SEC NEWS DIGEST

Issue 2000-11

January 18, 2000

RULES AND RELATED MATTERS

PUBLICATION OF REGULATORY FLEXIBILITY ACT RULE REVIEW SCHEDULE

The Commission has authorized publication in the <u>Federal Register</u> of a list of rules scheduled for review pursuant to the Regulatory Flexibility Act. The list provides the public with notice that these rules are scheduled for review by the agency and that the public is invited to comment on them. Public comments are due by February 15, 2000. (Rels. 33-7790; 34-42331; 35-27125; 39-2381; IC-2381; IA-1850; File No. S7-02-00)

ENFORCEMENT PROCEEDINGS

FORMER CHA PENSION FUND HEAD CONVICTED FOR VIOLATING COMMISSION INJUNCTION

The Commission and the United States Attorney for the Northern District Of Illinois (U.S. Attorney) announce the filing of a criminal information against John D. Lauer (Lauer) of Chicago, Illinois for, among other things, engaging in acts which violated a prior Commission injunction. Lauer, the former director of risk management for the Chicago Housing Authority (CHA), had previously been enjoined by the Commission on October 24, 1995, for investing more than \$14 million of CHA pension funds in fictitious "primebank" instruments in exchange for more than \$4 million dollars in undisclosed kickbacks by the promoters of the prime-bank note program. Also in October 1995, the U.S. Attorney convicted Lauer for mail fraud, wire fraud and obstructing the Commission's investigation relating to the CHA fraud. The current information, charges Lauer with two counts of mail fraud and one count of wire fraud for engaging in three additional schemes to defraud pending the beginning of his criminal sentence for his prior scheme. On November 30, 1999, Lauer pleaded guilty to the acts alleged in the information and is scheduled to be resentenced for his original crimes, his new activity and his violation of the Commission's injunction. [United States v. John Lauer, et al., N.D. Ill., Case No. 99 CR 0874, Filed November 17, 1999] (LR-16408)

LYNNE MERCER PERMANENTLY ENJOINED AND ORDERED TO PAY DISGORGEMENT AND PENALTIES

The Commission announced that on January 5, Lynne K. Mercer, a Bountiful, Utah, accountant, was permanently enjoined and ordered to pay disgorgement and civil penalties. The Commission's action charged Mercer with forging the signature of his former partner on audit opinions for the financial statements of three publicly-held companies: Computerized Thermal Imaging, Inc., Son-Tech, Inc., and Technology Selection, Inc. In issuing these audit opinions Mercer signed the name of Ted H. Pierce & Associates, an American Fork, firm, without the firm's Utah. accounting knowledge or authorization. The State of Utah revoked Mercer's license as a certified public accountant in 1992. The permanent injunction prohibits Mercer from committing future violations of Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder. Mercer was also ordered to disgorge \$5,855, representing the fees he received from the wrongful audits, and a penalty of \$5,855. Mercer consented to the injunction and monetary remedies without admitting or denying the Commission's allegations. [SEC v. Lynne K. Mercer, U.S.D.C., D. Utah No. 1:99CV00029S] (LR-16409)

INVESTMENT COMPANY ACT RELEASES

CITYFED FINANCIAL CORP.

A notice has been issued giving interested persons until February 8, 2000, to request a hearing on an application filed by CityFed Financial Corp. (CityFed). The requested order would exempt CityFed from all provisions of the Act except Sections 9, 17(a) (modified as discussed in the application), 17(d) (modified as discussed in the application), 17(d) for through 45, and 47 through 51 of the Act and the rules thereunder, until the earlier of one year from the date of the requested order or such time as CityFed would no longer be required to register as an investment company under the Act. The order would extend an exemption granted until February 12, 2000. (Rel. IC-24252 - January 13)

THE WACHOVIA FUNDS AND WACHOVIA BANK, N.A.

A notice has been issued giving interested persons until February 7, 2000 to request a hearing on an application filed by The Wachovia Funds and Wachovia Bank, N.A. for an order under Section 6(c) of the Investment Company Act exempting applicants from Section 15(a) of the Act and Rule 18f-2 under the Act. The order would permit applicants to enter into and materially amend subadvisory agreements without shareholder approval and grant relief from certain disclosure requirements. (Rel. IC-24253 - January 14)

SELF-REGULATORY ORGANIZATIONS

PROPOSED RULE CHANGE

National Securities Clearing Corporation filed a proposed rule change (SR-NSCC-99-13) under Section 19(b)(1) of the Exchange Act. The proposed rule change allows NSCC to charge members who use NSCC's Insurance Processing Service transaction and file fees for the transmission of test and production files. Publication of the proposal is expected in the <u>Federal Register</u> during the week of January 17. (Rel. 34-42336)

APPROVAL OF PROPOSED RULE CHANGES

The Commission approved a proposed rule change submitted under Rule 19b-4 by the <u>National Association of Securities Dealers</u> (SR-NASD-98-32) to exclude independently-prepared research reports from the filing requirements of NASD Rule 2210. (Rel. 34-42340)

The Commission approved a proposed rule change submitted under Rule 19b-4 by the <u>National Association of Securities Dealers</u> (SR-NASD-99-70) establishing a fee for historical research and administrative reports provided through Nasdaq's web sites. (Rel. 34-42341)

IMMEDIATE EFFECTIVENESS OF PROPOSED RULE CHANGES

A proposed rule change (SR-Phlx-99-59) filed by the <u>Philadelphia</u> <u>Stock Exchange</u> relating to exemptions for customer executions of 250 contracts or less via AUTOM from comparison and transaction charges and to increase options transaction charges for firms, ROTs and specialists has become effective under Section 19(b)(3)(A) of the Securities Exchange Act. Publication of the notice in the <u>Federal</u> <u>Register</u> is expected during the week of January 17. (Rel. 34-42332)

The <u>Options Clearing Corporation</u> filed a proposed rule change (SR-OCC-99-10) under Section 19(b)(1) of the Exchange Act. The proposed rule change, which became effective upon filing, lowered OCC's unit fee for clearance that it charges to its members. Publication of the proposal is expected in the <u>Federal Register</u> during the week of January 17. (Rel. 34-42337)

WITHDRAWAL

A notice has been issued giving interested persons until February 4, 2000, to comment on the application of Enzo Biochem, Inc., to withdraw its Common Stock, par value \$.01 per share, from listing and registration on the <u>American Stock Exchange</u>. (34-42338)

COMMENT PERIOD EXTENSIONS

Pursuant to Section 19(b)(2) of the Securities Exchange Act, the Commission extended from January 10 to January 24 the public comment

period for Amendment No. 5 to the proposed rule change (SR-NYSE-94-34) filed by the <u>New York Stock Exchange</u> to revise Exchange Rule 92, "Limitations on Members' Trading Because of Customers' Orders." Publication of the extension is expected in the <u>Federal Register</u> during the week of January 17. (Rel. 34-42330)

The <u>Government Securities Clearing Corporation</u> filed with the Commission (File No. 600-23) pursuant to Section 19(a) of the Securities Exchange Act a request for extension of its registration as a clearing agency under Section 17A of the Act. The Commission has extended GSCC's temporary registration as a clearing agency through July 31, 2000. Publication of the notice and order is expected in the <u>Federal Register</u> during the week of January 17. (Rel. 34-42335)

SECURITIES ACT REGISTRATIONS

The following registration statements have been filed with the SEC under the Securities Act of 1933. The reported information appears as follows: Form, Name, Address and Phone Number (if available) of the issuer of the security; Title and the number and/or face amount of the securities being offered; Name of the managing underwriter or depositor (if applicable); File number and date filed; Assigned Branch; and a designation if the statement is a New Issue.

Registration statements may be obtained in person or by writing to the Commission's Public Reference Branch at 450 Fifth Street, N.W., Washington, D.C. 20549 or at the following e-mail box address: <publicinfo@sec>. In most cases, this information is also available on the Commission's website: <www.sec.gov>.

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- S-1 ELOYALTY CORP, 205 NORTH MICHIGAN AVENUE, SUITE 1500, CHICAGO, IL 60601 (312) 228-4500 - 44,000,000 (\$76,120,000) COMMON STOCK (FILE 333-94293 -JAN 10) (BR 5;
- S-1 PLAYBOY COM INC, 680 NORTH LAKE SHORE DRIVE, CHICAGO, IL 60611 (312+751-8015 - \$50,000,000 COMMON STOCK (FILE 333-94295 - JAN 10) (BR 6 - NEW ISSUE)
- S-1 GENTEK INC, LIBERTY LANE, HAMPTON, NH 03842 (603) 929-2606 -\$40,000,000 COMMON STOCK (FILE 333-94297 - JAN 10) (BR 5)
- S-8 PONEGAL GROUP INC, 1195 RIVER RD PO BOX 302, MARIETTA, PA 17547 (717) 426-1931 - 300,000 (\$1,846,950) COMMON STOCK (FILE 333-94301 -JAN 10) (BR 1)
- S-3 LIGHTPATH TECHNOLOGIES INC, 6820 ACADEMY PKWY E N E, STE 103, ALBUQUERQUE, NM 87109 (505) 342-1100 - 2,279,847 (\$47,591,806) COMMON STOCK (FILE 333-94303 - JAN 10) (BR 5)
- S-8 NSTOR TECHNOLOGIES INC, 100 CENTURY BLVD, WEST PALM BEACH, FL 33417 (561) 640-3103 - 4,500,000 (\$11,531,250) COMMON STOCK (FILE 333-94305 -JAN 1C³ (BR 5)
- S-11 EURO CAP CORP, 71 STONY HILL RD, RT 6 2ND FLOOR, BETHEL, CT 06801 (203) 798-1889 - \$4,000,000 COMMON STOCK (FILE 333-94307 - JAN 10) (BR 9 - NEW ISSUE)

- S-8 RADIO UNICA COMMUNICATIONS CORP, 8400 NW 52ND ST, STE 101, MIAMI, FL 33166 (305) 463-5000 - 5,000,000 (\$129,062,500) COMMON STOCK (FILE 333-94309 - JAN 10) (BR 7)
- S-8 E PIPHANY INC, 2300 GENG ROAD, SUITE 200, PALO ALTO, CA 94303 (650) 496-2430 - 477,710 (\$19,698,055) WARRANTS, OPTIONS OR RIGHTS (FILE 333-94317 - JAN 10) (BR 8)
- S-3 HA LO INDUSTRIES INC, 5980 W TOUHY AVE, NILES, IL 60714 (708) 647-2300 - 402,234 (\$2,727,549) COMMON STOCK (FILE 333-94319 - JAN 10) (BR 2)
- S-1 VIASYSTEMS GROUP INC, 101 S HAULEY RD, STE 400, ST LOUIS, MO 63105 (314) 727-2087 - 500,000,000 (\$500,000,000) COMMON STOCK (FILE 333-94321 - JAN. 10) (BR 36 - NEW ISSUE)
- S-3 CUMULUS MEDIA INC, 111 KILBOURNE AVE, SUITE 2700, MILWAUKEE, WI 53202 (414) 615-2800 - 10,000,000 (\$473,750,000) COMMON STOCK (FILE 333-94323 -JAN 10) (BR 7)
- S-4 UNIT CORP, 1000 KENSINGTON TOWER, SUITE 1000, TULSA, CY 74136 (918) 493-7700 - 1,817,250 (\$12,194,700) COMMON STOCK (FILE 333-94325 -JAN 10) (BR 4)
- S-8 METROCORP BANCSHARES INC, 9600 BELLAIRE BLVD SUITE 152, HOUSTON, TX 77036 (713) 776-3876 - 48,000 (\$393,000) COMMON STOCK (FILE 333-94327 -JAN 10' (BR 7,
- S-8 LABORATORY CORP OF AMERICA HOLDINGS, 356 S MAIN ST, BUFLINGTON, NC 27215 (336 229-1127 - 3,200,000 (\$11,000,000, COMMON STOCE) FILE 333-94329 -JAN 10, (BR 1)
- S-8 LABORATORY CORP OF AMERICA HOLDINGS, 358 S MAIN ST, BURLINGTON, NC 27215 (336) 229-1127 - 4,000,000 (\$13,750,000) COMMON STOCK (FILE 333-94331 -JAN 10) (BR 1)
- S-8 BISYS GROUP INC, 150 CLOVE ROAD, LITTLE FALLS, NJ 07424 (201) 812-8600 - 205,000 (\$12,786,875) COMMON STOCK (FILE 333-94333 - JAN 10) (BR 3)
- S-8 AUTHORISZOR INC, 8201 PRESTON RD, SUITE 600, DALLAS, TX 75225 (214) 890-8065 - 350,000 (\$350,000) COMMON STOCK (FILE 333-94335 -JAN 10¹ (BR 9)
- S-1 PARTSBASE COM INC, 7171 N FEDERAL HIGHWAY, SUITE 100, BOCA RATON, FL 33487 (561) 443-3302 - \$69.107,550 COMMON STOCK (FILE 333-94337 -JAN 10) (NEW ISSUE)
- S-4 GLOBAL TELESYSTEMS EUROPE B V, TERHULPSESTEENWEG 6A 1560 HOEILAART BELGIUM, HOEILAART, C9 (322) 658-5200 - 500,000,000 (\$514,700,000) STRAIGHT BONDS (FILE 333-94339 - JAN 10' BR 7
- S-4 DIGITAL INSIGHT CORP, 26025 MUREAU RD, CALABASAS, CA 93012
 (818) 871-0000 8,871 33C (\$287,284,293 90 COMMON STOCK (FILE
 333-94341 JAN 10) (BR 8)
- S-3 GREATER BAY BANCORP, 2860 WEST BAYSHORE ROAD, FALO ALTO, CA 94303 (415) 375-1555 - 535,000 (\$21,533,750) COMMON STOCK (FILE 333-94343 -JAN 10) (BR 7)
- S-8 EPIX MEDICAL INC, 71 ROGERS ST, CAMBRIDGE, MA 02142 (617) 250-6000 -800,000 (\$4,665,455) COMMON STOCK (FILE 333-94345 - JAN 10) (BR 1)
- S-8 TEKTRONIX INC, 26600 SW PKWY, WILSONVILLE, OR 97070 (503, 627-7111 20,000 (\$705,600) COMMON STOCK (FILE 333-94347 JAN 10) (BR 5)
- S-8 INTERNATIONAL GAME TECHNOLOGY, 9295 PROTOTYPE DRIVE, RENO, NV 89511 (775) 448-7777 - 300,000 (\$6,065,625) COMMON STOCK (FILE 333-94349 -JAN 10) (BR 6)
- S-1 CALDERA SYSTEMS INC, 240 WEST CENTER STREET, OREM, UT 84057 (801) 765-4999 - \$57,500,000 COMMON STOCK (FILE 333-94351 - JAN 10) (NEW ISSUE)
- S-4 CITY NATIONAL CORP, 400 N ROXBURY DR, BEVERLY HILLS, CA 90210

(310) 858-4276 - 3,040,456 (\$78,694,845) COMMON STOCK (FILE 333-94353 - JAN 10) (BR 7)

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- N-2 LELAND REAL ESTATE COLLECTIVE INVESTMENT TRUST, C/O ASE CAPITAL MANAGEMENT INC, 1101 PENNSYLVANIA AVENUE NW SUITE 300, WASHINGTON, DC 20004 (800) 544-8850 - 1,000,000 (\$10,000,000) UNIT INVESTMENT TRUST (FILE 333-94355 - JAN 11)
- S-4 SBA COMMUNICATIONS CORP, ONE TOWN CENTER RD, THIRD FLOOR, BOCA RATON, FL 33486 '561', 995-7670 - 1,000,000 (\$16,840,000') COMMON STOCK (FILE 333-94273 JAN 11; (BR 6)

RECENT 8K FILINGS

Form 8-K is used by companies to file current reports on the following events

Item 1 Changes in Control of Registrant
Item 2 Acquisition or Disposition of Assets
Item 3 Bankruptcy or Receivership
Item 4 Changes in Registrant's Certifying Accountant
Item 5 Other Materially Important Events
Item t Resignations of Registrant's Directors
Item 7 Financial Statements and Exhibits
Item 8 Change in Fiscal Year
Item 9 Regulation S Offerings

The following companies have filed 8-K reports for the date indicated and/or amendments to 8-K reports previously filed responding to the item(s) of the form specified 8-K reports may be obtained in person or by writing to the formission's Public Reference Branch at 450 Fifth Street, N W, Washington, D C 20549 or at the following e-mail box address <publicinfo@sec gov> In most cases, this information is also available on the Commission's website commission

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NAME OF ISSUER	CODE	123	456	578	9 DATE COMMENT
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ACF LTD		х		Х	12/30/99
ACE SECURITIES CORP HOME EQUITY LOA	DE		Х	х	12/27/99 '
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ACE SECURITIES CORP HOME EQUITY LOA N TRUST 1999-LB2	DE		х	х	12/27/99
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ALPHA MICROSYSTEMS	CA		х	Х	12/31/99
AMERICA ONLINE INC	DE		х	х	01/10/00
AMERICAN CLASSIC VOYAGES CO	DE		х	X	01/14/00
AMERICAN SOIL TECHNOLOGIES INC	NV	х			01/18/00
AMERICOM USA INC	DE	х	х	х	12/31/99
AMSURG CORP	TN	х		х	12/31/99
ARDIS TELECOM & TECHNOLOGIES INC	DE			х	11/02/99 AMEND
AT&T CORP	NY		х	х	01/11/00
AVIRON	DE		х	х	01/11/00
BALANCED CARE CORP	DE	х	х	х	12/15/99
BECTON DICKINSON & CO	NJ			Х	01/13/00
BENZ ENERGY LTD /CAN/		х	х	х	12/30/99
BNCCORP INC	DE	х			12/31/99
BRIGHTSTAR INFORMATION TECHNOLOGY G	DE		х		01/10/00
ROUP INC					
BURNHAM PACIFIC PROPERTIES INC	MD		х	х	12/15/99

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NAME OF ISSUER

STATE 8K ITEM NO

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CAPITOL BANCORP LTD	MI					х					01/14/	/00	
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CONSOLIDATED EDISON INC	NY					х		Х			01/11/	00	
CONSOLIDATED GRAPHICS INC /TX/	ΤX					х		Х			01/14/	00	
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GLOBAL DATATEL INC	NV				λ			Х			12/16/	99	
HAUSER INC	DE					х					12/15/	99	
HAYES LEMMERZ INTERNATIONAL INC	DE					У		Х			01/09/	00	
HEALTHSTAR CORP /UT/	DE		Х					Х			12/31/	99	
HEALTHY PLANET PRODUCTS INC	DE					Х					01/06/	00	
HELPMATE ROBOTICS INC	CT		Х					Х			12'30,'	99	
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INPUT SOFTWARE INC	DE					Х		Х			12/29/	99	
INSTANT VIDEO TECHNOLOGIES INC	DE				Х					(21/14/	00	AMEND
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INTEL CORP	DE					Х		Х		(01/13/	00	
INTER TEL INC	AZ	:	Х					Х		C	01/01/	00	
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INTERNET ADVISORY CORP	UT	X :	Х					Х		3	12/30/	99	
TRON INC /WA/	WA	Х								C	21/17/0	00	
JAWS TECHNOLOGIES INC /NY	NV	3	х					Х		1	1/02/	99	AMEND
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JOSTENS INC	MN	Х				Х		х		3	2/27/9	99	
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MACE SECURITY INTERNATIONAL INC	DE		х	х	01/10/00
MAGELLAN TECHNOLOGY INC	UΤ	х		Х	12/31/99
MATHSOFT INC	MA		х	х	01/13/00
MATTEL INC /DE/	DE		Х	х	01/06/00
MAXXAM INC	DE		Х		12/15/99
MBNA AMERICA BANK NATIONAL ASSOCIAT	DE		X	λ	12/31/99
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MBNA CORP	MD		Х		12/31/99
MEDIA 100 INC	DE		х	х	12/28/99
MEDIMMUNE INC /DE	DE			х	01/14/00
MELLON BAN: PREMIUM FINANCE LOAN MA	NY		х	х	01/11/00
MENTOF GRAPHICS CORP	OR	х		х	10/31/99 AMEND
MERCHANTS & MANUFACTURERS BANCORPOR ATION INC	WI	х		х	12/31/99
MICROCHIP TECHNOLOGY INC	DE		Х		01/14/00
MS> INTEPNATIONAL INC	DE	Х		х	12/31/99
NATIONAL BANCORP OF ALASKA INC	DE		х	х	01/12/00
NET 1 L F	DE	λ		Х	09/27/99 AMEND
NET 2 L F	DE	Х		Х	12/22/99
NETRIX CORP	DE	Х		Х	12/31/99
NETSOL INTERNATIONAL INC	NV	Х	Х		01/13/00
NEW ENGLAND REALTY ASSOCIATES LIMIT EF PARTNERSHIP	MA	х		х	12/23/99
NEW HAMPSHIRE THRIFT BANCSHARES INC	DE	Х		Х	10/29/99
NORWEST INTEGRATEL STRUCTURED ASSET S INC	DE		Х	х	C1/14/00
NSTOP TECHNOLOGIES INC	DE	Х			01 12/00
PARK PHARMAC1 CORF	CO	Х		λ	12/30/99
PEOPLES BANCORF INC	OH	х			01/14/00
PFFFICIENT INC	DE	х		Х	01/03/00
PHOTON DYNAMICS INC	CA	Х	х	Х	11/30/99 AMEND
PHOTRONICS INC	CT		х		01/10/00
PLANET POLYMEK TECHNOLOGIES INC	CA	X		х	12/30/99
PRIMEENERGY CORF	DE	X			09/30/99 AMEND
PRINTONTHENET COM INC	DE	х	.,	X	12/30/99
PUBLIC STORAGE INC /CA	CA		Х	X	01/13/00
REPUBLIC NEW YORK CORP	MD	хх	х	X X	01/14/00
REVALL SUNDOWN INC	MD FL	x	v	x	12/31/99 01/07/00
RITE AID CORP	DE	л	х	x	12/02/99
SCHICK TECHNOLOGIES INC	DE	хх	x	x	12/02/99
SCHWAB CHARLES CORP	DE	AA	x	x	01/12/00
SCOTTISH ANNUITY & LIFE HOLDINGS LT	E9	х	А	x	12/31/99
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SHILOH INDUSTRIES INC SOUTHERN MICHIGAN BANCORP INC	DE			У	11/01/99 AMEND
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SPARTA SURGICAL CORP	DE		Х		01/14/00
STRUCTURED ASSET MORTGAGE INVESTMEN TS INC	DE		х		12/25/99
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STRUCTURED ASSET MORTGAGE INVESTMEN TS INC			
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STRUCTURED ASSET MORTGAGE INVESTMEN TS INC	DE	Х	12/27,99
STRUCTURED ASSET MORTGAGE INVESTMEN TS INC	DE	X	12/27/99
STRUCTURED ASSET MORTGAGE INVESTMEN TS INC	DE	λ	12/27/99
STRUCTURED ASSET MORTGAGE INVESTMEN TS INC	DE		12 (27,99
STRUCTURED ASSET MORTGAGE INVESTMEN TS INC			01/03/00
SUNRISE TECHNOLOGIES INTERNATIONAL INC			01/11/00
SYMANTEC CORP	DE	ХХ	12/31/99
SYMANTEC CORP	DE	λ Х	12/31/99
TELTRONICS INC	DE	х х	01/14/00
THCG INC	UT	х х х	11'01/99 AMEND
TIME WARNER INC/	DE	λ Χ	01,10 00
TRANS WORLD ENTERTAINMENT CORP	NY	х х	01/14,00
TUMBLEWEED INC	DE	у у	01/14/00
U S TRUST CORP /NY	NY	х х	01/12/00
UNIDYN CORP	NV	X X	12/31/99
UNITED AMERICAN HEALTHCARE CORP	MI	ХХ	01,'06,00
UNITED INVESTORS INCOME PROPERTIES			12'30/99
USA TRUCK INC	DE		11 01 99 AMEND
VERISIGN INC/CA	DE	λ	12 17 99
VILLAGEWORLD COM INC	NY		01/14/00
WABTEC CORP	DE		01/14/00
WATKINS JOHNSON CO	AC	λ λ	C1 14 00
WCOLLECT COM INC	NV		12,31 99
WEBB INTERACTIVE SERVICES INC	CC	λ Χ	01 07/00
WELLINGTON PROPERTIES TRUST	MD	λ	01 06/00 AMEND
WORLD FINANCIAL NETWORK NATIONAL BA NK	ОН	хх	01/18/00
WORLD FINANCIAL NETWORK NATIONAL BA NK	OH	X X	01 18/00
YAMAHA MOTOR RECEIVABLES CORP	DE	Х	01/18/00
ZIASUN TECHNOLOGIES INC	NV	х	12/27/99
ZIEGLER COMPANIES INC	WI	Х	12/30/99

NEWS DIGEST, January 18, 2000

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