

sec news digest

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CIVIL PROCEEDINGS

U.S. SECURITIES AND
FINANCE COMMISSION

TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE ISSUED
AGAINST WESTERN PACIFIC SECURITIES, INC.

The Los Angeles Regional Office announced that on July 1 the Honorable Malcolm M. Lucas of the U.S. District Court for the Central District of California issued a Temporary Restraining Order and Order to Show Cause (TRO) against Western Pacific Securities, Inc., a broker-dealer located in Los Angeles, California. Western Pacific was charged in the complaint, filed on July 1, with violations of the net capital and customer protection provisions of the Securities Exchange Act of 1934. The TRO temporarily restrains and enjoins Western Pacific from violating Section 15(c)(3) of the Exchange Act and Rules 15c3-1 and 15c3-3. The entry of the TRO was consented to by Western Pacific without admitting or denying the allegations of the Commission's complaint. Further, the TRO freezes all assets in the possession, custody or control of Western Pacific, and restrains any bank, depository, or other entity from selling, conveying or encumbering any security of cash held by it for or on behalf of Western Pacific or held as collateral for any loan in the name of Western Pacific. The TRO also orders Western Pacific, on August 8, 1983, to show cause why a preliminary injunction should not be granted.

Concurrent with the filing of the Commission's complaint, the Securities Investor Protection Corporation filed an application against Western Pacific alleging similar violations of the Exchange Act and seeking, among other things, an Order appointing a trustee for the liquidation of the business of Western Pacific under the Securities Investor Protection Act of 1970. On July 1 the Court appointed Richard M. Neiter as temporary receiver. (SEC v. Western Pacific Securities, Inc., U.S.D.C., C.D. Cal., Civil Action No. 83-4251-LTL). (LR-10068)

CRIMINAL PROCEEDINGS

R. I. JUDGE DIRECTS VERDICT OF ACQUITTAL
FOLLOWING DEADLOCKED JURY

The Honorable Lincoln C. Almond, U.S. Attorney for the District of Rhode Island and the Boston Regional Office jointly announced that on July 2 Chief Judge Francis Boyle of the Federal District Court in Providence directed verdicts of acquittal under Rule 29 of the Federal Rules of Criminal Procedure in favor of Aime J. Sarault of Fort Lauderdale, Florida, and his son, Steven Sarault, a Providence, Rhode Island attorney.

The directed verdict followed a week-long jury trial. After many hours of deliberation over a two-day period, the jury reported that it was hopelessly deadlocked and that "further deliberation would be unproductive;" at this point the jury was discharged.

The most substantial part of the case against the Saraults derived from the issuance of what was alleged to be a spurious draft to a Rhode Island stock broker resulting in loss to the broker. Judge Boyle in making his ruling stated, among other things, that the broker did not take proper steps to protect himself, and that the draft, although not supported by funds at the time it was made, in view of its terms, "eight plus 60 days", was not falsely made. (U.S. v. Aime J. Sarault, [CR.,] District Court of Rhode Island). (LR-10069)

INVESTMENT COMPANY ACT RELEASES

VARIABLE ANNUITY LIFE INSURANCE COMPANY

A notice has been issued giving interested persons until August 3 to request a hearing on an application filed by The Variable Annuity Life Insurance Company, The Variable Annuity Insurance Company Separate Account A, and The Variable Annuity Marketing Company, for an order under Section 11 of the Investment Company Act of 1940 amending a prior order. (Rel. IC-13381 - July 12)

HOLDING COMPANY ACT RELEASES

CENTRAL AND SOUTH WEST CORPORATION

A supplemental notice has been issued giving interested persons until August 8 to request a hearing on a proposal by Central and South West Corporation, a registered holding company, to issue and sell up to 10,000,000 shares of its authorized common stock. (Rel. 35-23001 - July 12)

LISTING, DELISTING AND UNLISTED TRADING ACTIONS

UNLISTED TRADING SOUGHT

A notice has been issued giving interested persons until August 2 to comment on the application of the Philadelphia Stock Exchange, Inc. for unlisted trading privileges in the common stock (\$.25 par value) of Hecla Mining Company (Delaware) which is listed and registered on one or more other national securities exchanges and is reported in the consolidated transaction reporting system. (Rel. 34-19958)

WITHDRAWALS SOUGHT

Notices have been issued giving interested persons until August 2 to comment on the application of The Pep Boys - Manny, Moe & Jack; and Precious Metals Holdings, Inc. to withdraw their common stock (\$1 par value) from listing and registration on the American Stock Exchange, Inc. (Rel. 34-19959; 34-19960)

UNLISTED TRADING GRANTED

Orders have been issued granting the applications of the following stock exchanges for unlisted trading privileges in issues which are listed and registered on one or more other national securities exchanges and are reported in the consolidated transaction reporting system: Midwest Stock Exchange, Inc. - five issues. (Rel. 34-19961); Philadelphia Stock Exchange, Inc. - two issues. (Rel. 34-19962); and the Cincinnati Stock Exchange - 56 issues. (Rel. 34-19963)

SELF-REGULATORY ORGANIZATIONS

APPROVAL OF PROPOSED RULE CHANGE

The Commission has approved a proposed rule change filed by the National Association of Securities Dealers, Inc. (SR-NASD-82-15) to amend its Interpretation on Free-Riding and Withholding under Article III, Section I of its Rules of Fair Practice, as it applies to the offering of securities which immediately trade at a premium in the aftermarket. (Rel. 34-19964)

SECURITIES ACT REGISTRATIONS

The following registration statements have been filed with the SEC pursuant to the Securities Act of 1933. The information noted below has been taken from the cover page and the facing sheet of the prospectus and registration statement and will appear as follows: Form, Name, address and phone number (if available) of the issuer of the security; Title and the number or face amount of the securities being offered; Name of the managing underwriter (if applicable); Whether the offering is a rights offering; File number and date filed; Assigned Branch; if the registration statement is a New Issue; and [S] denoting SHELF REGISTRATION pursuant to Rule 415.

- (N-1) NICHOLAS II, INC., 312 East Wisconsin Ave., Milwaukee, WI 53202 (414) 272-6133 - 2,000,000 shares of common stock. (File 2-85030 - July 8) (Br. 17 - New Issue)
- (N-1) CNA MONEY MARKET FUND, INC., CNA Plaza, Chicago, IL 60685 (312) 822-4181 - an indefinite amount of securities. (File 2-85063 - July 11) (Br. 20 - New Issue)
- (S-2) CANADIAN OCCIDENTAL PETROLEUM LTD., 1600 McFarlane Tower, 700 Fourth Ave., S.W., Calgary, Alberta Canada T2P 3J5 (403) 234-6700 - 4,000,000 common shares. The company explores for and produces petroleum and natural gas. (File 2-85064 - July 11) (Br. 4)
- (S-14) R & R ASSOCIATES, INC., 181 Wells Ave., Newton, MA 02159 - 2,600,000 shares of common stock. (File 2-85066 - July 11) (Br. 5)
- (S-14) STATE BANCORP, INC., P.O. Box 111, 300 East Main St., Washington, IN 47501 (812) 254-2320 - 30,000 shares of common stock. (File 2-85068 - July 11) (Br. 2 - New Issue)
- (S-3) GENERAL DEFENSE CORPORATION, 230 Schilling Plaza, Hunt Valley, MD 21031 (301) 666-5900 - 1,000,000 shares of common stock. Underwriters: Lehman Brothers Kuhn Loeb Incorporated and Shearson/American Express Inc. The company is engaged in the development, engineering and manufacture of military products. (File 2-85078 - July 12) (Br. 6)
- (S-3) PAGE AMERICA GROUP, INC., 228 East 45th St., New York, NY 10017 (212) 286-8901 - 450,000 shares of common stock. (File 2-85079 - July 12) (Br. 6)
- (S-1) BURNHAM SERVICE CORPORATION, 5000 Burnham Blvd., Columbus, GA 31907 (404) 563-1120 - 1,210,000 shares of common stock. Underwriters: Robinson Humphrey/American Express Inc. and Robertson, Colman & Stephens. The company provides transportation and distribution services to the computer and electronic industries. (File 2-85081 - July 12) (Br. 4)
- (S-3) WANG LABORATORIES, INC., One Industrial Ave., Lowell, MA 01851 (617) 459-5000 - 147,738 shares of Class B common stock. The company designs, manufactures, markets and services computers and related peripheral devices. (File 2-85082 - July 12) (Br. 9) [S]
- (S-2) IRT CORPORATION, 7650 Convoy Court, San Diego, CA 92111 (619) 565-7171 - 600,000 shares of common stock. Underwriter: Wertheim & Co., Inc. The company provides technological products and services to government and commercial customers. (File 2-85084 - July 12) (Br. 8)
- (S-8) C3, INC., 11425 Isaac Newton Square South, Reston, VA 22090 (703) 471-6000 - 750,000 shares of common stock. (File 2-85085 - July 11) (Br. 10)
- (S-8) R. G. BARRY CORPORATION, 13405 Yarmouth Rd., N.W., Pickerington, OH 43147 (614) 464-6323 - 110,575 common shares. (File 2-85086 - July 12) (Br. 7)
- (S-3) CENTEX ACCEPTANCE CORPORATION, 4600 RepublicBank Tower, Dallas, TX 75201 (214) 748-7901 - \$100 million of GNMA-collateralized bonds. Underwriter: Merrill Lynch White Weld Capital Markets Group. (File 2-85087 - July 12) (Br. 1) [S]
- (S-8's) REPUBLIC AIRLINES, INC., 7500 Airline Dr., Minneapolis, MN 55450 (612) 726-7411 - 1,500,000; 1,500,000; and 500,000 shares of common stock. The company is engaged in scheduled air transportation. (File 2-85089; 2-85091; and 2-85090 - July 12) (Br. 3)
- (S-1) PHH CAPITAL, INC., 11333 McCormick Rd., Hunt Valley, MD 21031 (301) 667-4000 - \$100 million of medium-term guaranteed notes and related guarantees. Underwriter: A.G. Becker Paribas Incorporated. (File 2-85092 - July 12) (Br. 1 - New Issue)
- (S-1) TELECOMMUNICATIONS SPECIALISTS INC., 400 Oser Ave., Hauppauge, NY 11788 (516) 231-0222 - 1,000,000 shares of common stock. Underwriter: Allen & Company Incorporated. The company designs, engineers, assembles and installs communications systems. (File 2-85093 - July 12) (Br. 8 - New Issue) [S]
- (S-1) AMPAD CORPORATION, 75 Appleton St., Holyoke, MA 01040 (413) 536-3511 - 700,000 shares of common stock. Underwriter: Kidder, Peabody & Co. Incorporated. The company is engaged in the manufacture of paper-based products. (File 2-85094 - July 12)

- (S-8) APPLE COMPUTER, INC., 20525 Mariani Ave., Cupertino, CA 95014 (408) 996-1010 - 10,500,000 shares of common stock. (File 2-85095 - July 12) (Br. 9)
- (S-8) SCIENCE MANAGEMENT CORPORATION, 1011 Route 22, P.O. Box 6800, Bridgewater, NJ 08807 (201) 685-9000 - 200,000 shares of common stock. (File 2-85096 - July 12) (Br. 5)
- (S-8) CITY NATIONAL CORPORATION, 400 North Roxbury Dr., Beverly Hills, CA 90210 (213) 550-5553 - 400,000 shares of common stock. (File 2-85097 - July 12) (Br. 1)
- (S-1) SHOE-TOWN, INC., 994 Riverview Dr., Totowa, NJ 07512 (201) 785-1900 - 4,550,000 shares of common stock. Underwriters: Merrill Lynch White Weld Capital Markets Group, L. F. Rothschild, Unterberg, Towbin and Shearson/American Express Inc. (File 2-85098 - July 12) (Br. 1 - New Issue)

REGISTRATIONS EFFECTIVE

June 29: American Magnetics Corporation, 2-84442; Apache Petroleum Company, 2-84322; Applied Biosystems, Inc., 2-83694; Beker Industries Corp., 2-83112; Depositors Corporation, 2-83159; The Enchanted Village, Inc., 2-81470-NY; Ferro Corporation, 2-84423; Halifax Engineering, Inc., 2-84160-W; Investors' Quality Tax-Exempt Trust, Second Multi-State Series, 2-83975; JMB Income Properties, LTD.-X, 2-83599; Mohasco Corporation, 2-84483; Mountain Fuel Supply Company, 2-84713; Multivest Corporation, 2-83058-NY; Perry Drug Stores, Inc., 2-84366; Phibro-Salomon Inc., 2-84733; Precision Castparts Corp., 2-84402; Remington Gold Corporation, 2-83314-D; 1 Potato 2, Inc., 2-83621; SUNB Financial Corp., 2-84328; St. Regis Corporation/St. Regis Capital Corporation, 2-84692, 2-84692-01; Telemedia International, Inc., 2-83378-D; Total Petroleum (North America) Ltd., 2-84317.

June 30: American Southwest Financial Corporation, 2-84337; BP North American Finance Corporation, 2-84471, 2-84471-01; Berkshire Hathaway Inc., 2-82914; Bitco Corporation, 2-84426; Bomed Medical Manufacturing, Ltd., 2-83758-LA; Coastal Caribbean Oils & Minerals, Ltd., 2-78579; Collins Foods International, Inc., 2-84745; Cycare Systems, Inc., 2-84500; Diversified Pension Investors, 2-82255; El Chico Corporation, 2-83955; Golden Nugget, Inc., 2-84759, 2-84759-01; Henderson Petroleum Corporation, 2-83596; Industrial Development Bank of Israel Limited, 2-82965; Kidder, Peabody Tax Exempt Money Fund, Inc., 2-81820; Knogo Corporation, 2-83679; NCNB Corporation, 2-84817; Medical Dynamics, Inc., 2-82856; Mercantile Bancorporation Inc., 2-84804; Nuveen Tax-Exempt Bond Fund - Multi-State, Series 90, 2-83442; Photon Sources, Inc., 2-84468; Priam Corporation, 2-84542, 2-84543; Reynolds Metals Corporation, 2-84686; S. E. Nichols Inc., 2-84518; Spectra-Physics, Inc., 2-84362; Terrano Corporation, 2-83959-D; Vitalmetrics, Inc., 2-83070; Western Microwave, Inc., 2-84143; Wicat Systems, Inc., 2-83489; Williams Industries, Incorporated, 2-84264.

July 1: Advanced Medical Imaging Corporation, 2-83097; Applied Biosystems, Inc., 2-84306, 2-84307; Ardmore Bancshares, Inc., 2-83348; Avant-Garde Computing, Inc., 2-84093; The Bond Fund for Bank Trust Departments, 2-81915; Ciprico Inc., 2-84089; Crescent Oil & Gas Corporation, 2-82983; Greatwest Hospitals Inc., 2-84505; Immunex Corporation, 2-83703; Marquest Medical Products, Inc., 2-83668; Premier Money Market Fund, Inc., 2-78237; Prudential Acquisition Fund I, L.P., 2-82727; Quest Medical Inc., 2-78186; RJ Financial Corporation, 2-84010; Republic Health Corporation, 2-83606, 2-83607; Rexnord, Inc., 2-84321; Sci Systems, Inc., 2-84485; SteinRoe Discovery Fund, Inc., 2-83516; U. S. Mutual Financial Corp., 2-83271; Westbridge Capital Corp., 2-84310; River Towne Partners I, Ltd., 2-82705-LA.