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"THE TRUTH SHALL SET YOU FREE"

High court gets Domino's case

By Doris Lester
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WASHINGTON (NNPA)- The U.S. Supreme Court is considering a racial discrimination case next week involving Domino's Pizza Inc. that will decide whether a Las Vegas Black businessman, who claims Domino's discriminated against him, can sue, even though the pizza chain claims he was only indirectly affected by its action.

The case is the most prominent racial discrimination case the court, now led by newly installed Chief Justice John G. Roberts, a Bush appointee, has on its docket so far. At issue is whether an injured individual, who suffered injury as a result of deliberate actions by a corporation, can sue under provisions of 19th century civil rights laws. The laws, the 14th and 15th amendments to the Constitution, bar racial discrimination in the making or enforcing of contracts.

The American Civil Liberties Union is representing John McDonald, who claims his fight with Domino's caused him to go bankrupt in 2000. He has sued the corporation for emotional distress and financial loss of approximately \$8 million. And he claims that a company official told him that she "[didn't] like dealing with you people anyway" and later that Domino's would "bury you."

Domino's has maintained that McDonald has no case because the business relationship was between itself and JWM Investments — McDonald's one-man company. Company officials also insist that the lease with JWM was cancelled five years ago because there were too many construction delays on building a third and fourth store.

Domino's officials however, according to McDonald, fail to mention that their "flagrant interference" with Las Vegas officials and the Nevada First Bank caused those delays. McDonald also says that Domino's officials, "caused additional delays by illegally removing his name from state and city licenses in attempts to cancel his line of credit."

Another misrepresentation according to McDonald is that Domino's senior officials have quietly been insinuating that they "settled" with McDonald for \$45,000 after JWM went bankrupt. The truth, said McDonald, is that the amount was what Domino's paid to a Las Vegas Bankruptcy Trustee in a deal Domino's made for the JWM assets.

A Las Vegas federal court agreed with Domino's: that only JWM could bring suit. But the Ninth Circuit Court of Appeals, in an opinion that was not published, affirmed McDonald's right as an individual to sue for personal damages. Domino's then appealed to the U.S. Supreme Court.

If the Supreme Court affirms the Ninth Circuit's ruling, McDonald could personally sue Domino's for racial discrimination and personal injury. Most legal scholars dispute Domino's claim that this would open a floodgate of individual suits against businesses. But they do agree that a favorable ruling for McDonald would preserve what Congress intended in the 14th and 15th amendments.

The civil rights community has come to McDonald's defense. A host of civil rights legal watchdogs-including the NAACP Legal Defense and Educational Fund, (See Domino's, Page 5)



Members of Black Riders, a Black activist group, salute while marching to support clemency for convicted murderer Stanley Tookie Williams in downtown Los Angeles on Wednesday. As many as 35 demonstrators representing clergy, black youth leaders and death penalty opponents marched from City Hall to the Governor's office.

Williams retrial denied

SAN FRANCISCO (AP) - The California Supreme Court refused Wednesday to halt the scheduled execution of convicted killer Stanley

Tookie Williams, the Crips gang founder who became an anti-gang activist while in prison and whose supporters claim has redeemed himself.

In a last-ditch legal move, defense attorneys petitioned the high court earlier this month, alleging shoddy forensic testing and other errors

may have wrongly sent Williams to San Quentin State Prison, where he is scheduled die by injection Dec. 13.

(See Williams, Page 2)

Little good news on World AIDS Day

PARIS (AFP) - Twenty-five million people have died from AIDS in 24 years, more than 3 million of whom died this year alone, and at least 40 million people today have HIV, a rise of some 5 million over the past 12 months.

With just a month left to go, the World Health Organization's (WHO's) goal of providing antiretroviral drugs for 3 million poor people with HIV by the end of 2005 is poised to fall dismally short of the mark.

Meanwhile, funding for the war on AIDS, which last year receded as a problem for the first time, is once more becoming a headache.

Money that could have gone to fight AIDS is instead being earmarked for helping survivors of the Asian tsunami, Hurricane Katrina and Kashmir earthquake and for tackling bird flu.

Put all this together, and it is no surprise that World AIDS Day today should

carry a dour and rather depressing slogan.

Its message — "Stop AIDS. Keep the Promise" — is aimed at governments and donors, indirectly reminding them that natural disasters are tragic but temporary; meanwhile, a lethal global pandemic is still raging.

Yet, even as the AIDS pandemic continues to outstrip efforts to roll it back,

there is some encouraging news.

The big rollout of antiretrovirals to sub-Saharan Africa, which began in 2003 under WHO's "Three by Five" initiative, is building up steam, helping to transform HIV from a death sentence to a chronic but manageable disease.

From tens of thousands a few years ago, more than a

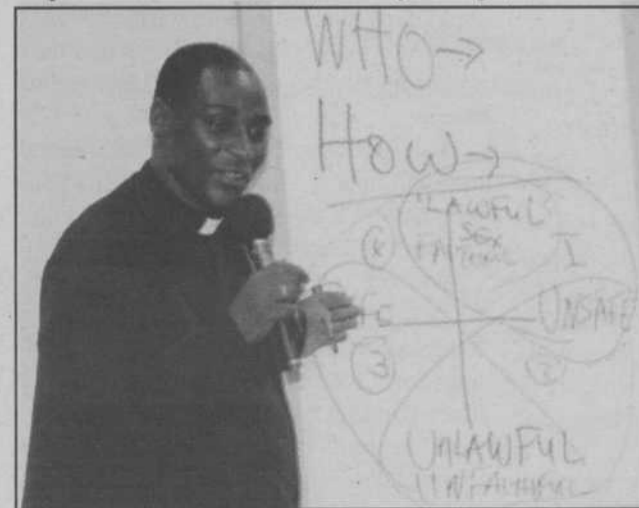
million people in low- and middle-income countries now have access to the precious cocktail of drugs that keeps HIV at bay.

"Between 250,000 and 350,000 deaths were averted in 2005," UNAIDS proudly said last week in its latest update on the crisis, adding that the full effects of this year's "dramatic scaleup" would only start to be seen from 2006.

WHO's initiative faces an inevitable drubbing for failing to meet its headline-grabbing goal, "but it should also be lauded for its extraordinary political successes," says the British medical weekly *The Lancet*.

Many of the fears that delayed the drug rollout for years have not happened — so far, at least.

Prices for frontline drugs are continuing to fall, although a question mark remains over the prices of second- and third-line (See AIDS, Page 12)



Rev. Canon Gideon Byamugisha, of Uganda, speaks during a lecture in Bridgetown, Barbados on Tuesday. Byamugisha, who has HIV, is touring Caribbean nations.