

## Student refunds possible Dormitory suit certified

By PHILIP GUTIS  
Daily Collegian Staff Writer  
Two University alumni recently won certification of a class action suit against the University which could result in payments totaling about \$350,000 to students who lived on campus during Spring Term '78.

Judge Harold B. Fink of Potter County ruled in favor of University alumni Edward D. Joseph and Jane B. Brennan and said they could represent the rest of the 11,626 students who held dorm contracts during Spring Term '78.

"In conclusion, we believe that the class action proposed is a fair and efficient method of adjudicating the controversy," Fink wrote in his opinion dated August 8.

The case will be tried again to determine the amount of damages.

University lawyer Mark Faulkner declined to comment on the judge's decision but he said at the trial held June 31 and July 1: "I perceive this class as a monster . . . I'm prepared to have 11,000 cases adjudicated separately."

The suit stems from the University's shortening of Spring Term '78 by five days because of a widespread coal strike in the country and the subsequent loss of housing and food services.

Brennan and Joseph are seeking a 6.25 percent refund for the five days, an average of \$30 per student.

Fink ruled that all students residing in the dorms Spring Term '78 are proper party plaintiffs unless they submit a written request to be excluded from the suit by Oct. 15.

Notification of all possible party plaintiffs, Fink said, should include a half-page advertisement in all

publications mailed to alumni and in any publication distributed primarily to students of the University. Also, notice should be posted on any bulletin board "normally used by the University to notify current students on campus."

*'The University should not be able to escape a class action certification because of a particular way in which the . . . contracts are written.'*

—Judge Harold B. Fink

The two major arguments Faulkner presented at the trial to stop the certification are both valid, Fink said Friday, but they are matters of defense — not matters of class certification.

John F. Brugel, director of the office of Student Aid, presented one argument and said 4,000 students received complete or partial grants which should exclude them from a class action.

However, Fink wrote in his opinion that students "receiving partial aid would stand in the same shoes for the purpose of a class as those who received no aid."

"As to those who received full aid, it is not the desire of this court that they be compensated by any reimbursement . . . for they lost nothing in any event."

The other major argument dealt with the wording of dorm contracts.

Dorm contracts run from a specified day to 3 p.m. the day following the last day of scheduled final exams.

In his discussion of the case, Fink wrote, ". . . The University should not be able to escape a class action certification because of a particular way in which the . . . contracts are written."

At the trial he said: "No matter how you look at it, the University gained five days out of it (the delayed term)."

On Feb. 23, 1978 the University changed the term calendar.

Instead of starting Spring Term March 5 and continuing it to May 23, the University delayed the term. The new schedule started March 12 and continued until May 25, the plaintiffs said.

The plaintiffs contend that under the original term calendar students were entitled to 80 days of housing and food services and under the revised schedule the University only supplied 75 days.

Brennan originally filed suit with District Magistrate Clifford Yorks asking for a \$23.49 refund. She lost that case in May '78 and, with Joseph, changed her suit to a class action.

They then appealed York's decision to Common Pleas Court.

### A damp adieu

Today will see considerable cloudiness with a few showers or thundershowers likely at any time. Temperatures will rise tardily to a high of 70. Tonight will be muggy but mild with a low of 64. Tomorrow will bring a few scattered late afternoon thundershowers, but there will be enough sunshine to kick the afternoon temperatures toward a humid high of 84. Wednesday will be hazy and hot with a high of 87 degrees.

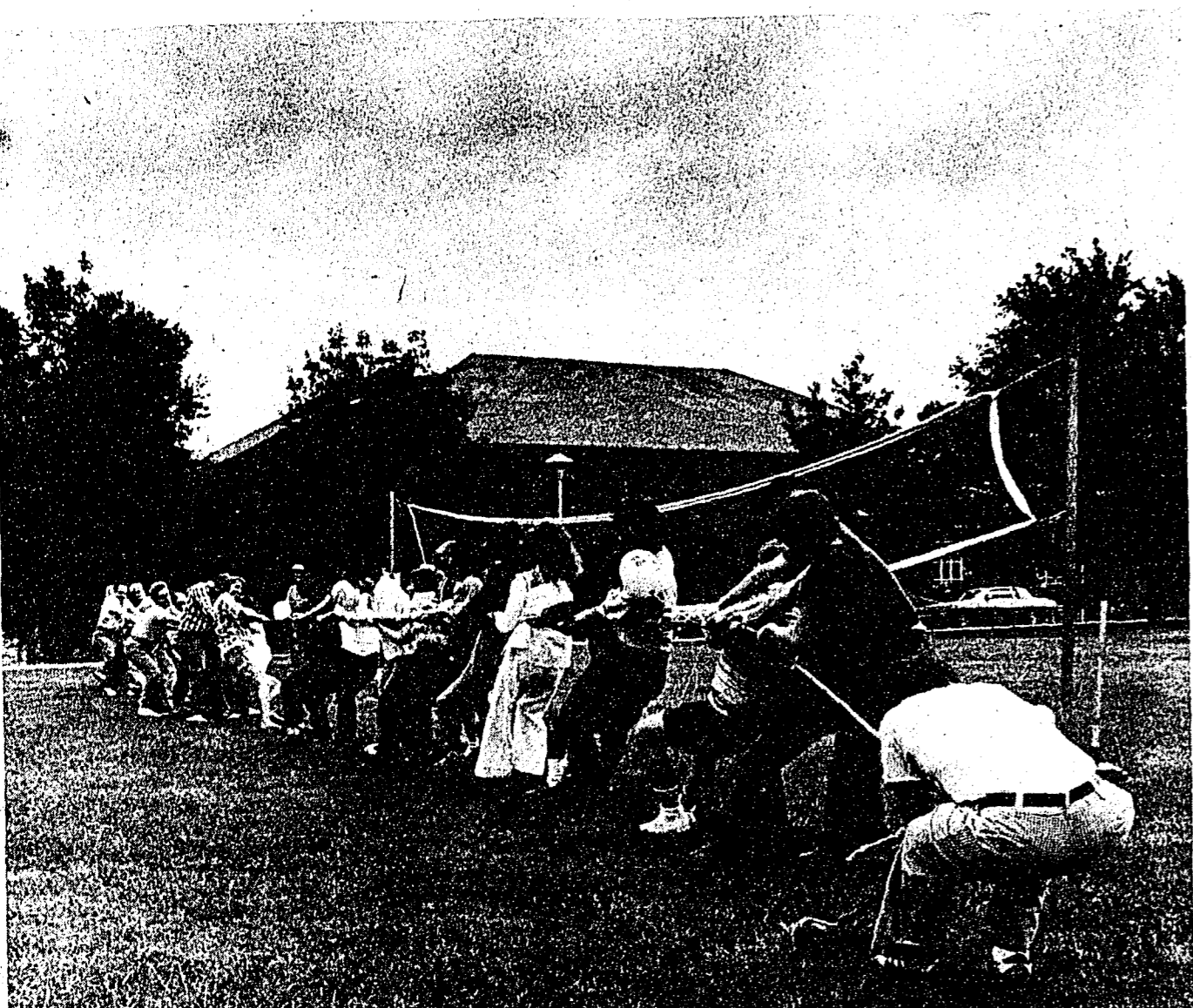


Photo by Betsy Overly

### Heave ho

These twenty-six participants playing tug of war on the HUB lawn seem to be having a great time at the Penn State Gold Medal Day Saturday. The Volunteer Service Center, in cooperation with the Centre County Association for Retarded Citizens and the Penn State Veterans Organization, sponsored the day for mentally retarded citizens from State College, Port Matilda, Bellefonte and Spring Mills. About 75 mentally retarded people and volunteers participated in games which included a sing-a-long, parachute game, dance instruction, obstacle course, nerf softball and earth volleyball.

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## Cubans try to go home as air piracy continues

MIAMI (UPI) — Armed sky marshals moved into Miami and other cities yesterday and airport security guards inspected arriving passengers in hopes of ending a record three hijackings in a single day Saturday.

The use of personality profile screening for arriving passengers led to the arrest yesterday at Miami of three men trying to bring gasoline aboard an airplane. One of them was released when it was determined he was not involved.

Police spotted Jose Antonio Pablo-Lugones, 39, with an unusual bulge in his pants as he tried to board an Eastern Airlines flight to Key West, said Bill Nettles, acting chief of the FBI Miami office. He said a beer bottle filled with gasoline was tied around his waist and hanging between his legs.

They also arrested Hector Picares Pintero, 41, when a half-pint liquor bottle filled with gasoline was found in his coat pocket.

Of the six hijackings that began with a single incident Aug. 10 and ended with Saturday's three were blamed on various Spanish-speaking men who identified themselves as disappointed recent immigrants seeking to return home.

The Federal Aviation Administration said yesterday it was placing sky marshals — FAA employees trained in the use of arms and law enforcement techniques — on board many commercial flights leaving Florida airports and other "selected" cities.

However, FAA spokesman Gordon Richardson said they will not be aboard every airplane.

## Strike committee draws up list of demands Polish workers unite, refuse to end strike

GDANSK, Poland (UPI) — Workers from two dozen factories and shipyards formed a joint strike committee yesterday and said no one would return to work in Poland's major northern industrial center until the government grants a sweeping list of concessions.

The government-run radio in Gdansk broadcast a back-to-work appeal and told strikers "outside elements" were creating an "alarming" situation in the Baltic coast region where more laborers joined the walkouts.

Dissident sources said the workers would present the government with a 16-point list of demands for basic freedoms.

Meanwhile, in Warsaw, Jan Litynski, editor of an underground newspaper that publishes news of workers' protests, was placed under house arrest, dissident sources said last night.

Jacek Kuron, chief spokesman for the dissident Committee for Social Self-Defense, also was accosted by police when he left his apartment earlier Sunday and was warned to remain at home for the time being.

Dissident sources said Litynski, chief editor of the newspaper Robotnik (The Worker), was accosted by plainclothesmen near his home and was warned he would be arrested if he was seen on the street.

Robotnik, a clandestine journal of Poland's worker dissidents, is published twice a month. Since widespread labor unrest broke out early in July, the newspaper has been the chief internal chronicle of strikes and workers' protests throughout the nation.

Earlier, in Warsaw, the government announced formation of a special committee to examine the demands of the strikers. Vice Premier Tadeusz Pyka, a relatively obscure official who is believed to be a close ally of Communist Party chief Edward Gierek, was named to head the group.

The proposed workers' manifesto, not yet formally accepted by the strike committee, challenged the regime to issue what amounted to a new bill of rights for workers in the socialist state.

The strike committee demanded the release of all political prisoners, guarantees of freedom of speech and of the press and complete publication of all strike news by the state radio and television.

The main evening news last night included a brief reference to continuing work stoppages in Gdansk. However, the broadcast aired nationwide avoided the sharp tones of newscasts aired in Gdansk.

The demands being considered by the strikers yesterday also included a number of proposals specifically aimed at wiping out special privileges currently paid to "the security services, the police and the party apparatus." Such benefits include higher family allowances and special shops that stock food and other products not normally available to all.

The strike committee, known by its initials in Polish as MKS, said it intended to remain in operation in the future as the nucleus of a free trade union movement in Gdansk, with the aim of replacing the current Communist Party-controlled union system.

The joint strike committee represents 24 separate shipyards, factories, trolley garages and other workshops, and said they would stand together under an all-for-one rule — none of the strikers would agree to return to work until every dispute was settled.

The entire Gdansk region — the three-city urban swath of Gdynia, Sopot and Gdansk, an area of about 700,000 people in the center of Poland's northern Baltic coast — was paralyzed by the walkouts.

All shipyards were shut down. All factories associated with the shipyards, from air-conditioning plants to those producing electrical equipment, were either closed or occupied by workers.

All public transport in the region was idle, with bus and trolley drivers and engineers from the electrified suburban trains joining the strikes.

The region's oil refinery also was shut down and strike leaders estimated supplies of gasoline around Gdansk would begin running out today.

## Sadat rejects anti-Israeli action

CAIRO, Egypt (UPI) — President Anwar Sadat yesterday rejected a call by Morocco's King Hassan to join Moslem states in collective action to end Israeli domination of Jerusalem and said Egypt will continue to pursue an independent course in the Middle East conflict.

Sadat, in a 23-page letter to Hassan, said Arab and Islamic nations were partly to blame for the Israeli annexation of the holy city because they fought with each other instead of confronting the Jewish state.

Sadat described as a "waste of time and effort" a conference of 13 Islamic states and the Palestine Liberation Organization on the Jerusalem question which opened in Casablanca Saturday.

"Egypt does not care to join its hand to the hand of those who swerved from the right path, who are guided by their own prejudice and who turned their back on the Holy Book (the Koran)," Sadat said.

While Arabs contented themselves with "screams and threats," Sadat said, Egypt alone took "calculated action" to regain Arab rights, and even went so far as to offer Israel a share of the Nile River's waters if it softened its policies in the occupied territories.

In Jerusalem, the Cabinet discussed Sadat's latest letter to Prime Minister Menachem Begin on the Palestinian autonomy talks stalled on the Jerusalem issue.

Sadat proposed another Camp David-style summit after the U.S. presidential elections in November to salvage the peace process while accusing Israel of heaping obstacles in the way of the talks.

Israeli government sources in Jerusalem said Sadat's letter, received Friday, appeared to rule out any immediate resumption of the negotiations and they expected the freeze to last until even after possible national elections in Israel next spring.

In his letter, Hassan had urged Egypt to take a "firm stand to check the Israeli defiance" and make it possible for the Arab-Islamic world to "re-embrace" Egypt, thus ending the breach that began with the signing of the Egyptian-Israeli peace treaty in March 1979.

"Egypt is not prepared to participate in conferences which are a waste of time and effort, that do not serve the interests of Arabs and Moslems, despite the attempts to give them false importance,"

Sadat said.

Putting the blame on Arabs and Moslems, Sadat said:

"The plight of Jerusalem did not begin today. Israel covered a long distance in implementing its plans and schemes, by exploiting the negative attitude of Arabs and Moslems, who contented themselves with screaming and wailing instead of taking action."

Sadat also cited the silence of Arabs and Moslems regarding the actions of Iran's Ayatollah Ruhollah Khomeini and the Soviet invasion of Afghanistan as evidence of the crisis.

"How can those who failed to protect our religion be entrusted with the fate of our people?" he asked. "How can Moslems be confident if their rulers are motivated by fear, ignorance and prejudice?"

Sadat reviewed the peace offensive that began with his November 1977 visit to Jerusalem and his address to the Knesset, emphasizing the necessity of Israeli withdrawal from all occupied Arab lands, including East Jerusalem.

"I did not leave a single opportunity without drawing attention to the priority we give to the question of Jerusalem and emphasizing that overall peace is impossible unless the legal and historic rights of the Arabs and Moslems in Jerusalem are restored," Sadat said.

## Israeli Cabinet permits visit to Egypt

JERUSALEM (UPI) — Israel's Cabinet yesterday reluctantly agreed to allow President Yitzhak Navon to make a state visit to Egypt at the invitation of President Anwar Sadat, but left the final decision with the Israeli head of state.

Cabinet Secretary Arye Naor said the ministers also discussed Sadat's letter to Prime Minister Menachem Begin on the stalled Palestinian autonomy talks. He said Begin was empowered to draft a reply to Sadat in consultation with Israel's chief negotiators to the talks. A joint session to prepare the final text was set for today.

At least two key ministers said Navon should decline the invitation received last Thursday, but the Cabinet decided to approve the visit, accepting the compromise formula put forward by Begin.

The Cabinet took the unusual step of ordering the full minutes of its deliberations on the issue forwarded to Navon "so he gets a first-hand impression of the mood during the session," the state radio said.

The radio said the Cabinet approved Navon's visit so as not to harm the "normalization of relations between Egypt and Israel." No date for the visit has been set.

Government sources said Sadat's letter to Begin on Friday appeared to rule out immediate resumption of the autonomy talks. They said they expected the freeze to last until after the U.S. presidential elections, or even after possible national elections in Israel next spring.

Sadat proposed an American-Egyptian-Israeli Camp David-style summit to salvage the peace process, while accusing Israel of placing obstacles in the way of the talks.

The sources said Sadat's contention that the recently-enacted Jerusalem bill and Israel's settlement activity in occupied Arab territory undermined the negotiations were "without foundation," Begin's reply to Sadat will "say just that," one source said.

Israel's two radio networks said the Cabinet was highly critical of Sadat's letter, with Chief Negotiator Josef Burg describing it as "rude."

Finance Minister Yigal Hurvitz said the Egyptian position as spelled out in Sadat's letter makes it incumbent on Israel to halt future withdrawals in the Sinai until just before the 1982 deadline, and not before both sides find out "where they stand." His proposal was rejected.



Campaign send-off  
Republican presidential nominee Ronald Reagan, accompanied by his wife Nancy, leave Los Angeles International Airport yesterday to begin a four-day campaign swing across the country. During the week Reagan will speak at the Veterans of Foreign Wars Convention in Chicago and the American Legion Convention in Philadelphia. See related story on Page 4.