

ANSWERS TRICKLE IN FOR HORNS **C1**

WALTERS LEADS AGGIE RECEIVERS **C1**



SUMMER
DAYS AT THE
SPILLWAY **G1**

AUSTIN ■ REAL ESTATE

Unhappy seller sues condo auction buyers



Robert Calzada AMERICAN-STATESMAN

Project's owner refuses to honor contracts after units go for half price

By Shonda Novak
AMERICAN-STATESMAN STAFF

Tim Green thought he got a great deal last month when he bought a condominium in a South Austin project at an auction. Green agreed to pay \$63,250 for a two-bedroom unit at the Ivy Con-

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Read the lawsuit filed by the owner of the Ivy Condominiums with this story online.

dominiums, less than half of the \$132,000 list price.

Other units at the Ivy, 3204 Manchaca Road, went for similar discounts of 50 to 60 percent of the list price, Green said.

But this week, the Ivy's owner, a limited partnership, sued Green and buyers of 15 other units, saying the

sale contracts would not be honored. The lawsuit said the July 11 auction "was generally confused and resulted in prices well below market values" that the seller "had been assured it could expect to receive."

"I'm just in shock about it," Green said. "It just is wrong. A deal is a deal, especially when I had to go get a \$10,000 cashier's check" to qualify to bid.

The plaintiff is 3204 Manchaca Road LLP, whose principal is Rick

See **SUE**, A12

AUSTIN ■ MENTAL DISABILITIES

Abuse found at state home

Worker fired after numerous bruises discovered on teen

By Corrie MacLaggan
AMERICAN-STATESMAN STAFF

Stephanie Powell had a bad feeling about the Austin State Supported Living Center from the moment she put her teenage son there in March. When she visited a home on the campus, she smelled urine and saw residents sitting around idle.

Still, she didn't imagine that just three months later, she'd get a call from the center saying that her son, Corey Baker, 17, had been physically abused by a recently hired direct-care staff member at the institution for Texans with mental disabilities.



Corey Baker has moved to state hospital near Dallas.

A state investigation would later find that in the pre-dawn hours of June 8, he had been physically abused by a recently hired direct-care staff member at the institution for Texans with mental disabilities.

When Powell rushed to Corey's side from her home in Forney, east of Dallas, he kissed and caressed her hand and wouldn't let it go — unusual behavior, she said.

"His eyes were just pleading, 'Help me, Momma,'" she said.

The incident comes as the 13 state-supported living centers are under scrutiny from the U.S. Department of Justice, which is monitoring the institutions as part of a 2009 settlement with Texas.

The department notified Gov. Rick Perry in 2008 that the facilities failed to provide ad-

See **BRUISES**, A8

AUSTIN ■ ACTIVISM

Respect for the dead, accountability for the living

'I'm a thorn in their side. But I'm not a radical. I'm passionate about what is important to me.'

DALE FLATT

Austin firefighter who has tangled with the city over cemeteries, code enforcement



James Brosher AMERICAN-STATESMAN

An interest in old headstones led to a passion for preservation for Dale Flatt, who founded Save Austin's Cemeteries. He presses the city to maintain its five cemeteries, including Oakwood.

Citizen watchdog keeps city on toes with open records requests

By Ricardo Gándara
AMERICAN-STATESMAN STAFF

Dale Flatt hates what he perceives as an uncaring city bureaucracy. He loves cemeteries and devotes considerable time to doting over a handful of city-run cemeteries. And that's why he makes some of the city's business his business.

Flatt, a 25-year Austin firefighter, has turned himself into a citizen watchdog whose unofficial motto is "Question what they do, ask why and challenge."

Flatt, 51, is founder of the nonprofit Save Austin's Cemeteries, president of the Austin History Center Association, property manager for video game developer Richard Garriott and a Freemason. Over the past few years, he has

evolved into a government watchdog of sorts who this year alone has filed 12 open records requests with the city.

He's zeroed in on the Austin Parks and Recreation Department because it oversees five city-owned cemeteries — and has done a poor job of maintaining them, he contends.

What started as a curiosity about the architecture of tombstones a few years ago has turned into a mission to save them, because, Flatt says, they are "history books and outdoor history museums." None is more interesting to him than Oakwood Cemetery, the city's oldest, which opened in 1839.

"Gov. (James) Hogg is here, and so is Susanna Dickinson," Flatt said as he walked the grounds of Oakwood. "The guy who fell off the moonlight tower changing a bulb? He's here. So is William Custer, soldier of the Republic of Texas and cousin to Gen. George Custer."

See **WATCHDOG**, A6

MEDICINE ■ REGULATIONS

Drug that extends contraception 5 days gets FDA OK

By Rob Stein
THE WASHINGTON POST

WASHINGTON — The Food and Drug Administration approved a controversial new form of emergency contraception Friday that can prevent a pregnancy for as long as five days after sex.

The decision to allow the sale of the pill, which will be marketed under the brand name Ella, was welcomed by family-planning proponents as a crucial new option for preventing unwanted pregnancies. Critics, however, argued that it was misleading to approve Ella as a contraceptive because the drug could also be used to cause abortions.

Ella can reduce the chances of becoming pregnant after unprotected sex by about two-thirds for at least 120 hours, studies have shown. The only other emergency contraceptive on the market, the so-called morning-after pill sold as Plan B, is significantly less effective. It begins to lose its effectiveness almost immediately and becomes ineffective after 72 hours.

Supporters and opponents both said the decision marked the clearest evidence of a shift in the influence of political ideology at the FDA. The last time the FDA considered an emergency contraceptive — making Plan B available without a prescription — the decision became mired in controversy because

See **PREVENT**, A4

GULF COAST ■ ECONOMY

More tourists basking on Texas beaches since spill

Towns, businesses increase ads to attract out-of-state travelers

By Leslie Patton
BLOOMBERG NEWS

Texas beach towns are getting a boost from the BP oil spill as Gulf Coast vacationers head west because of concerns about crude-contaminated beaches in Louisiana and Mississippi.

Room rentals at beach hotels in Galveston, Corpus Christi and South Padre Island rose 5.2

percent in the second quarter from the same period last year, according to the tourism division at the governor's office.

"If anything, we have benefited from the disaster," said Edith Fischer, director of tourism at the Brazosport Chamber of Commerce. "People who were reluctant to go vacation in Louisiana, Mississippi and Florida — we've gotten a lot of calls from those tourists." Brazosport is about 65 miles south of Houston.

Many tourists have been scared off from southeastern Gulf beaches by reports of black goo. The Gulf region could lose \$22.7 billion in

tourism dollars over three years from effects of the spill, a study commissioned by the U.S. Travel Association found. Florida would be the hardest hit because it's so dependent on beach tourism, the study said.

Cleanup of the 4.1 million barrels of oil that spilled into the water from BP's well is still under way in Louisiana, Mississippi, Alabama and Florida's Panhandle. No oil has flowed from the plugged well since July 15.

Texas has seen 118 cubic yards of oil wash

See **BEACH**, A10