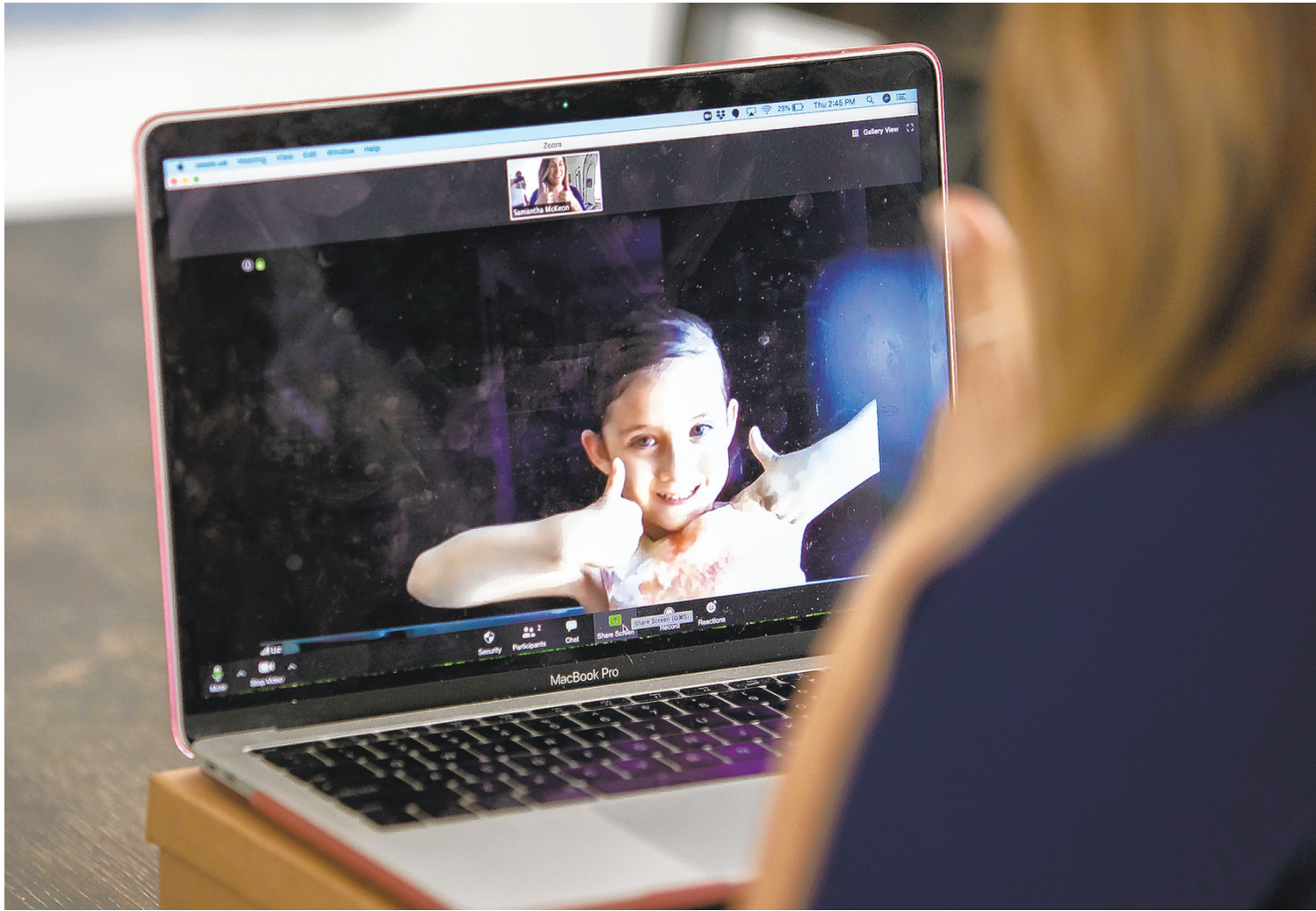


Daily Pilot

SUNDAY, MAY 10, 2020 // Now including Coastline Pilot and Huntington Beach Independent // dailypilot.com



Photos by Scott Smeltzer | Staff Photographer

SAMANTHA MCKEON, owner and tutor of Thrive, an education and tutoring based company based out of Mission Viejo, tutors Sophie Ispirescu, 5.

Tutoring company helps students, parents 'thrive' in distance learning

BY LILLY NGUYEN

It's important to Samantha McKeon that learning is fun for her students.

"I feel that students have a tendency that when they're bored with learning, that when it becomes boring or seen as a chore, they end up not loving school," McKeon said. "I want them to love school, so I try to implement games activities into everything I do. When I go to a student's house, I usually have a big cart full of things I can use to tailor to meet the needs that they're needing."

For McKeon, who owns and operates Thrive, a tutoring and education company based out of her home in Mission Viejo, tutoring wasn't just students bringing the material to her.

She said she creates lesson plans and content on what she wants to work on with her students, in part using games such as Uno, Candyland or Twister to educate. Her company focuses on grades kindergarten through sixth.



She said she used to work in preschools, but that she saw students struggling to transition between preschool and kindergarten. That's when McKeon decided to start Thrive last year to help bridge the gap between the

freedom of preschool to the comparatively rigid schedule of kindergarten. Her passion, McKeon said, was the development of the

MCKEON'S company focuses on grades kindergarten through sixth.

See *Thrive*, page A2

Beach lawsuits remain active

Despite phased reopenings, at least three challenges to the since-loosened restrictions are still alive.

BY HILLARY DAVIS

The state says the phased reopenings of beaches across Orange County, quickly instituted after Gov. Gavin Newsom handed down hard closures last week over concerns about crowding during the coronavirus pandemic, make the lawsuits that resulted from his order now moot.

Most of the aggrieved plainly disagree and at least three lawsuits challenging the since-loosened restrictions remain active.

A string of lawsuits, in federal and superior courts, have followed from Newsom's sweeping stay-at-home directives over the last several weeks by local governments, businesses and individuals alleging the governor has overstepped his authority and infringed on civil rights.

In Orange County, litigation largely stems from the targeted beach closures Newsom announced April 30 after being alarmed by images of beachgoers flocking to the shore during a heat wave the prior weekend.

But by Thursday, all city, county and state-run beaches in Orange County had incrementally reopened for limited "active recreation."

Local governments submitted

See *Lawsuits*, page A6

ALSO FROM THE DAILY PILOT:



Don Leach | Staff Photographer

DAILY PILOT TO LAUNCH EMAIL NEWSLETTER

The Daily Pilot is launching a daily email newsletter starting next week. The newsletter will include our latest news, business, sports, entertainment, food, lifestyle, travel, science, politics and opinion stories involving Newport Beach, Huntington Beach, Costa Mesa, Laguna Beach, Fountain Valley and other parts of Orange County. The Daily Pilot e-newspaper and answers to your questions will also be featured. Email david.carrillo@latimes.com to sign up for the newsletter. Thank you for reading.

Newport Beach's vacation rental ban up for renewal

BY HILLARY DAVIS

Newport Beach may extend its pandemic-driven moratorium on short-term rentals.

The City Council will consider renewing the temporary ban, or modifying restrictions to require a minimum stay to reduce visitor turnover in the dense seaside neighborhoods where the vacation homes concentrate, when the council meets Tuesday. If allowed to expire, the moratorium ends as soon as May 20.

Over the objections of several vacation home owners and managers who said they needed the income and who feared ripple effects into the summer, the coun-

cil voted in early April to bar short-term rentals, a key component of the local tourism economy, for six weeks to tamp down on visitors during the coronavirus pandemic.

Officials noted that market forces — driven by stay-at-home orders in California and nationwide intended to stem the spread of the virus that causes the respiratory illness COVID-19 — had eliminated almost all local short-term rental business. But the city remains an attractive getaway, and since the council enacted the moratorium, code enforcement officers have received 65 complaints and confirmed 11 violations by alleged scofflaws. Four of

those were for a single property.

The council would decide a new end date or minimum stay Tuesday, should it decide to extend or modify the restrictions.

More than 1,500 homes in Newport Beach hold short-term lodging permits, concentrated on the Balboa Peninsula and Balboa Island and in Corona del Mar neighborhoods.

The city has a heritage of seaside vacation home rentals that predates the Airbnb era by decades. State and county pandemic directives don't give guidance on short-term rentals, however, leaving it to local authorities.

The vacation rental blackout is among other, continuing co-

ronavirus-driven restrictions in Newport, including closures of piers, boardwalks and beach parking lots — although the sand itself bounced back from a state-ordered temporary hard closure this week when the state approved the city's "active recreation" visitor management plan.

Tuesday's meeting starts at 4 p.m. and will be broadcast live on the city website and the NBTV cable television channel.

To watch the meeting online or for information on how to participate remotely, visit newportbeachca.gov.

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Protesters in Huntington call for full reopen of state, nation

BY ANDREW TURNER

Eight days after a group of 2,500 protesters made their way out to the Huntington Beach Pier, another sizable crowd gathered around the intersection of Main Street and Pacific Coast Highway.

An estimated 1,500 demonstrators turned up Saturday, Huntington Beach police spokeswoman Angela Bennett said. They

called for both the state and the nation to fully reopen — both economically and socially — and protested precautions that have been implemented intended to mitigate the spread of the novel coronavirus.

It was an enthusiastic gathering that featured a walking protest, particularly at the crosswalks of Main and PCH, as well as the constant of motorists honking horns

to show support.

Some demonstrators danced to songs such as Bob Marley's "Get Up Stand Up" and Twisted Sister's "We're Not Gonna Take It" in front of the pier.

Jay Smith of Tustin said this was the second time he had come to Huntington Beach for a protest, saying he was motivated because he said 1st Amendment freedoms were being taken away.

He brought three children, and one of his daughters held up a sign that drew attention to the freedoms of religion, speech and the press, as well as the rights to assembly and to petition the government for a redress of grievances.

Smith indicated that a priority for him was to open churches.

"We hope, first of all, the churches get opened because the pastors need to be the leaders in



Photos by Raul Roa | Staff Photographer

PROTESTERS HOLD signs with various messages during protest to open the state at Pier Plaza in Huntington Beach on Saturday.

See *Protest*, page A7

WALLY THOMAS of Lake Forest, center left, and Denean MacAndrew of Mission Viejo, right, hold signs during Saturday's protest.



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From the Hoag Board of Directors

It takes compassion and commitment to build a relationship that endures the test of time—the kind of relationship that has existed between Hoag and the people of Orange County for nearly 70 years. We **boldly deliver world-class health care** to the communities we proudly serve.

To safeguard that commitment, we are entering into a legal process that we tried to avoid. After more than a year of attempting to negotiate with Providence to realign our affiliation, we voted unanimously to regain our independence from this large national hospital chain and to restore Hoag's mission to serve Orange County.

Hoag entered into an affiliation not with Providence, but with St. Joseph Health, in 2012. The idea at the time had been to fundamentally improve the delivery of care in Orange County. Unfortunately, when Providence acquired St. Joseph in 2015, that vision for population health never materialized. We now find ourselves affiliated with an out-of-state entity, battling decisions we don't believe in and fighting to keep Hoag's mission focused here at home.

Separation from Providence will **allow us to keep our resources and decision-making local** and enable us to expand our clinical services to serve our values. Our excellent physicians and medical staff understand this better than anyone, and we are deeply grateful to them for their support in this lawsuit.

Our value is here, with our neighbors—not with a Seattle-based corporation focused on the operations of 51 hospitals across six states. Fulfillment of our mission is why Hoag is consistently ranked among the top hospitals in the nation for cardiovascular care, neurosciences, women's health, cancer care and more.

It takes compassion and commitment to build a relationship that endures the test of time. **We take our commitment seriously and will continue to advocate for the personalized care you and your family trust and deserve.**

We thank you, our community, for supporting us in the past and hope that you will support us in the days ahead.

Learn more and show your support at www.HoagforOC.com.



forum

COLUMN | **PATRICE APODACA**

How humans are experiencing love in the time of COVID-19

With apologies to everyone celebrating Mother's Day, I relate the distressing history of psychologist Harry Harlow.

In the mid-20th century, Harlow, seeking a deeper understanding of love, conducted a series of infamous experiments on rhesus monkeys.

He removed baby monkeys from their mothers, giving them instead artificial maternal objects made of cloth and wire, and then observed them as they grew. In another series, he subjected monkeys to partial and total isolation for long periods.

The experiments were heavily criticized for their cruelty and questionable ethics, but his findings remain influential to this day, as they demonstrated that touch, comfort and social interaction are foundations of healthy psychological development.

Now we humans are experiencing love in the time of coronavirus, and some of us might feel a certain kinship with Harlow's poor, tortured test subjects.

"There's something about human touch that is crucial" to development and well-being, said Dennis Greenberger, a clinical psychologist and the founder and director of the Anxiety and Depression Center in Newport Beach.

Of course, social and physical distancing isn't the same as complete isolation. We're not locked in cages, we're sheltering in place, and even those of us who are living alone can still say hello to neighbors, go for walks, and communicate with friends and family on digital devices.

Nevertheless, our current circumstances have drastically reduced contact with our sources of strength and comfort — our communities, loved ones, and trusted friends and colleagues.

Grandparents are cautioned not to hug their grandkids, teens aren't whispering in each other's ears, and singles can't meet in person for normal dates.



Don Leach | Staff Photographer

MARIA SIANI reacts to a surprise drive-by 96th birthday party in front of her Laguna Beach home on April 15.

Kids' birthday celebrations are now drive-by affairs. We eye with suspicion those who break the 6-foot bubble.

Even though many communities are now relaxing some of their shelter-in-place directives, we likely will continue with some level of distancing for the foreseeable future.

And if COVID-19 cases surge, as many scientists warn is likely, we could revert to stricter measures.

Which means that people who in are a fragile state due to loneliness and disconnectedness could become even more psychologically stressed.

At the same time, some of those living with several people under one roof might be anxious due to a loss of privacy and an overabundance of togetherness.

Worries have been raised about possible increases in do-

mestic violence and substance abuse.

All this added stress also runs the risk of exacerbating medical conditions such as heart disease and dementia, and could lead to developmental delays in young children.

As Greenberger said, "fault lines are going to be exposed."

Newport Beach psychotherapist Shanna Farmer predicts that "from all these stressors we have now from isolation, we'll likely see a rise in adjustment disorders," such as kids who display separation anxiety, depression, or declines in self-esteem.

Even after we emerge from the pandemic, Farmer said, "a lot of people will struggle getting back into cultural norms."

As dark as all this might seem, the prognosis isn't totally gloomy. In fact, there is reason to believe that most of us will emerge with

our mental health in strong or stable condition.

When researchers studied past periods of intense collective stress such as the post-9/11 trauma, "what was surprising was how resilient people were," Greenberger said.

He expects that we'll see a similar bounce back after COVID-19 no longer dominates our lives.

Until then, he said, there are many measures we can take to help us cope.

These include maintaining a daily structure; engaging in meaningful work and activities; expressing gratitude; exhibiting generosity toward others; keeping a journal, and practicing mindful exploration of feelings.

I recently listened to a fascinating interview with Scott Kelly, a veteran of four space flights who spent nearly a year on the Inter-

national Space Station.

When asked for his advice on enduring isolation, Kelly displayed the plucky grit and common sense one associates with astronauts.

He matter-of-factly responded that he found the journal-keeping exercise to be helpful, as well as physical exercise and hobbies.

Focusing on a mission, Kelly said, is paramount, "even if that mission is just to get through this, however long it takes."

And he recommended letting go of matters over which we have no control.

"Focusing on the things you have control over allows you to make better decisions," he said.

That message particularly resonates with me at the moment because the newspaper business, like so many others, is undergoing intense financial pressure due to a collapse in advertising revenue.

Some publications have ceased operations, layoffs have ensued, and the journalists who remain employed work tirelessly under difficult conditions to bring you the latest, most accurate reports.

They are like Scott — focusing on the mission, understanding that there are forces beyond their control. Their work is crucial, and I urge you to continue to support them.

My column will be on hiatus for a while. How long, I don't know. This is one of those moments in history when the future seems even murkier than usual, when recapturing a sense of what we once had, or our dreams about what could be, are receding points on the horizon.

I will not say goodbye, only that I hope to be back soon.

Above all, I do hope, now and always.

PATRICE APODACA is a former Los Angeles Times staff writer and is coauthor of "A Boy Named Courage: A Surgeon's Memoir of Apartheid." She lives in Newport Beach.

MAILBAG

Op-ed likening coronavirus and climate crises made some excellent points

Alongside the troubling reports of people protesting sensible, medically based restrictions that safeguard our public health, I was heartened to read a science-based commentary comparing the current coronavirus crisis with the looming climate crisis ("Commentary: It's not a stretch to juxtapose the coronavirus and climate change crises," April 24).

The same disregard for science and dismissal of government's legitimate responsibilities that has resulted in America's failure to contain COVID-19 has also stalled responsible climate action for decades.

Today we are all paying the price for inept leadership through increased COVID-19 deaths and consequent economic collapse. Eventually a vaccine will control coronavirus but unless we elect enlightened leaders, the suffering, death and destruction from heat waves, floods, droughts, wildfires and extreme weather events will be our lot.

Charlie Birge
Fountain Valley

Many thanks to the Daily Pilot for publishing this important opinion. The climate threat is just as serious as COVID-19 but, fortunately, we have some time to complete our response.

We must, however, not delay more than needed. We should all urge Congress to pass the Energy Innovation and Carbon Dividend Act of 2019 before the election, when the threat of voter wrath will push legislators to act.

Jim Martin
Huntington Beach

Every day that passes without action on climate change compounds our problem. The four bills in Congress, mentioned in this op-ed, are market solutions that true conservatives will love if given a fair hearing, but that's not who President Trump is.

Craig Preston
Costa Mesa

A carbon fee and dividend system is the quickest, most effective and fairest action we can take to minimize the climate catastrophe we face. We have time, but not much.

Tom Hazelleaf
Seal Beach

Protesters miss a wave — and the point

Dear beach protesters:
You're the same ones who folded your arms across your little-kid chests and refused to eat your broccoli — the kids who whined when your parents wouldn't let you go to a concert for fear there would be a



JORDAN PRITZL of Aliso Viejo, left, and Merina Addonigio, both from Suka University, hold protest signs during the Climate Strike climate change protest at Main Beach Park in Laguna Beach in September 2019.

Raul Roa
Staff Photographer

gunman.
Only what you wanted mattered then, when your parents were trying to take care of you, and now, when your governor is trying to take care of you.

You're making a foolhardy fuss, with your flags and your signs, and your guns(!), when it would have been just two more weeks before the beaches would be open. Instead of thinking what is best for the community, you are risking your lives, and you are risking my life and the lives of people near and dear to you.

Grow up! Be responsible adults!

Liz Swiertz Newman
Corona del Mar

The sea will be there for us after the pandemic has passed. After all, cabin fever

is not nearly as deadly as the fever caused by COVID-19.

Ben Miles
Huntington Beach

Our privileged population in Newport Beach seems to have spawned a group of confident individuals who think that they not only have their own answers about science, government, health, business and city development issues, but they have the answers for all the rest of us too.

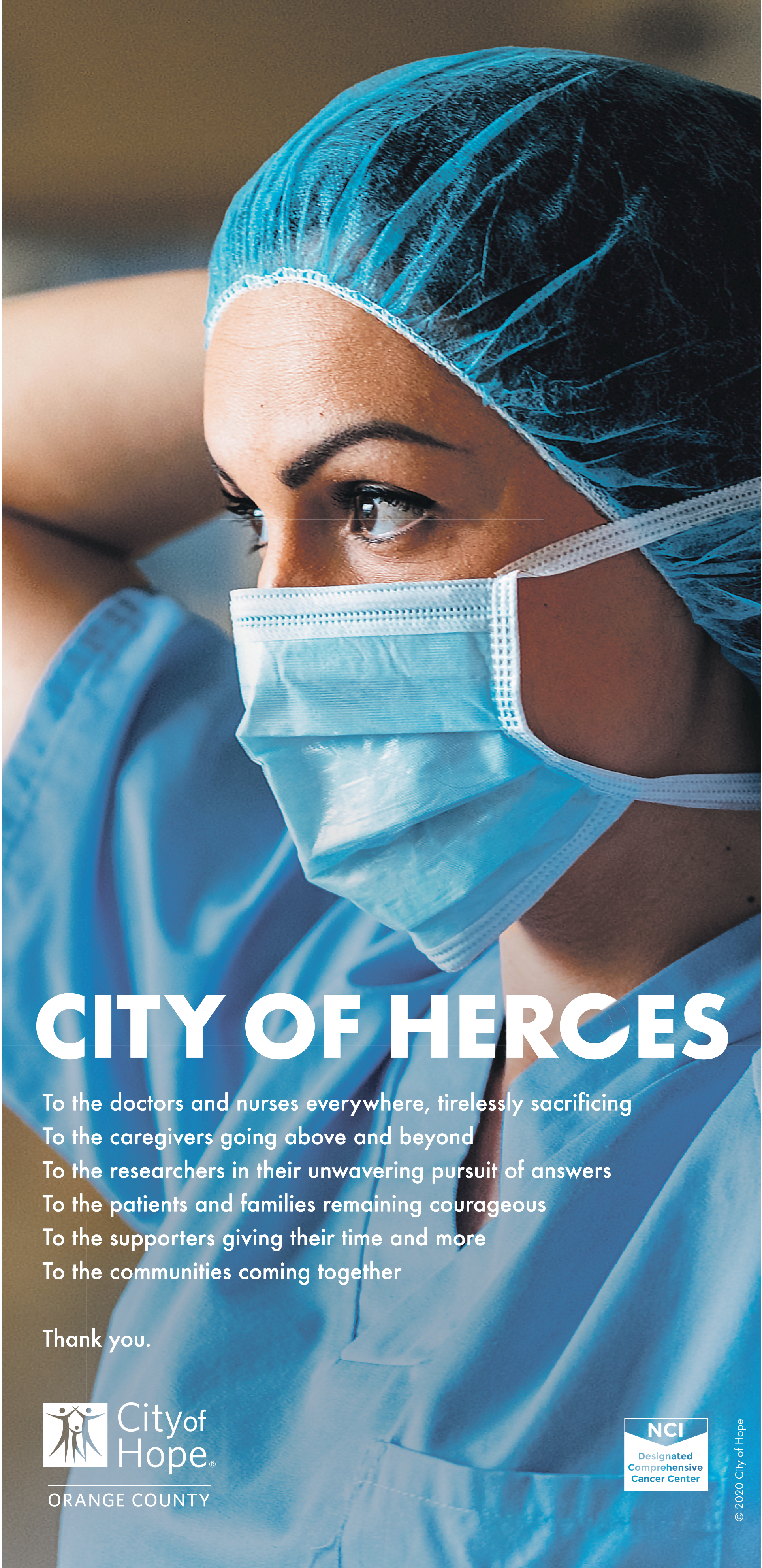
Thus they flock to the beaches at their first opportunity to enjoy the sun, sand and surf. And most refuse to wear facial masks that would protect their neighbors.

Lynn Lorenz
Newport Beach

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To the caregivers going above and beyond
To the researchers in their unwavering pursuit of answers
To the patients and families remaining courageous
To the supporters giving their time and more
To the communities coming together

Thank you.



LAWSUITS

Continued from page A1

detailed plans to control crowds, generally by barring sunbathing, keeping parking lots blocked off and limiting hours, before getting the green light from the state to reopen their sand.

"Here, the beach closure order has been superseded by virtue of the plaintiffs' voluntary submission of beach management plans they drafted themselves, in cooperation with state agencies, and ultimate approval for reopening under the terms of those plans that plaintiffs secured on May 5," Deputy Attorney General Jennifer Rosenberg wrote in an opposition Wednesday to a case brought earlier this month by the cities of Huntington Beach and Dana Point.

Here are where the Orange County cases stand:

MULDOON V. NEWSOM ET. AL.

U.S. District Judge James

Selna rejected Newport Beach City Councilman Kevin Muldoon's bid for a temporary restraining order Friday because beaches were partially reopened.

Muldoon, who sued as an individual, alleged violations of his freedom of travel, due process, equal protection, right to liberty and a state-protected right to access navigable waters — even though Orange County has relatively low numbers of cases of COVID-19, the respiratory disease caused by the coronavirus, and related deaths, particularly compared to other coastal Southern California counties both where beaches are open and closed.

But Selna agreed with state lawyers, who argued that the complaint was now moot. And even if the beaches were still fully closed, "states and municipalities have greater leeway to burden constitutionally protected rights during public emergencies," Selna wrote in his denial.

"Notably, Muldoon does not declare that he attempted to visit a local beach and was prevented from doing so, or that he even wanted to go to the beach... This deficiency, in combination with the reopening of Newport Beach's beaches, casts doubt on Muldoon's claims regarding irreparable harm," Selna added.

"Finally, the balance of hardships tips substantially in favor of state, given the public's strong interest in reducing the spread of COVID-19 with measures designed to limit physical contact." Muldoon has been a vocal proponent of lifting the weeks-long lockdown to stem the coronavirus pandemic and restarting the flow of California's economy. He said his suit, filed Monday, pushed the state to at least partially reopen the local shores, and he vowed to keep up his battle.

"Although I'm pleased my lawsuit pressured the governor to quickly reopen Or-



Raul Roa | Staff Photographer

SOMEONE WROTE "Open CA" on the sand just before the "Live Free Protest to Open CA." protest started at Main and Pacific Coast Highway in Huntington Beach on May 1.

ange County's beaches, I view this as a partial victory, since families with young children and the disabled are still not allowed to sit on the sand," he said.

"I and others will continue to fight to reopen the beaches for all Californians so everyone can enjoy the health benefits of being outside, not just those that are mobile enough to exercise."

The suit also lists California Attorney General Xavier Becerra, Governor's Office of Emergency Services Director Mark Ghilarducci and California Natural Resources Agency Secretary Wade Crowfoot as co-defendants.

CITY OF HUNTINGTON BEACH ET. AL. V. NEWSOM ET. AL.

Co-plaintiff Dana Point dropped out of the case, filed May 1 in Orange County Superior Court, after its beach access was partially restored, according to a motion to dismiss the city filed Thursday.

Huntington Beach, however, insists that constitutional state-versus-local-control issues remain at play, even with the phased reopening.

"The controversy at the heart of this action — who has the power over local beaches and who is accountable for those decisions — is as present now as it was when plaintiffs filed this action," the city's lawyers wrote in a Friday filing. "The state will no doubt exercise that power should it again conclude that activities at local beaches create an unsafe condition, as it did when issuing the April 30 directive based on sensationalized photographs." In its opposition this week, state lawyer Rosenberg added that even if the case isn't moot, Newsom has broad authority during an emergency.

"California is in the throes of an unprecedented, once-in-a-century public health crisis that has brought normal life to a halt," she wrote. "In response, the governor — along with other state, local, and national officials — has proclaimed a state of emergency, and the Office of Emergency Services has been directed to implement any actions needed to protect the health and safety of Californians."

Additionally, Newsom submitted Selna's decision denying a temporary restraining order in the Muldoon case.

Several private businesses in Newport and Huntington are co-plaintiffs, and the city of Newport Beach formally supported the case with a brief, although it is not a plaintiff itself.

Huntington Beach faced an early setback Friday when a Superior Court judge denied its immediate request to block the closure in the interest of public safety. The case is set to return to court at 2 p.m. Monday for another crack at lifting remaining restrictions.

MULLER ET. AL. V. NEWSOM ET. AL.

This suit, filed May 1 in Orange County Superior Court, takes a similar tack as Muldoon's, with the three plaintiffs being city council members from South County cities.

City council members Joe Muller of Dana Point, Laura Ferguson of San Clemente and Greg Raths of Mission Viejo also sued as individuals, arguing infringements on their rights to travel, due process, equal protection, liberty, assembly and a state-protected right to coastline access.

As they did in the other cases, state lawyers said the problem has been resolved with the "active recreation"

reopenings.

The suit also lists Becerra, Ghilarducci and Crowfoot as co-defendants.

The case is pending. It is set for an injunction hearing Monday, together with the Huntington Beach case.

ALSO: GONDOLA ADVENTURES ET. AL. V. NEWSOM ET. AL.

This federal lawsuit, with several businesses from Orange, Los Angeles, Ventura and Riverside counties as plaintiffs, takes aim at sweeping stay-at-home orders that Newsom and county leaders handed down in March. Because the businesses were not deemed "essential," they shut down, laid off most of their employees and suffered crippling financial losses, they said in their April 24 complaint.

The complaint argues that they are "the subject of enforcement of the overbroad and unconstitutional ... orders ... which have the effect of forcing plaintiffs ... to bear a public burden by entirely eviscerating plaintiffs' ability to operate their respective businesses."

Gondola Adventures is a Newport Beach-based gondola charter that takes small groups on cruises in Newport Harbor's calm-water canals. Co-plaintiffs include an entertainment production company, mobile pet groomer, several Mexican eateries and quick-serve restaurant franchises and a special effects lighting company, mostly outside of Orange County.

The case names several county supervisors, health officers and sheriffs in addition to Newsom, Becerra, state public health officer Dr. Sonia Angell and Los Angeles Mayor Eric Garcetti as defendants.

The case is pending.

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Happy
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Cory



You are the best Kitty Kat Mom in the whole jungle! Thank you for everything you do – from Gorilla shopping at Costco—complete with paper supplies—to keeping us safe with good virus-prevention advice, from giving us the best and latest nutrition guidance to cooking the most delicious and healthy meals, from giving your patients the best medical care that any doctor can possibly give to treating our bee stings and burns, and from playing the Bee Gees sometimes to playing the Bee Gees not all the time. Love, Doug, Max, Nicky, Sierra, Moony, Noel, Smeegol and Smudge.

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