

sec news digest

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COMMISSION ANNOUNCEMENTS

U.S. SECURITIES AND
EXCHANGE COMMISSION

EXTENSION OF EFFECTIVE DATE OF PORTIONS OF RULE 11Ac1-2 -- DISSEMINATION AND DISPLAY OF MARKET INFORMATION

In order to allow time for development of certain quotation processing, the Commission has extended the effective date of portions of Rule 11Ac1-2, governing the dissemination and display of market information, from October 5, 1980 to January 3, 1981.

FOR FURTHER INFORMATION CONTACT: Bruce Beatt, Division of Market Regulation, on 272-2888.

CRIMINAL PROCEEDINGS

RUSSELL REED, JAMES S. DOYLE AND THOMAS FRANCIS RYAN SENTENCED

The New York Regional Office announced that on June 10, defendants Russell Reed (also known as Stephen Whitney), of Clinton Corners, New York, James S. Doyle, of Brentwood, New York, and Thomas Francis Ryan, of Kings Park, New York, were sentenced by the Honorable George C. Pratt, U.S. District Judge for the Eastern District of New York, following their convictions by a jury. Defendant Reed was sentenced to (1) five years imprisonment on each of three counts (one of which was suspended), to run concurrently; (2) two years imprisonment on each of two counts, to run concurrently, however, consecutive to the five year terms; (3) five years probation; and (4) a \$23,000 fine. Defendants Doyle and Ryan were each sentenced to two years imprisonment on each of five counts, to run concurrently, and three years probation. All but three months of defendants Doyle and Ryan's terms of imprisonment were suspended. Prior to sentencing, Judge Praff ruled against defendant Reed's motion to be released from jail on the ground that he had been illegally extradited from outside the United States. Defendant Reed did not appear at the trial and was convicted in absentia. (The criminal trial arose out of a related Commission injunctive trial, SEC v. Russell Reed, et al., 78 Civil 5581, SDNY 1978). (U.S. v. Russell Reed, also known as "Stephen Whitney", James S. Doyle and Thomas Francis Ryan, 79 Crim. 515(S) E.D.N.Y.). (LR-9115)

CIVIL PROCEEDINGS

JOHN P. HUBERTY TEMPORARILY ENJOINED; RECEIVER APPOINTED

The Chicago Regional Office announced that on June 13, a U.S. Magistrate in Minneapolis temporarily restrained and enjoined John P. Huberty of Minnetonka, Minnesota, from violations of the antifraud provisions of the Federal securities laws. In addition, the Order froze Huberty's assets except for a \$750 allowance for subsistence expenses until June 19, when a hearing was held to show cause why a preliminary injunction should not be granted. Upon Huberty's consent, a receiver (as yet unnamed) was appointed to take possession of Huberty's assets and property.

The Commission's complaint, which was filed on June 13, alleged that Huberty had violated the antifraud provisions in obtaining approximately \$1.3 million from at least 35 individuals and entities purportedly for the purchase of securities. The complaint further alleged that instead of purchasing securities, Huberty used the funds to purchase commodities for his own account, speculate in interest rate futures, and buy real estate for himself. In addition to seeking a freeze on Huberty's assets and the appointment of a receiver, the complaint further requested that Huberty disgorge any and all funds received in connection with the above-described securities transactions. (SEC v. John P. Huberty, District of Minn., Civil Action File No. 4-80-330). (LR-9116)

INVESTMENT COMPANY ACT RELEASES

CONSOLIDATED RAIL CORPORATION

A notice has been issued giving interested persons until July 17 to request a hearing on an application by Consolidated Rail Corporation (Applicant), a Pennsylvania corporation created pursuant to the provisions of the Regional Rail Reorganization Act of 1973, as amended, for an order pursuant to Section 6(c) of the Act, exempting Conrail Equity Corporation, a proposed subsidiary of Applicant which will be incorporated to facilitate the establishment of Applicant's noncontributory employee stock ownership plan, from all provisions of the Act. (Rel. IC-11232 - June 25)

INTERCAPITAL TAX-EXEMPT SECURITIES INC.

An order has been issued on an application of InterCapital Tax-Exempt Securities Inc. and InterCapital Industry-Valued Securities Inc., pursuant to Section 6(c) of the Investment Company Act of 1940, exempting a director of the applicants from the provisions of Section 2(a)(19) of the Act to the extent that said director might otherwise be deemed an "interested person" of the Applicants because said director is also a director of a registered broker-dealer. (Rel. IC-11231 - June 25)

HOLDING COMPANY ACT RELEASES

MIDDLE SOUTH UTILITIES, INC.

An order has been issued authorizing Middle South Utilities, Inc., a registered holding company, to amend certain provisions of its Employee Stock Ownership Plan dealing with the pricing of common stock acquired by the trustee under the Plan so as to bring such provisions into compliance with newly promulgated Internal Revenue Service regulations. (Rel. 35-21641 - June 25)

INDIANA & MICHIGAN ELECTRIC COMPANY

An order has been issued releasing the jurisdiction heretofore reserved over underwriters commissions, bond interest rates, bond price and effective interest cost with regard to a transaction by Indiana & Michigan Electric Company (I&M), subsidiary of American Electric Power Company, Inc., whereby I&M financed pollution control facilities. (Rel. 35-21642 - June 25)

SELF-REGULATORY ORGANIZATIONS

NOTICE OF EFFECTIVENESS OF A PROPOSED RULE CHANGE

A fee change filed by the Stock Clearing Corporation of Philadelphia (SCCP) pursuant to Rule 19b-4 (SR-SCCP-80-3) has become effective in accordance with Section 19(b)(3)(A) of the Securities Exchange Act of 1934. SCCP has established a fee of \$.10 per line item for pledges to a SCCP margin account from positions in a participant's Philadelphia Depository Trust Co. account. Publication of the proposal is expected to be made in the Federal Register during the week of June 30. (Rel. 34-16930)

TRUST INDENTURE ACT RELEASES

ATLANTIC RICHFIELD COMPANY

An order has been issued under the Trust Indenture Act of 1939 on an application of Atlantic Richfield Company (ARCO), that the trusteeship of Chase Manhattan Bank, N.A. (Chase) under two existing indentures of ARCO and one of ARCO Pipeline Company and ARCO as Guarantor, and the trusteeship of Chase under an existing indenture of The Anaconda Company (Anaconda), a wholly-owned subsidiary of ARCO, are not so likely to involve a material conflict of interest as to make it necessary to disqualify Chase from acting as trustee. (Rel. TI-573 - June 25)

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; and File number and date filed.

- (S-16) JIM WALTER CORPORATION, 1550 North Dale Mabry Highway, Tampa, FL 33607 (813-871-4811) - \$100 million of notes, due 1990. Underwriters: Shearson Loeb Rhoades Inc.; Merrill Lynch White Weld Capital Markets Group; and Salomon Brothers. The company manufactures and distributes building materials; sells, constructs and finances partially finished homes; and develops natural resources. (File 2-68229 - June 25) (Br. 10)
- (S-14) FMI FINANCIAL CORPORATION, 801 Forty-First St., Miami Beach, FL 33140 (305-532-7361) - 11,208,651 shares of common stock; 4,589 shares of Class A preferred stock; and 450,000 shares of Class B preferred stock. (File 2-68230 - June 25) (Br. 5)
- (S-1) SERVICE FRACTURING COMPANY, Highway 152 West, P.O. Box 1741, Pampa, TX 79065 (806-669-2577) - 700,000 shares of common stock and 40,000 warrants to purchase common stock. Underwriter: Schneider, Bernet & Hickman, Inc. The company is in the oil field service business. (File 2-68231 - June 25) (Br. 3)
- (S-8) AMERICAN PETROFINA, INCORPORATED, Fina Plaza, Dallas, TX 75206 (214-750-2400) - 250,000 shares of Class A common stock. (File 2-68232 - June 25) (Br. 4)
- (S-2) DEVER EXPLORATION, INC., P.O. Box 2940, Casper, WY 82602 - 10,000,000 shares of common stock and 10,000,000 warrants to purchase common stock and underlying common stock. Underwriter: S.W. Devanney & Co., Inc., First National Bank Bldg., 621 - 17th St., Suite 2455, Denver, CO 80202. The company is engaged in the business of acquiring interests in oil and gas leases. (File 2-68233 - June 24) (Br. 4)
- (S-1) AMPAL-AMERICAN ISRAEL CORP., 10 Rockefeller Plaza, New York, NY 10020 - \$20 million of ten year, 10% redeemable debentures, Series AA, 1990. Underwriter: Ampal Securities Corp., 10 Rockefeller Plaza, New York, NY 10020. The company finances industrial, financial, commercial and agricultural enterprises in Israel. (File 2-68234 - June 25) (Br. 1)
- (S-16) MARATHON OIL COMPANY, 539 South Main St., Findlay, OH 45840 (419-422-2121) - \$150 million of notes, due 1987. Underwriter: The First Boston Corp. The company is an integrated petroleum company. (File 2-68235 - June 25) (Br. 3)
- (S-14) PEACHTREE BANCSHARES, INC., P.O. Box 3158, Atlanta, GA 30302 (404-455-8787) - 1,106,200 shares of common stock. (File 2-68236 - June 25) (Br. 2)
- (S-8) DREXLER TECHNOLOGY CORPORATION, 3960 Fabian Way, Palo Alto, CA 94303 (415-493-7111) - 100,000 shares of common stock. (File 2-68237 - June 25) (Br. 8)
- (S-8) ALLIS-CHALMERS CORPORATION, Box 512, Milwaukee, WI 53201 (414-475-3710) - 450,000 shares of common stock. (File 2-68238 - June 25) (Br. 9)
- (S-1) AMPAL-AMERICAN ISRAEL CORPORATION, 10 Rockefeller Plaza, New York, NY 10020 - \$10 million of ten year, 10% redeemable debentures, Series BB, 1990. Underwriter: Ampal Securities Corp. The company finances industrial, financial, commercial and agricultural enterprises in Israel. (File 2-68239 - June 25) (Br. 1)
- (S-8) INTERNATIONAL TELEPHONE AND TELEGRAPH CORPORATION, 320 Park Ave., New York, NY 10022 (212-752-6000) - 2,000,000 shares of common stock. (File 2-68241 - June 25) (Br. 8)
- (S-8) FAIRCHILD INDUSTRIES, INC., Sherman Fairchild Technology Center, 20301 Century Blvd., Germantown, MD 20767 (301-428-6000) - \$4,203,900 of interests in three separate plans. (File 2-68242 - June 25) (Br. 2)
- (S-6) MUNICIPAL INVESTMENT TRUST FUND, ONE HUNDRED FORTY-FIRST MONTHLY PAYMENT SERIES - an indefinite number of units of beneficial interest. Depositors: Merrill Lynch, Pierce, Fenner & Smith Inc., One Liberty Plaza, 165 Broadway, New York, NY 10080; Bache Halsey Stuart Shields Inc.; Dean Witter Reynolds Inc.; and Shearson Loeb Rhoades Inc. (File 2-68243 - June 25) (Br. 18)



NOTICE

Many requests for copies of documents referred to in the SEC News Digest have erroneously been directed to the Government Printing Office. Copies of such documents and of registration statements may be ordered from the Public Reference Section, Securities and Exchange Commission, Washington, D.C. 20549. When you are ordering more than one, we prefer that the documents be listed in alphabetical order to expedite service. The reproduction cost is 10c per page plus postage (\$3.50 minimum); 20c per page plus postage for expedited service (\$5.00 minimum) and 30c per page plus postage for priority service (\$5.00 minimum). Cost estimates are given on request. All other reference material is available in the SEC Docket.

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