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IN BRIEF

Compiled from staff and wire reports; KATY STECH, KEIKO MORRIS

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INDIAN TRIBES PROTEST NYC LAWSUIT. Leaders of two Long Island Indian tribes are speaking out against a lawsuit that New York City filed Monday against their reservations' cigarette suppliers. Shinnecock nation chairman Lance Gumbs and Unkechaug chief Harry Wallace both said that if the lawsuit succeeds, it would jeopardize the smoke shop businesses on their reservations. "It's going to put thousands of native people out of work," Gumbs said, referring to native smoke-shop employees across the state. And as a result, "they'll go back onto welfare and become a drain on the system. It's not logical." The lawsuit alleges that seven tobacco wholesalers in New York State have been selling untaxed cigarettes to Indian businesses. New York City residents then buy those cigarettes over the Internet or illegally on the street, costing the city millions of dollars in lost taxes, the lawsuit says. New York City has a \$1.50 tax on every pack of cigarettes. - KATY STECH

CABLEVISION EMPLOYEES' DATA LOST. A tape that included personal information of former and current Cablevision employees has been lost, the company said yesterday in a statement. Cablevision Systems Corp. stressed that the tape did not contain personal information of its customers. The tape was lost during a routine transfer from FedEx to Dallas-based ACS, Cablevision's external 401(k) plan record-keeper, sources said, and it contained information about 13,700 current and former employees. "Cablevision takes the security of our employees' personal information extremely seriously, and we deeply regret that this incident occurred," the company said in a statement. The company said it has contacted law enforcement and has been working closely with the courier and its recordkeeper to locate the tape. No evidence has been found indicating the tape and its information have been accessed or misused, Cablevision said. The company is notifying employees whose information may have been on the missing tapes and making resources available to them to monitor their credit reports. - KEIKO MORRIS

CONSUMER CONFIDENCE POSITIVE BUT VULNERABLE. A steady job market helped consumers overcome their concerns over high energy costs in July, unexpectedly lifting a barometer of consumer sentiment yesterday. But there are signs the optimism may weaken as shoppers face a barrage of concerns from a cooling housing market and rising interest rates to war in the Middle East. The Manhattan-based Conference Board said yesterday that its confidence index rose to a better-than-expected reading of 106.5 from a revised 105.4 in June. Analysts had expected the index to fall slightly to 104. "The employment situation is helping confidence hold at a decent level," Gary Thayer, chief economist at A.G. Edwards & Sons Inc., said, cautioning that a dramatic downturn in the housing market or job market would be a problem for consumer spending.

"REINDEER" SINGER JOINS ROYALTY SUIT. The guy who recorded "Grandma Got Run Over by a Reindeer" has joined other performers in a lawsuit against Sony Music over royalties for downloaded music. One-hit wonder Elmo Shropshire, a San Francisco veterinarian who tours as Dr. Elmo, joined plaintiffs Cheap Trick and the Allman Brothers Band, among others. The lawsuit was originally filed in April, but a new version was lodged earlier this month to expand the types of downloaded tunes in which the musicians say they are being shortchanged. Initially, the acts had complained that Sony was stiffing them on revenue from legal download services like iTunes and Napster. In the revised suit the bands say Sony also failed to pay appropriate royalties on songs sold as mobile-phone ring tones. A lawyer for Sony, Jonathan Sperling, declined to comment.



SKILLING PETITION DENIED. A judge yesterday rejected a request by former Enron chief executive Jeffrey Skilling to overturn his convictions of fraud, conspiracy and other charges. Skilling and Enron founder Kenneth Lay were convicted May 25 of fraud and conspiracy for repeatedly lying to Enron investors and employees about the disgraced company's financial health before the energy giant crumbled into bankruptcy in December 2001. With no explanation, U.S. District Judge Sim Lake denied the request in an order issued yesterday. Lay died of a heart attack July 5.

TEEN PEOPLE FOLDS. Time Inc. said yesterday it would stop publishing Teen People but keep the magazine's Web site operating. The magazine whose circulation has slipped during the past few years was launched in 1998. Ann Moore and John Huey, the chief executive and editor in chief of Time Inc., told employees in a memo that the company would continue to invest in Web site, "which shows promise and growth." Ali Zelenko, a Time Inc. spokeswoman, cited a "challenging" advertising market.

\$336M SETTLEMENT OVER CREDIT CARD FEES. Credit card companies agreed to a \$336-million settlement in a class action regarding the prices they charge cardholders making foreign-currency denominated transactions, lawyers for the plaintiffs said yesterday. The defendants in the case, which include Visa and MasterCard Inc., denied any wrongdoing, and a judge in U.S. District Court in Manhattan did not rule on the lawsuit's merits, according to the plaintiffs' lawyers, Berger & Montague and Lerach Coughlin. Defendants in the lawsuit included Bank of America Corp. and MBNA Corp., which Bank of America bought this year; Citigroup's Citibank and its Diners Club unit; JPMorgan Chase & Co. and Bank One, which JPMorgan Chase bought in 2004; MasterCard WorldWide; Visa; and Washington Mutual Inc. and Provident Financial Corp., which WaMu bought in 2005. A spokeswoman for Bank of America said it settled to avoid the uncertainties and expense of future litigation. A Visa USA spokeswoman confirmed the settlement. A Citigroup spokesman said the bank's portion of the settlement was covered by existing reserves.

APPOINTMENTS AT STEWART'S COMPANY. Martha Stewart Living Omnimedia Inc. said yesterday it has promoted Howard Hochhauser to chief financial officer, a position he had held on an interim basis since March. Hochhauser, 35, will oversee investor relations and corporate communications, Manhattan-based Martha Stewart Living said. The company also named Holly Brown president of its Internet business unit.

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