



FINALLY
Gators snap 4-game losing streak. **Sports**

GOP collides with the courts

FLORIDA: Conservative push won't be halted by the bench, leaders say

By ZAC ANDERSON
zac.anderson@heraldtribune.com

TALLAHASSEE — Gov. Rick Scott and top Republican lawmakers say a series of unfavorable court rulings on legislation they pushed last spring will not deter them from again pursuing a strong conservative agenda in 2012.

With contentious issues such as state employee health insurance changes, prayer in schools, higher education reform and the drawing of new political districts on tap for the legislative session that begins in January, more legal battles are likely.

For Democrats — badly outnumbered in the Florida Legislature — the court system has become their most effective weapon against the GOP's efforts to push conservative reforms.

Courts have nullified three bills passed by the Legislature last spring and signed by Scott, striking down moves to privatize prisons in South Florida, drug test welfare recipients and prevent doctors from asking their patients about guns.

Two other laws are under court review: an elections overhaul criticized for limiting voter registration and early voting, and a pension measure forcing state workers to contribute 3 percent of their salaries to a retirement fund.

A hearing has not been scheduled on a lawsuit filed in September by teachers over a law

See COURTS on 9A

TIME CHANGE

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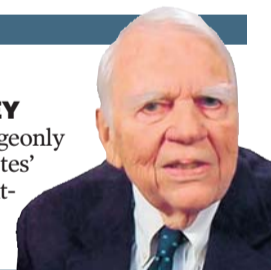
Daylight saving time ended at 2 a.m. Clocks should have been turned back one hour.

INSIDE

1919-2011

ANDY ROONEY

Curmudgeonly '60 Minutes' commentator dies at 92. **3A**



LOCAL CRASH SITE DISPUTE

Grieving parents are clashing with angry neighbors over a memorial to four teenagers. **1B**

TICKETSARASOTA.COM/THIS-WEEKEND THINGS TO DO TODAY

There are festivals — Chalk, Bach and Venice Art — plus a Taste of Manatee, to name a few.

SNN LOCAL NEWS 6

COPING WITH A DISEASE

New research shows that an active lifestyle could help people live better with Parkinson's.

Arts	1E	Obituaries	7B
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OUR 87TH YEAR NUMBER 33

ARTS ART ON THE BAY

Season of Sculpture curator John Henry says he chose artists who make a personal statement with their work. **1E**



WHY GLOBAL ECONOMY DEFIES FIXING

Most of the industrialized world is in a difficult economic bind. There are no simple solutions that would quickly win the approval of citizens if only politicians were willing to try them. **4A**

SCIENCE ZEROS IN ON FOOD AS DRUG

OBESITY STUDIES: Evidence grows that some fare exerts cocaine-like grip on brain

By ROBERT LANGRETH and DUANE D. STANFORD
Bloomberg News

NEW YORK — Cupcakes may be addictive, just like cocaine.

A growing body of medical research at leading universities and government laboratories suggests that processed foods and sugary drinks aren't simply unhealthy. They can hijack the brain in ways that resemble addictions to cocaine, nicotine and other drugs.

"The data is so overwhelming the field has to accept it," said Nora Volkow, director of the National Institute on Drug Abuse, or NIDA. "We are finding tremendous overlap between drugs in the brain and food in the brain."

The idea that food may be addictive was barely on scientists' radar a decade ago. Now the field is heating up. Lab studies have found sugary drinks and fatty foods can produce addictive behavior in animals.

Brain scans of obese people and compulsive eaters, meanwhile, reveal disturbances in brain reward circuits similar to those experienced by drug abusers.

Twenty-eight scientific studies and papers on food addiction have been published this year, according to a National Library of Medicine database. As the evidence expands, the science of addiction could become a game changer for the \$1 trillion food and beverage industries.

If fatty foods and snacks and drinks sweetened with sugar and high fructose corn syrup are proven to be addictive, food companies may face the most drawn-out consumer safety battle since the anti-smoking movement took on the tobacco industry a generation ago.

See FOOD on 8A

From sister to sister, a dying wish



By HAROLD BUBIL
Real Estate Editor

VENICE — Terminally ill with cancer, Jackie DeVita, a 42-year-old mother of three school-age children, made a special request of her unmarried sister.

A once-in-a-lifetime request. Removing her wedding ring and handing it to Colleen Leary, Jackie said, "I want to know that this is the three of us," referring to Colleen, Jackie and her husband, Richard. "Don't ever leave my kids."

Four years ago, Jackie knew she was losing it all — her husband, her three children, the magnificent home they had built on a ranch in rural Venice, and her life. She wanted continuity for her family. Colleen, Jackie's best friend and her junior by less than a year, could provide that.

Colleen said no to the ring, but couldn't say no to the children.

A year later, in 2008, Jackie died. But she knew a stranger would not inhabit her home and raise her children. Or love her husband. Three months after Jackie DeVita's funeral, Colleen Leary became Mrs. Richard DeVita, and the promise was kept.

"I know we have her blessing," says Colleen DeVita, now wearing the ring that was once her sister's.

Jackie and Colleen were "Irish twins," born 50 weeks apart in 1963 and 1964. In family photos, it is hard to tell one from the other. "Even though she had blue eyes and more auburn hair, and I

See DEVITA on 12A

At a sprawling Venice ranch, honoring one life by starting another



Colleen DeVita holds a photo of her older sister, Jackie, at the DeVita home in East Venice. At top, the sisters at Jackie's wedding to Richard in 1994. STAFF PHOTO, above, DAN WAGNER / COURTESY PHOTO, top

INSIDE: Villa DeVita is more than 19,000 square feet of house looking for its next owner. **Real Estate, 11**

ONLINE: To see more photos of the DeVita house and family, go to heraldtribune.com/photos.



At 1st state convention, Tea Party looks to 2012

EXERTING INFLUENCE: Focus on ousting Barack Obama permeates event activities

By ZAC ANDERSON
zac.anderson@heraldtribune.com

DAYTONA BEACH — It was a Tea Party bonanza this weekend at Florida's first convention for the conservative activist group, but beyond the vendors hawking Tea Party playing cards and speak-

ers warning about radical Islam and a coming currency collapse was one overriding message: "Victory 2012 begins with you."

The slogan was etched on official T-shirts and tote bags for the event along with another commandment: "Take the battle home."

That's exactly what Tea Party leaders said they plan to do as the group gears up for an active 2012 election season.

The Occupy Wall Street move-

ment may be stealing the political spotlight lately, but grass-roots conservatives are still fired up, as evidenced by the red, white and blue crowd of more than 1,000 Tea Party activists and 69 vendors at the Ocean Center convention facility in Daytona Beach on Saturday.

And in contrast to the disorganized feel of the Occupy protests, the three-day convention was further proof that Tea Party groups are getting better coordinated

with a laser focus on removing President Barack Obama from office in 2012.

"It's maturing beyond the phase of waving flags and poster boards to engaging aggressively in elections," said Stan Owens, a retired corporate manager from Palatka who attended the convention with a dozen friends from his Central Florida Tea Party group.

The election focus permeated convention activities. There were

See TEA PARTY on 14A

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Where one life is honored by the start of another

DEVITA from 1A

have dark hair and dark eyes, people would mistake us for twins," Colleen says.

They grew up in Binghamton, N.Y., until they were teenagers, then moved to Florida, then Pennsylvania. Jackie loved northern winters, especially skiing, hunting and fishing. She loved the holidays and all the over-the-top preparations.

"Jackie was always a girl who knew what she wanted," Colleen said. "We would walk into a clothing store and I would try on 20 things, and she would look at one thing and say, 'I want that.'"

Colleen was a tomboy, preferring summer sports: kickball, softball and swimming. But they both liked dancing. They both loved to cook.

After graduation, Jackie studied to become a medical assistant. Colleen, fed up with cold weather, moved to Florida.

"I was 20 years old, very young ... enjoy the warm weather and the beach," Colleen said.

In 1988, Colleen took a job with endodontist Richard DeVita, who was building a dental practice doing root canals at an office in Bradenton. Richard was a cold-weather refugee, too. He grew up on Long Island as a devout Catholic, attended Stonehill College, a Catholic school in Easton, Mass., then studied dentistry at Emory University in Atlanta.

In 1993, Jackie joined Colleen in Florida. Soon both Leary girls were working in Richard's dental office.

One Thursday afternoon a month after she was hired, Jackie mentioned to Richard that she had two tickets to a Phil Collins concert the next day in Tampa.

"At first, I thought she was beautiful," he said. "She was attractive as hell. But it was her whole personality" that made the difference.

At the concert, Collins sang one song, complained of a sore throat, then left. Richard and Jackie drove

back to Sarasota for a walk on Siesta Beach. Richard was a beach person, living on Siesta's Point of Rocks at the time, and they took many such walks.

In April 1994, they took a different sort of walk, down the aisle at the palatial Oheka Castle in Richard's hometown, Roslyn, N.Y.

Said family friend Carol Clark, a Realtor with Signature Sotheby's in Sarasota: "He worshipped the ground she walked on."

The DeVita house has space — lots and lots of space — and fixtures, finishes and furnishings that might have impressed John Ringling.

It is a home that easily captures your attention, a 101-acre ranch and 19,114-square-foot house hidden behind gates and oaks near Jacaranda Boulevard in rural Venice. It is on the market — has been for years — for \$13.5 million.

Jackie and Richard bought the property in 2000, after six years of marriage and the birth of three children. They liked the property because their children could get out and ride bikes in a safe environment. Richard also saw potential for a profitable future sale.

The very large home, built in 1974, was incomplete. Having sold a house on Siesta Key at a then-record price, the DeVitas set about creating a showplace. They put in a swimming pool and a playground. Jackie hired art students from Ringling College to paint murals on the walls of the children's rooms, including one on the ceiling of Gabby's bedroom reminiscent of circus artist Willy Pogany's ceilings in John and Mable Ringling's *Cá d'Zan*. A wall in her pink bathroom is painted with a mural of ballerinas dancing around maypoles.

Richard managed the project, acting as his own general contractor, but Jackie was the creative force.

"She had a vision; she knew what she wanted," Richard said. "When we first came here, it was



The DeVita family, from left: Aunt and stepmother Colleen, Mikey, Gabby, father Richard, and Richie. Here, they enjoy a light moment as Gabby puts arms around her brothers. STAFF PHOTO / HAROLD BUBIL

just gigantic, and who knows what to do? Upstairs was like six bedrooms in a row. So we went, *phoom*, and knocked everything down."

Colleen said Jackie would march through the stone store, taking command like a general.

"This house is all Jackie," says Colleen, sitting at a round table in a cozy corner of the 1,000-square-foot kitchen. "An amazing organizer — she just had that knack. I could never have done it. Just to organize the closet for me would be huge."

A casual glance at his property reveals that Richard is a perfectionist. There is nothing dirty, broken or run-down. But Richard admits he is neither a farmer nor terribly outgoing, which is notable because he lives on a ranch and has a house that is made for entertaining large groups of people. "I'm not a social guy," he admits. "He is so far from a farmer," said Colleen.

Single, Colleen would spend a lot of time with the couple after their marriage.

"From the time Jackie and Richard met, we were constantly together, the three of us," Colleen said. "We hung out every week at the beach. I wasn't dating or anything, so I was always the tag-along, but I loved it because I knew Richard and I loved Jackie."

When Richard was working, the sisters would take the kids to Disney World.

"I wasn't a stranger to these children. They knew me like they knew their mother," Colleen says.

"We often talk about that: 'Why didn't I ever get married? Why were we so close?' Jackie would go to Montana with Richard for a week to 10 days, and leave the kids with me. We just did that."

Richard said it was in "God's plan" that Colleen remained unmarried. "I wondered, too," why she had never married.

Jackie, Richard and their children — Richie, Mikey and Gabby, now 16, 14 and 12, respectively — had lived in the house for three years when Jackie's headaches started.

By then — 2005 — the DeVitas had decided to sell the house. Their middle child, Michael, has Down's syndrome. The DeVitas felt the best option was "an amazing Catholic school" in Colorado. Richard bought an office in Colorado and put the house — now called Villa DeVita, or "House of Life" — up for auction, which was trendy way to sell high-end property at the time. (It didn't work.)

Richard thought the headaches were from tension, but Colleen says Jackie was never stressed.

"She would just calm people down — you would be in her presence and you felt a sense of peace."

Jackie and Colleen were in the car — the three children in the back seat — on June 17, 2005, when Jackie's doctor called.

"He told her, in the car on the cellphone, 'You have a mass the size of an orange in the back of your brain.' She is driving. She dropped the phone," Colleen says.

They drove straight to the emergency room.

Colleen quit her job with Richard's office, on U.S. 41 near Southside School in Sarasota, and moved into the DeVitas' guest suite.

The family looked to Richard, with his medical background, to find Jackie the best care. He chose Duke University's medical center in Durham, N.C. He chartered private jets to shuttle her to treatment.

"She had all the doctors that Ted Kennedy had at Duke," said Richard, referring to the senator who died from cancer in 2009.

There were months of treatment, and the tension wore on the brother- and sister-in-law.

"Oh, we used to fight," Richard said. "We had good arguments, even when she was sick. It was

See DEVITA on 13A

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DEVITA from 12A
tense. We were on the edge. And I was dealing with the doctors because of my medical background, so I was the middleman between the doctors and explaining to everybody.”

Says Colleen: “I wanted Richard to fix my sister.”
After two years of treatment, “things weren’t working,” Richard says. “You get frustrated. Somebody must have a better idea, so we went to M.D. Anderson,” a well-known cancer center in Houston, where Jackie underwent a final, massive surgery.

After that, the family returned to Venice.
Jackie could not walk. With so much of her brain removed, her personality was gone.

On June 3, 2008, at 44, so was she.

Some couples fall in love in a single moment. For others, it’s gradual.

For Richard, now 55, and Colleen, 46, it was a little of both.

In the early years at the office, “I never really liked her,” said Richard. “She was always a pain in the ass.”

Over the years, that changed. Then they were united by fighting Jackie’s illness.

“There were the kids, and we found something that Jackie wrote — ‘Sorry, Richard, I want Colleen to take care of the kids, and I hope you understand.’”

Colleen says Jackie passed similar messages to her.

“I remember being in the hallway a year and a half into her illness, and she took off her wedding band, this band,” says Colleen, pointing to the ring on her left hand, “that Richard had given her, and she handed it to me, and I refused it. And she said: ‘I want you to have this. I want to know that this is the three of us. Don’t ever leave my kids.’”

Jackie’s funeral was in June 2008. Richard and Colleen flew to visit family in July.

“Coming back on the plane, I don’t know what caused me to get up from my seat — I am terrified of flying — and I remember just going over to him and leaning on him, and at that moment, all that anxiety and stress that was within me for three years just kind of let go,” Colleen says. “I feel like it was God’s way of saying, ‘Be at peace, just let it go.’”

She says she was left thinking she was in the right place. The decision to marry was simply the next step.

Colleen did not like the idea of living in the DeVita house as a single woman, caring for her sister’s children with her grieving brother-in-law under the same roof.

“There was no reason to wait,” she says.

So for the second time in his life, Richard DeVita asked John Leary for his daughter’s hand in marriage.

“He was busting my butt the whole time because for some reason, he knew,” Richard said. “Then I asked him. And he gave me a hard time about it. And then he laughed.”

“My mother — I thought I would have a problem with her, but I didn’t.”

Richard and Colleen wanted the children’s approval, so Richard took the group to church. “He asked for the children’s permission — and Jackie’s permission, it being a church,” said Colleen.

“The kids were excited. They weren’t in shock or anything.”

“All that mattered to me was that it would be OK with my sister, and I could hear her talking to me,” Colleen said. “This is where she wanted me. She wrote it in a letter. She handed me her wedding band. She talked to both of us.”

“It took me a while, because I do care about what people think. But it mattered more to me that I had peace, and I felt peace for my sister, knowing that this is what was supposed to happen if she couldn’t be here to raise her children.”

Three months after the funeral, Richard and Colleen married.

“I am happy. I loved this man as a boss, a brother-in-law, and now as a husband,” Colleen DeVita says. “I always say to people, ‘Was I in love with him? No. Do I love him now? Yes.’ He’s a good man.”

“Are there regrets? Absolutely not. Is this where we are supposed to be? Absolutely.”

Not all the DeVitas’ friends and relatives saw it that way.

Some friends — “we thought they were, anyway,” Richard says — whispered their disapproval, particularly over the length of time between Jackie’s death and Richard’s remarriage.

Colleen said her mother, Christine Leary, struggled with the marriage.

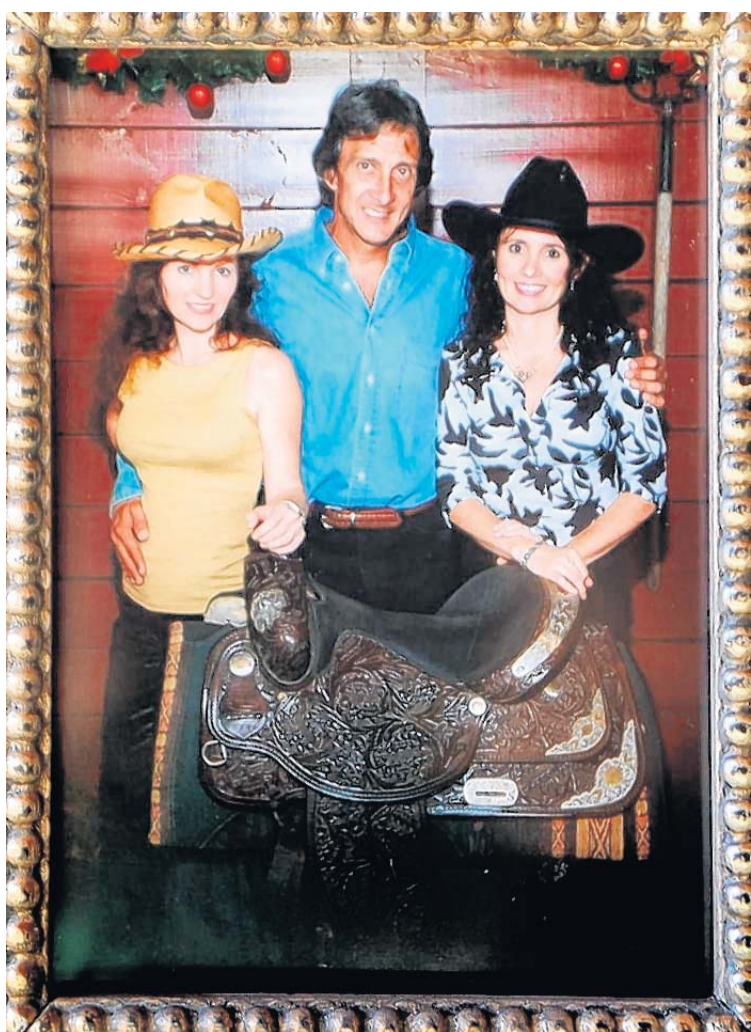
“I think my mother went through a lot of grief. We’re good now,” Colleen said.

“People handle grief in different ways,” Richard said.

That is how they converse. There is no fear of interrupting each other, and they often finish each other’s sentences.

The memory of Jackie is ever-present in Villa DeVita. It sometimes overwhelms Colleen, especially given that the photographs and mementos are so openly displayed.

“There are days where I walk in the hallways and keep my head down because I don’t want to feel what I am missing,” Colleen says. “But there are days I can look at them and smile and say, ‘I am still here. I am here for you.’”



ABOVE: Jackie DeVita, left, Richard and Colleen, circa 2002. COURTESY PHOTO




LEFT: Photos remembering Jackie DeVita are displayed in the great room of the DeVita household.

STAFF PHOTO / DAN WAGNER



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Ray Kopczyk - Punta Gorda Resident.
Treated February 2010.


“It had gotten to the point where all I could do was sit around and watch television,” Ray Kopczyk reminisced.

With two heart attacks and bypass surgery in his past, heart failure was inevitable. The 77 year-old retired man had a body deteriorating from within leaving him physically incapable of doing anything. Then he was introduced to a therapy that drastically changed his quality of life. Kopczyk learned how his stem cells could transform to aid his failing heart through a unique process called adult stem cell therapy. With a small amount of blood taken from his body the course of action was set. His blood was sent to a laboratory in Israel where the stem cells were separated, multiplied, increased to therapeutic strength and then educated to assist his heart. After the cells re-entered his system his 15% EF rate climbed to 35%. “You start to feel something and you can’t quite put your finger on it,” Kopczyk described, “but after awhile you realize you are getting better...you begin to want to do things.”



Mick Vorbeck - Sarasota Resident.
Treated March 2007.

Avid golfer, world traveler and mission’s activist are not the usual words to describe a 75 year-old with severe cardiomyopathy. But, according to Mick Vorbeck’s son, Cary, “He’s 75 and I’m 45 and I have a hard time keeping up with him.” This wasn’t always the case. In 1999, Mick survived a heart attack that left his heart damaged and only functioning with an ejection fraction rate of 18%. Outdoor sports and world traveling were out of the picture. Vorbeck underwent adult stem cell therapy in 2007 and his newly strengthened stem cells supported his heart with a 35% ejection fraction rate. Because of his first successful therapy, Vorbeck decided to add additional support to his heart with another dose of healthy stem cells in 2008. This time when his stem cells were multiplied, activated, and re-injected into his body through the unique catheter procedure, his ejection fraction rate climbed to 48%. The mission’s work completed in Nicaragua this past year has Vorbeck’s fingerprints on it. Without adult stem cell therapy, Vorbeck would have only watched stateside.



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- Heart Damage - Improve Cardiac Function
- Lung Disease - Improve Pulmonary Function
- Poor Circulation - Improve Blood Flow and Wound Healing

Successfully Treating:

- Congestive Heart Failure • Cardiomyopathy • Peripheral Artery Disease
- Coronary Artery Disease • Pulmonary Hypertension • COPD
- Pulmonary Fibrosis • Cystic Fibrosis • Macular Degeneration

*All procedures are performed internationally. The Selby Library does not sponsor or endorse The Alliance or Regenocyte.

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