

N62661.PF.003276  
NS NEWPORT  
5090.3b

PUBLIC NOTICE REGARDING THE U S NAVY ANNOUCING THE NOTICE OF AVAILABILITY  
FOURTH FIVE YEAR REVIEW NS NEWPORT RI (PUBLIC DOCUMENT)  
12/19/2014  
THE NEWPORT DAILY NEWS

# NATION&WORLD

## BOSTON MARATHON BOMBINGS

# Final pretrial conference is held

BOSTON (AP) — Boston Marathon bombing suspect Dzhokhar Tsarnaev returned to court Thursday for the first time since he was arraigned in July 2013, and he received a shout of encouragement from the mother-in-law of a man who was shot and killed while being questioned by law enforcement after the bombings.

Security was tight at the federal courthouse in Boston for Tsarnaev's final pretrial conference. Tensions ran high, and one bombing victim had a testy exchange with protesters outside.

During the brief court hearing, U.S. District Court George O'Toole Jr. made no rulings, saying he would rule in writing on pending motions, including the defense's latest push to move the trial out of Boston.

David Bruck, one of Tsarnaev's lawyers, told the judge that the defense plans to file a motion to delay the trial, which is now scheduled to begin on Jan. 5 with jury selection. Bruck did not say how long of a delay the defense will seek.

At one point, the mother-in-law of Ibragim Todashev called



Associated Press

A motorcade carrying Boston Marathon bombing suspect Dzhokhar Tsarnaev rolls away from federal court in Boston on Thursday after a final hearing before his trial begins in January.

out to Tsarnaev in Russian in the courtroom. Elena Teyer said she told him: "We pray for you. Be strong, my son. We know you are innocent."

Later, in English, she yelled to the law enforcement officers escorting her out of the room: "Stop killing innocent people. Stop killing innocent boys."

Tsarnaev never flinched or acknowledged the shouts.

Three people were killed and more than 260 were injured when two bombs exploded near

the finish line of the April 2013 marathon. Tsarnaev, who has pleaded not guilty to 30 federal charges, faces the possibility of the death penalty if he is convicted.

Tsarnaev, 21, wore a black sweater and gray trousers and had a scruffy beard and a curly hairstyle similar to the one seen in earlier photos. He smiled to his attorneys and one patted him on the arm.

The courtroom was packed with FBI agents, police who worked on the case and more

than a dozen survivors and family members.

Outside the courthouse, a man who lost his right leg in the bombings had a testy exchange with a small group of protesters holding signs supporting Tsarnaev and questioning whether authorities have proof that he is responsible for the bombings.

Marc Fucarile held up his prosthetic leg and moved it back and forth toward the demonstrators, saying: "That's proof right there."

One of the demonstrators said to Fucarile: "You should care that they get the right guy."

Fucarile replied: "Get a life, lady. Go to work."

At his last court appearance 17 months ago, Tsarnaev still bore signs of the bloody standoff with police that led to his capture and the death of his older brother, Tamerlan. His left arm was in a cast, his face was swollen and he appeared to have a jaw injury. In court Thursday, he had no visible injuries.

Tsarnaev's trial is expected to last several months, and seating a jury alone could take several weeks to a month.

## European Court of Justice: Obesity can be a disability

Los Angeles Times

Obesity can be considered a disability if it hinders job performance, the European Court of Justice ruled Thursday in a case with broad implications for employers across the 28-nation European Union.

Although no EU law specifically prohibits discrimination on the basis of weight, obesity could be considered a physical disability in need of accommodation by the employer if it "hinders the full and effective participation of the person concerned in professional life on an equal basis with other workers," the Luxembourg-based high court ruled.

The case was brought by a Danish child-care worker, Karsten Kaltoft, who weighed more than 350 pounds during his 15 years of employment with the city of Billund. He filed suit against the local government alleging he was discriminated against because of his size, although the child-care agency said his dismissal was necessary because of a drop in the number of children enrolled in its program.

By classifying obesity as a

disability in certain conditions, the court whose rulings are binding for all European Union countries raised the prospect of employers being obligated to make available larger desks, wider doorways and closer parking spaces to accommodate those whose weight limits their mobility and comfortable work environment, labor law experts said.

"This has opened a can of worms for all employers in this country," said Tam Fry, spokesman for Britain's National Obesity Forum, a health care group.

He said it would require furniture and facilities adjustments to accommodate obese workers and could lead to "friction in the workplace."

*Clarke Cooke*

**Winter Hours**

**Dinner: Every Night**  
Lunch: Friday, Saturday & Sunday  
Piano Brunch: Sunday  
Live Music: Saturday Night  
Clear Blue  
Dancing/Boom Boom Room:  
Friday & Saturday Night

Reservations 849-2900

**THRIFTY OIL**  
CALL FOR OUR  
**LOWEST PRICE**

R.I. Petroleum Dealer License #83

We Now Accept MasterCard & Visa

1-800-276-3835 401-849-8889

www.codoil.com

• Gift Certificates •

**Remote Car Starters**  
NEVER GET INTO A COLD CAR AGAIN.

A remote starter from **401 MOTORING** will keep you warm all winter! **The Perfect Gift!**

**Auto Detailing Gift Certificates**

Engine • Wheels • Tires • Paint

Everyone loves a **CLEAN CAR!** We make their car new again.

**401 MOTORING** Established 1995

1980 East Main Rd., Portsmouth  
683-7517 • www.401motoring.com

**HOLIDAY RECLINER SALE**

**SALE PRICED FROM \$399.95**

OVER 30 STYLES IN STOCK FOR HOLIDAY DELIVERY

CHOOSE FROM WALLHUGGERS, ROCKER RECLINERS, POWER RECLINERS & LIFT CHAIRS

**BEN'S Furniture Co.**

Open 7 days • 166 Thames Street, Newport • 847-5110  
www.bensfurn.com

**HOLIDAY SALE!**

**20% OFF ALL HOLIDAY**

including Real bayberry candles & fresh pine pillows

a **FREE ornament** with purchase over \$25

**the Ball & Claw**  
Jeffrey Greene • furnituremaker

29 America's Cup Ave., Newport 848-5600

**UNITED STATES**

The United States Navy Announces  
**NOTICE OF AVAILABILITY**  
Fourth Five-Year Review  
**NAVAL STATION (NAVSTA) NEWPORT**  
NEWPORT, RHODE ISLAND

The United States Navy (Navy) in coordination with the U.S. Environmental Protection Agency (USEPA) and the Rhode Island Department of Environmental Management (RIDEM) has completed the Fourth Five-Year Review for Environmental Restoration Program (ERP) sites at NAVSTA Newport. The purpose of this review is to confirm that the cleanup remedy at sites where contamination remains in-place (e.g., capped landfill) continue to be protective of human health and the environment.

There are four ERP sites at NAVSTA Newport that required a five-year review: Site 1 (McAllister Point Landfill), Site 8 (Naval Undersea Systems Center Disposal Area), Site 9 (Old Fire Fighting Training Area), and Site 13 (Tanks 53 and 56 at Tank Farm 5). The Navy in partner with the USEPA and RIDEM concluded with this review that the remedies at these sites remain protective of human health and the environment, and the details are documented in the Fourth Five-Year Review Report dated December 2014. The next Five-Year Review is scheduled for December 2019.

This Five-Year Review Report and Administrative Record for NAVSTA Newport are available for review at the following web site: <http://go.usa.gov/DyNw> (click on "Administrative Records" in the left margin). For more information, please contact the Newport Navy Public Affairs Office at 401-841-3538.

Individuals interested in learning more about NAVSTA Newport ERP are invited to join the Restoration Advisory Board that meets every other month and is open to the public, go to: [www.rabnewportri.org](http://www.rabnewportri.org).

**Give a Tasteful Gift!**  
**Newport County Dinner Club**  
**2 for 1 Dinners**  
at 75 fine local restaurants

OVER \$1,000 IN SAVINGS FOR only \$20.00

**AVAILABLE AT:**  
Clements' Marketplace  
Shaw's Supermarket, Middletown  
Walgreens, Middletown  
Gateway Center, Newport  
NCDC Office: 28 Pelham St., Npt.

To Order by phone call 401-847-3789

Makes A Great Gift!

Order online and see our full restaurant list at [www.NewportCountyDinnerClub.com](http://www.NewportCountyDinnerClub.com)

**ATLANTIC BEACH CLUB & Pavilion**  
RESTAURANT • LOUNGE • BANQUET FACILITY

presents  
**NEW YEAR'S EVE**  
**DINING ROOM**  
Regular Menu Served 4-10 p.m.

**2015**  
**LOUNGE**

Two Seatings at 6:00 p.m. & 8:30 p.m.  
Dancing to the Sounds of **Mac Crupcala Dance Band**  
Party Hats • Noisemakers

Reservations Required  
847-2750

**The Newport Daily News**

Main number: (401) 849-3300  
News fax: (401) 849-3306  
Ad fax: (401) 849-3335  
Business hours: Monday through Friday 9 a.m. to 5 p.m.  
Office location: 101 Malbone Road, Newport, RI 02840  
©2014 - The Edward A. Sherman Publishing Company  
USPS 384-320  
Vol. 169 - No. 298

**WHO WE ARE**  
William F. Lucey III  
Publisher, (401) 380-2302

**Advertising**  
Lynn Abrams  
Advertising Director, (401) 380-2311

**Circulation**  
Customer Service (401) 849-3300 Ext. 299  
Kevin Schoen  
Operations Director  
Circulation/Production, (401) 380-2343  
Kevin Kinsella  
Circulation Sales Manager  
(401) 380-2344

**News**  
Sheila Mullowney  
Executive Editor, (401) 380-2351  
M. Catherine Callahan  
City Editor, (401) 380-2354  
Scott Barrett  
Sports Editor, (401) 380-2356

**GET IN TOUCH**  
Want to place a classified ad?  
E-mail [Ads@NewportRI.com](mailto:Ads@NewportRI.com)  
Call 849-3300, Ext. 299, or go to our website, [NewportDailyNews.com](http://NewportDailyNews.com)  
E-mail the newsroom:  
◆ Send news releases, announcements and photos to [Newsroom@NewportRI.com](mailto:Newsroom@NewportRI.com)

NewportRI.com  
◆ Send letters to the editor to [Editor@NewportRI.com](mailto:Editor@NewportRI.com)  
Sports scores and information:  
Sports: 380-2352, or send e-mail to [Sports@NewportRI.com](mailto:Sports@NewportRI.com)  
Missing or damaged paper?  
If you do not receive your paper or it is damaged, call 849-3300, Ext. 299, by 9 a.m. daily and by 10 a.m. Saturdays.  
**THINGS TO KNOW**  
Back issues of The Daily News up to one year old are available in the Circulation Department for double the cover price.

**Engagement and wedding forms** for publication are available in the Advertising Department weekdays, 9 a.m. to 5 p.m., or at [NewportDailyNews.com](http://NewportDailyNews.com).

**Daily News photo reprints** for non-commercial uses can be ordered through the Image Gallery on our website. Call the Classified Department if you do not have online access.

**To inquire about placing an obituary**, email [Obits@NewportRI.com](mailto:Obits@NewportRI.com) or call 849-3300, Ext. 290.

**SUBSCRIBE & SAVE**  
Subscriptions payable in advance:  
**BY HOME DELIVERY:**  
EZ Pay \$12.15 charged every 4 weeks (36% savings off newsstand price)  
6 Weeks \$22.50 (20% savings off newsstand price)  
12 Weeks \$43.00 (25% savings off newsstand price)  
26 Weeks \$81.00 (35% savings off newsstand price)  
52 Weeks \$157.00 (37% savings off newsstand price)  
**BY MAIL:**  
\$25 for 4 weeks, \$60 for 12 weeks, \$110 for 26 weeks, \$200 for 52 weeks.  
Single copy price: \$1.00 Monday-Friday, \$1.25 Weekend (Saturday/Sunday)  
Go to [NewportDailyNews.com](http://NewportDailyNews.com), email [CircDept@NewportRI.com](mailto:CircDept@NewportRI.com) or call (401) 849-3300, Ext. 299.