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TAMPA BAY LOCAL STATE BUSINESS

tampabay.com

★★ Tuesday, June 7, 2011 | 1B

I'm just too busy' is not an option

My father, who died in 2008, was a welder. He came home from working like a dog all day, washed off the sparks and the grime — and sat down to read the newspaper, which in those days came out in the afternoon.

He had a good idea of what the president and Congress were doing. You should have heard him talking about the Democrats and the unions.

He read the editorial page. He yelled at the columnists, except the rare ones he liked. "That one has some sense," he would growl, shaking the newspaper.

He knew what the mayor was doing. He knew what the School Board was doing. He thought the school superintendent was a moron.

He voted. Only now, decades later, does all this take on a Norman Rockwell feeling — a hard-working American coming home to educate himself about the affairs of the day. Back then, it was just the normal routine to hear him go on.

Like he owned the joint, I used to think.

Which, as it turns out, he did. You own it. I own it. That rich guy over there owns it — to exactly the same extent that you and I do.

The bum on the street owns it, even if somebody else with his nose stuck up in the air doesn't like it.

People who came here and became Americans by choice own it. The struggling middle class owns it. The poor people own it.

Everybody owns it. Which means that everybody ought to pay attention.

Many Americans don't vote at all. Many of us never lift a finger to find out anything about what's going on.

Surely you've seen the studies about how dumb we are as a society. More people can name a judge on *American Idol* than can name the three branches of American government.

(Executive, legislative, judicial.)

Another study found that more Americans knew all five members of *The Simpsons* than the five freedoms in our First Amendment.

(Religion, speech, press, assembly, petition.)

(Also: Homer, Marge, Bart, Lisa, Maggie.) In a way, I understand this indifference. We are incredibly comfortable as a nation. We have the luxury of fiddling with our iPods and game systems and shopping malls without worrying about whether the American government is going to fall, or whether a king is going to take over again.

On top of that, politics is a turnoff for most reasonable folks. Politics is run mostly by people who think the way to "win" is to trash somebody else. This is because we have abandoned politics to a few insiders who have warped it for their own purposes.

That is why we should pay attention.

We should pay more attention to what Washington is doing. We should pay more attention to what Tallahassee is doing (and in my opinion, Tallahassee is doing some things that are very bad for Florida). We should pay more attention to what City Hall and the School Board are doing.

If we don't, then the same bunch in Washington will keep right on driving the country off the cliff. The same bunch in Tallahassee is going to throw this state back into a Faulknerian, mouth-breathing stupidity and keep it there forever. Paying attention is not something optional that you can get around to one day. Tell everybody you know.

New test, shaky scores

New standards complicate FCAT results this year. One notable bright spot: science.

BY TOM MARSHALL
 Times Staff Writer

TAMPA — Hillsborough County schools gained little ground Monday as the state released more results from a tougher version of the Florida Comprehensive Assessment Test.

More often than not, grade levels stayed flat or lost a point or two compared to last year in reading and math proficiency

levels. In tenth grade, 15 of the district's 27 high schools slipped in reading and 16 dropped in math.

But officials said it was an unusually hard year to make sense of the numbers, with this year's test including a raft of new academic standards.

"It's a transition year," said Sam Whitten, Hillsborough's assistant director of assessment

and accountability. "Was it really the kids getting worse, or were you just expecting more across the grades?"

The state released scores for reading in grades 4-10; math in grades 4-8 and 10; and science in grades 5, 8 and 11. Most of the reading and math tests were new versions this year, with students taking an end-of-course exam in Algebra I.

There were some bright spots. Hillsborough eleventh-graders topped their Tampa Bay peers and the state average in science, with 43 percent scoring at proficient levels or better. Fourth-graders ranked first in the state in the percentage scoring above grade level in writing.

And three F-rated schools posted gains that placed them

Pasco positives

Pasco officials noted that students met or exceeded the state passing rate in reading in grades four through nine. **Story, 8B**

Complete results

For complete school and district results on this year's Florida Comprehensive Assessment Test, visit fcats.fldoe.org.

'Big Max' is moving on



BRYAN THOMAS | Times

Bryan Rasmussen, front, and Matt Kimball deconstruct a sculpture in MacDill Park on Monday. The artwork, created by John Henry and known as Big Max, had been on display since 2008, but the agreement that kept it in Tampa expired in May and city officials did not renew it. Big Max now heads to Straub Park in St. Petersburg. Henry's work can also be seen in places like the University of Florida and Miami's Bicentennial Park. **Story, 3B.**

Grateful for each breath he takes

A lung transplant patient is thankful for others' generosity.

BY LETITIA STEIN
 Times Staff Writer

TAMPA — Three weeks ago, Enock Mezilas received the ultimate gift — a lung transplant made possible by people who read about his plight and responded with generosity. His days since, while difficult and painful, have been hopeful.

Later this week, the 20-year-old expects to leave Tampa General Hospital, where doctors once warned he could die because his family didn't have the \$10,000 needed to save his life.

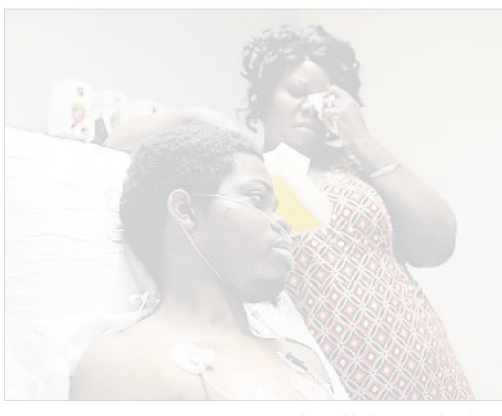
Everything changed for him, thanks to 525 donors who gave from \$5 to \$10,000 each toward his medical expenses. Three

people each contributed \$10,000, which hospital officials had set as a minimum to move forward with the transplant. The fundraising total: \$133,500.

Mezilas received lungs from an out-of-state donor in a matter of days; the surgery took nine hours, ending the morning of May 14.

His pain is sometimes excruciating. Last week, a small cough left him clutching his ribs and whispering hoarsely, "My chest, my chest." Since the surgery, weight has melted off his already lanky body. Some of his medications make him so tired that he can barely keep his eyes open.

» See TRANSPLANT, 7B



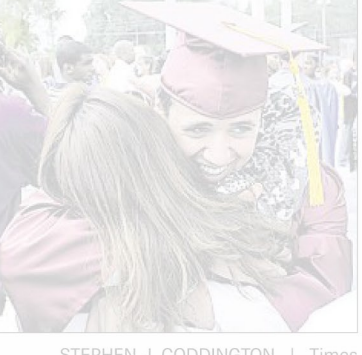
SKIP O'ROURKE | Times

Last month, when this photo was taken, Enock Mezilas and his mother, Ilna Pierre, feared he'd be unable to get a transplant.

Talk of the bay

FIREFIGHTER, 35, FATHER OF THREE DIES WHEN CAR HITS POLE SUNDAY

A Hillsborough County firefighter who lives in Spring Hill died Sunday in a car crash. An incident report says Michael Gennusa Jr., 35, was driving on Elgin Boulevard when his Nissan drove off the road and hit a pole. Authorities said he was not wearing a seat belt and died at the scene. Gennusa was a medic with Hillsborough County Fire Rescue for 11 years, said Frank Fernandez, the department's personnel chief. He said the department already was dealing with the nonfatal accident of another firefighter when news of Gennusa's death came in. "It was a rough weekend for Hillsborough County Fire Rescue," he said. Gennusa is survived by his wife of seven months, Kristie, as well as his three children: Jordan, Ariana and Austin Holland. "He was a wonderful husband," Kristie Gennusa said. "He was an angel. He was my angel."



STEPHEN J. CODDINGTON | Times

IDID IT, MOM! Armwood High School graduate David Lopez hugs his mother, Marinella Montoya-Ojeda, after a commencement ceremony Monday. More photos from Monday's ceremonies in Hillsborough are on Page 3B.

Correction

A story Monday about Atlantic stingrays included a photo that showed a school of cownose rays, which are relatively harmless.

Large storm with strong winds batters Pasco area

Fierce winds ripped through northeast Pasco County on Monday evening, toppling trees and knocking down power lines. "All that stuff was straight-line winds from a big storm that moved south through Sumter County and then into Hernando and Pasco," said Ernie Jillson of the National Weather Service. The area had been under a severe thunderstorm warning, as Doppler radar showed winds in excess of 60 mph. Calls came in to 911 shortly after 6 p.m. from residents describing downed trees and quarter-sized hail near Blanton and James roads, east of Interstate 75 and south of the Pasco-Hernando county line. There were no immediate reports of injuries, but damage blocked Blanton Road and other streets. Fire Rescue dispatchers reported that a pole barn collapsed on some cars. An emergency management coordinator said winds took down some large oak trees.

Hispanics work to keep their voice

Commission redistricting plans so far mostly lessen their clout.

BY BILL VARIAN
 Times Staff Writer

TAMPA — Hispanics fueled well more than half the population growth in Hillsborough County during the past decade.

Yet they potentially stand to lose ground politically when it comes to their ability to elect someone whose interests resemble theirs to the Hillsborough County Commission, or force that board to listen to them.

A hastily formed group of Hispanic civic leaders is mobilizing to try to change that as commissioners finalize proposals for new political boundaries for themselves in coming weeks.

"We need to be united, not try to get anyone elected," said Lydia Medrano with the League of United Latin American Citizens heading an effort calling itself the Hispanic Redistricting Initiative. "We're just trying to get a district with a large percentage of Hispanics in it." » See REDISTRICKT, 8B

Around
the state

QUOTE OF THE DAY

"It's crazy how in a blink of an eye, your life can be taken like that."

J.J. Hubbard, boyfriend of Kiara Brito, 16, who was shot at her Tampa home Sunday. **Story, 1A**

THE METRO REPORT

Moving truck shows up, bank pays

After a foreclosure flub, Bank of America needs a dramatic poke to reimburse a couple.

Associated Press

Months after Bank of America wrongly foreclosed on a house Warren and Maureen Nyerges had already paid for, they were still fighting to get reimbursed for the court battle.

So on Friday, their attorney showed up at a branch office in Naples with a moving truck and sheriff's deputies who had a judge's permission to seize the furniture if necessary. An hour later, the bank had written a check for \$5,772.88.

"The branch manager was visibly shaken," attorney Todd Allen said Monday, recalling the visit to

the bank last week. "At that point, I was willing to take the desk and the chair he was sitting in."

After the moving company and the sheriff's deputies get their share, the Nyerges should receive the rest of the money this week, ending a bizarre saga that started when they paid Bank of America \$165,000 in cash for a 2,700-square-foot foreclosed home in Naples in 2009.

About four months later, a process server knocked on their door and handed Warren Nyerges a notice of foreclosure.

"This is a big mistake," he recalled saying. "You must have the wrong house."

That started 18 months of frustrating phone calls, paperwork and court hearings. Whenever Nyerges called the bank, representatives told him to "come up to date" with his payments. When he called 25 different law firms, no attorney would take the case. When he went to court, the lawyers for the bank filed incorrect motions and were woefully unprepared for the hearings.

"It was mind-boggling," said Nyerges, 46, a retired police officer.

Eventually the Nyerges found Allen. They fought the foreclosure and won, proving that they

owned the home outright.

In September 2010, a Collier County judge ordered Bank of America to pay the couple's \$2,534 attorney fees. But by last week, the bank hadn't paid up, so Allen got a judge's permission to seize assets.

In an e-mail to the Associated Press on Monday, Bank of America spokeswoman Jumana Bauwens apologized to the couple about the "delay in receiving the funds."

"The original request went to an outside attorney who is no longer in business," she wrote.

The law office of David J. Stern, which handled the Nyerges' case for Bank of America, told

judges across Florida in March that it would end its involvement in 100,000 foreclosure cases.

The Florida attorney general's economic crimes division is investigating three law firms, including Stern's, over allegations that they created fraudulent legal documents, gouged homeowners with inflated fees, steered business to companies they owned and other violations.

Allen sees the Nyerges' case as symbolic of the foreclosure crisis. And Nyerges said he's still upset with Bank of America.

"They couldn't even spell our name right in the apology," he said.

Graduation 2011 | Florida State Fairgrounds



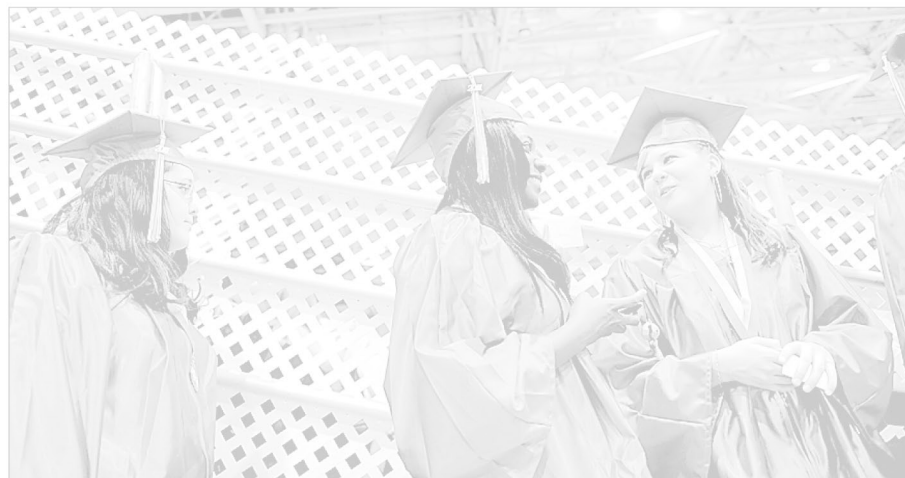
BRYAN THOMAS | Times

RIVERVIEW HIGH SCHOOL: Seniors, from left, Krysta Bickle, Ryan Binder and Dylan Binkley cheer after graduation Monday.



EDMUND D. FOUNTAIN | Times

CHAMBERLAIN HIGH SCHOOL: Erin Stirling, 26, hugs graduate Tiffany Tribble, 18, after Tribble received her diploma on Monday. Stirling is Tribble's mentor in the Women to Women program.



BRIAN BLANCO | Special to the Times

EAST BAY HIGH SCHOOL: From left, Melissa Putnam, Ashley Priester and April Predmore line up for the processional before the start of commencement.



Grad memories

Join us as we chronicle those special moments when Tampa Bay seniors collect their diplomas www.tampabay.com/classof2011.

TALLAHASSEE
Doctors challenge
new law on guns

Pushing back against the National Rifle Association, a group of physicians on Monday filed suit in a Miami federal court to nullify a controversial measure prohibiting health practitioners from routinely asking their patients if they own guns and have them properly stored. In a battle pitting the First Amendment against the Second Amendment, attorneys representing pediatricians and family doctors are asking U.S. District Judge Marcia Cooke to throw out the recently approved measure (HB 155) that they say steps illegally between patients and their physician by limiting the types of questions practitioners can ask. Physicians say questions about gun ownership are often part of routine screenings done in many doctor's offices, included in a battery of questions including such safety questions as whether poisons are kept in the home or if medicines are safely stored. Gun backers say ownership is a constitutionally protected right, making it different from other possible potential hazards doctors might ask about.

BROOKSVILLE
Jackknifed truck
backs up traffic

A semitrailer truck jackknifed during a driving rainstorm about 6:30 p.m. Monday, blocking traffic in the northbound lanes of Interstate 75 in Hernando County just south of State Road 50. No one was injured, but the authorities on the scene said that traffic backed up past the Hernando-Pasco line.

Today's pick

PASCO COUNTY
Beginning bonsai class: 6:30 p.m., Hudson Regional Library, 8012 Library Road, Hudson. Learn about the ancient Japanese art of growing and nurturing miniature trees. (352) 521-4288.

Today's meetings

PASCO COUNTY
Pasco County School Board, 9:30 a.m., district headquarters, 7227 U.S. 41 Land O'Lakes.

Pasco County Commission, 10 a.m., historic courthouse, 37918 Meridian Ave., Dade City.

New Port Richey City Council, 7 p.m., City Hall, 5919 Main St., New Port Richey.

'Big Max' sculpture to rise in new home today

BY ANNE GLOVER
Times Staff Writer

Big Max is making the big move.

If all goes according to plan, the giant red sculpture, which looks like a massive set of surreal pickup sticks, will arrive at its new home sometime this morning between 7 and 8 in downtown St. Petersburg's south Straub Park.

It had been on display at MacDill Park in downtown Tampa since 2008. But the agreement that kept it there expired in May 2010, and city officials did not renew it. It was disassembled there Monday and readied for the overnight trip across the bay.

FAST FACTS

Can you watch?

Ken Rollins says he hopes people will be in the area to see the sculpture arise on its green space. But he cautioned that with a heavy crane involved, onlookers will want to keep a safe distance.

Although it had been announced in October that the sculpture would move to Straub Park, it wasn't until last week that details emerged of exactly where the mammoth — 33 feet high by 75 feet long by 38 feet

wide — steel sculpture would go.

It will now reside for the next 18 months at Beach Drive and Second Avenue NE, across the street from the Museum of Fine Arts. Once it arrives, it should take about three or four hours to assemble with the help of a crane, said Ken Rollins of Rollins Fine Art, which is helping facilitate the move.

Big Max's creator, sculptor John Henry, will be on hand with two of his crew members to help with the assembly. Henry has agreed to pay the city \$100 to keep the sculpture on display.

Big Max used to catch drivers' eyes in front of the fire station on Main Street in Chatta-

nooga, Tenn., its first home. It arrived in Tampa's MacDill Park in 2008 as part of the statewide show of Henry's work, "Drawing in Space: The Peninsula Project."

Henry estimates its value at \$500,000.

Henry's work is in numerous public and private collections such as Anchorage International Airport; the Miami Metro Rail System; the University of Florida; Sonje Museum of Contemporary Art, Korea; the city of Hanover, Germany; Central Park, Shenzhen, China; the Joslyn Museum of Art, Omaha, Neb.; the Fort Worth Art Museum; Texas; Bicentennial Park, Miami; among many others.

Insider
could
net fee
for deal

A housing authority plan would bring \$45,000 to an ex-board member.

BY DAVID DECAPM
Times Staff Writer

The Pinellas County Housing Authority wants to buy 13 acres on Lake Seminole for a housing complex for veterans.

It's bank-owned land, vacant after the demolition of the old Women's Hospital, and ripe for a deal since the \$2 million asking price is half its last sales price.

The housing authority's \$1.5 million offer for the property also is notable for another

reason. It could result in a \$45,000 commission to real estate agent J.J. Beyrouti, chairman of the Pinellas Republican Party.

A former authority board member, Beyrouti landed a piece of the deal after suggesting the land to board chairman Joe Triolo, a Republican precinct committeeman, the two men said.

Beyrouti's share would equal the commission earned by Roger Broderick, the agent for Cornerstone Community Bank, which took ownership of the property after a foreclosure.

Housing officials said they didn't see anything amiss with Beyrouti, a board member in 2008-09, handling the sale.

Beyrouti is providing advice on the sale and led the buyer to the seller, Beyrouti and Broderick said.

But explanations for how Beyrouti gained a role — the agency already had a real estate firm — have been inconsistent or unclear.

Triolo and Beyrouti said Beyrouti contacted Triolo about the property in early April, receiving the okay to contact the seller. But e-mail between authority executive director Debbie Johnson and the seller's firm date to January 2010 — a time gap Johnson declined to address.

Beyrouti said he previously might have suggested the land to the authority.

The bank hasn't agreed to sell, sticking to its \$2 million asking price.

The authority board has approved the purchase offers, subject to receiving a new appraisal.