said Tuesday she was left no choice but to dismiss the company's claims because there were insufficient facts to put before a jury.

"By this measure, PepsiCo's brew falls flat," she wrote in a 40-page ruling that pleased Atlanta-based Coca-Cola Co. but left PepsiCo Inc., based in Purchase, N.Y., disappointed.

"It reaffirms that we are playing by the house rules in what is a very competitive, yet a very open environment," said Polly Howes, a spokeswoman for Coca-Cola.

Larry Jabbonsky, a Pepsi spokesman, said the company had just learned of the decision and not yet decided whether to appeal.

The lawsuit filed in U.S. District Court in Manhattan focused only on fountain-dispensed drinks handled by large food service distributors who control deliveries to chains of restaurants and theaters.

The fountain segment represents about 23 percent of the $58 billion soft drink market nationwide.

Coca-Cola had dominated the segment for years until Pepsi decided in the late 1990s to pursue the fountain business more aggressively by distributing syrup through independent distributors rather than mostly through bottlers.

When Pepsi made its move, Coca-Cola enforced a loyalty policy requiring distributors of Coca-Cola products to refuse to handle Pepsi products. PepsiCo sued, saying the loyalty policy amounted to unlawful monopolization.

In her ruling, Preska said Coca-Cola showed evidence that customers using its fountain-syrup products could still receive Pepsi syrup from bottlers even if the distributors remained loyal to Coke.

Lawyers for Coca-Cola said none of the 67 customers whose testimony they took had claimed that the method of delivery of the syrup — distributors vs. bottlers — was the deciding factor in selecting a supplier.

Protective father kills wrong man

LAKELAND, Fla. (AP) — A man whose young son told him someone in a red car tried to lure him away from a bus stop spent two days hunting for the vehicle before killing his neighbor — a father of four and the wrong man, authorities said Tuesday.

Kenneth Stephenson, 31, died from five gunshot wounds early Saturday after he drove home from work in his red Chevrolet Beretta.

Held without bail Tuesday was James Price, 46, who told police he spent two days hunting for a red car, intending to kill the driver. He has been charged with first-degree murder.

Stephenson had just gotten off work at Ryder Truck Rental where he was a tire technician when he was gunned down a half block from his driveway — midway between his house and Price's house. The two men were acquaintances.

"Nothing was said. He just shot him," Stephenson's widow, Misty, said Tuesday, standing alongside a simple wooden cross on the roadside. Printed on it were the words: "God Bless You." The names of Stephenson's wife and children were listed on the side.

Price "freely and voluntarily admitted taking his Ruger .357 handgun from his truck toolbox and going in search of the person who allegedly tried to pick up his son," according to an arrest affidavit.

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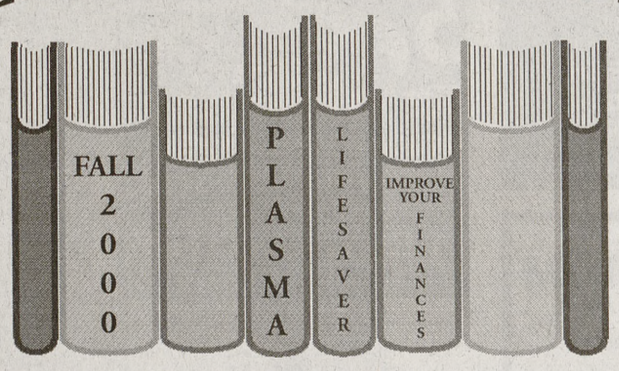

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Memorial Student Center

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Upcoming Events

Thursday, September 21, 2000

- **MSC 50th Anniversary Awareness Day**
  Sponsored by MSC 50th Anniversary Committee
  11:00am - 1:00pm, MSC Foyer
- **"When the Mind Says 'Yes' and the Heart Says 'No'"**
  Sponsored by MSC Current Issues Awareness
  7:00pm - 8:30pm

Friday, September 22, 2000

- **The Black Watch and the Prince of Wales Band/Choir**
  Sponsored by MSC OPAS
  7:30pm, Reed Arena

Friday, September 29, 2000

- **Aggie Cinema Presents: "Mission: Impossible 2"**
  Sponsored by MSC Film Society
  7pm and 9:45pm, Rudder Auditorium

Saturday, September 30, 2000

- **After Football Game Reception**
  Sponsored by MSC Development
  After the Game, MSC Forsyth Center Galleries

Monday, October 2, 2000

- **Class Merchandise Sales for Sophomores, Juniors, and Seniors**
  Sponsored by Class Councils
  10:00am - 2:00pm (Oct. 2-6), MSC Main Hallway

Want to Know More???

- **General Information**
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- **50th Anniversary Information**
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