

SEC NEWS DIGEST

Issue 2001-66

April 5, 2001

ENFORCEMENT PROCEEDINGS

PERMANENT INJUNCTION BY DEFAULT ENTERED AGAINST TIMOTHY KRAFT

On March 6, a permanent injunction by default was entered against Timothy R. Kraft. Kraft was enjoined from violating Section 10(b) of the Securities Exchange Act and Rule 10b-5 thereunder. Kraft was also ordered to pay civil money penalties in an amount as yet to be determined.

The complaint alleges Kraft wrote and disseminated a press release stating Source Energy Corporation (Source) had entered into a joint venture agreement to manufacture, operate, and market three portable natural gas refineries in the Ukrainian Republic. The release further claims that the joint venture would realize \$26 million in revenue and the first plant would be operational by the fall of 1998. In fact, no joint venture agreement existed. It is further alleged Kraft wrote and distributed another press release which claimed Source had acquired a license to proprietary technology allowing it to manufacture manned and remote-operated submersibles which could operate at new levels of efficiency in servicing oil and gas wells. The purported suppliers of the underwater submersible technology never licensed their technology to Source or Kraft. [SEC v. Source Energy Corporation and Timothy R. Kraft, CIV 2:00CV757B, USDC, D. Utah] (LR-16951)

FEDERAL JUDGE PERMANENTLY ENJOINS SEAN HEALEY

The Commission announced today that the Honorable Patricia A. Seitz, United States District Judge for the Southern District of Florida, entered a Judgment of Permanent Injunction and Other Relief Against Defendant Sean T. Healey (Healey), restraining and enjoining him from the antifraud provisions of the federal securities laws. Healey consented to the entry of the judgment without admitting or denying any of the allegations of the Commission's complaint. Further, the Court ordered disgorgement against Healey in the amount of \$66,821, prejudgment interest in the amount of \$12,358, and a civil penalty in the amount of \$66,821.

On September 5, 2000, the Commission alleged in its complaint that defendants Healey, Rajiv Vohra (Vohra), and three Bahamian companies, Lantern Investments, Ltd., Lipton Holdings, Ltd., and Beaufort Holdings, Ltd., used "wash sales" to create the appearance

of active trading in the stock of New Directions Manufacturing, Inc., a small furniture manufacturing company quoted on the NASD's OTC Bulletin Board system. Healey and Vohra then arranged to have a false and misleading research report published on a stock-picker web site, on their own web site, and through unsolicited mass e-mails (spam). The research report falsely claimed that New Directions had significantly expanded, that the author of the report was an independent analyst, and that the purported analyst had issued a buy recommendation. [SEC v. Rajiv Vohra, Sean T. Healey, Lantern Investments, Ltd., Lipton Holdings, Ltd., and Beaufort Holdings, Ltd., Civil Action No. 00-7286-Civ-Seitz/Garber, SDFL] (LR-16952)

INVESTMENT COMPANY ACT RELEASES

BMO NESBITT BURNS CORP.

An order has been issued on an application filed by BMO Nesbitt Burns Corp. under Sections 6(b) and 6(e) of the Investment Company Act exempting applicants from all provisions of the Act, and the rules and regulations under the Act, except Section 9, certain provisions of Sections 17 and 30, and Sections 36 through 53, and the rules and regulations thereunder. The order permits the formation of limited partnerships or limited liability companies (each a Partnership) to be offered to certain key employees of BMO Nesbitt Burns and its affiliates. Each Partnership will be an employees' securities company within the meaning of Section 2(a)(13) of the Act. (Rel. IC-24924 - April 3)

INVESTMENT ADVISERS ACT RELEASES

BEAR CREEK INC.

An order has been issued on an application filed by Bear Creek Inc. under section 202(a)(11)(F) of the Investment Advisers Act. The order declares Bear Creek Inc. to be a person not within the intent of Section 202(a)(11) of the Advisers Act, which defines the term "investment adviser." (Rel. IA-1935 - April 4)

HOLDING COMPANY ACT RELEASES

ENTERGY CORPORATION

An order has been issued authorizing Entergy Corporation (Entergy), a registered holding company, to issue and sell through June 30, 2004, directly or indirectly, its common stock, preferred stock and long-term unsecured debt in aggregate amounts that will not exceed \$2 billion and its short-term debt in an aggregate outstanding amount that will not exceed \$1.5 billion. The Commission also authorized Entergy to organize financing

subsidiaries and to enter into related transactions, through June 30, 2004. The Commission has reserved jurisdiction over all matters relating to Entergy's issuance of preferred stock. (Rel. 35-27371)

SELF-REGULATORY ORGANIZATIONS

APPROVAL OF PROPOSED RULE CHANGE

The Commission has approved a proposed rule change (SR-EMCC-00-08) filed by the Emerging Markets Clearing Corporation. The rule change permits EMCC members to satisfy clearing fund obligations with either immediately available funds or eligible treasury securities. (Rel. 34-44140)

PARTIAL ACCELERATED APPROVAL OF PROPOSED RULE CHANGES

The Commission granted partial accelerated approval for a sixty day pilot program of proposed rule changes and amendments filed by the American Stock Exchange, the Chicago Board Options Exchange, the International Securities Exchange, the Pacific Exchange, and the Philadelphia Stock Exchange (SR-Amex-01-18; SR-CBOE-01-15; SR-ISE-01-07; SR-PCX-01-18; and SR-Phlx-01-37) relating to the application of the Quote Rule to options trading. Publication of the proposal is expected in the Federal Register during the week of April 9. (Rel. 34-44145)

IMMEDIATE EFFECTIVENESS OF PROPOSED RULE CHANGE

A proposed rule change filed by the Chicago Board Options Exchange (SR-CBOE-01-11) to clarify certain provisions in its rules relating to the trading of options on securities that represent an interest in registered investment companies has become effective under Section 19(b)(3)(A) of the Securities Exchange Act of 1934. Publication of the proposal is expected in the Federal Register during the week of April 9. (Rel. 34-44147)

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.gov>. In most cases, this information is also available on the Commission's website: <www.sec.gov>.

S-8 SYNQUEST INC, 3500 PARKWAY LANE, SUITE 555, NORCROSS, GA 30092 -
6,750,000 (\$33,142,500) COMMON STOCK. (FILE 333-57834 - MAR. 29) (BR.
3)

S-8 GENLYTE GROUP INC, 4360 BROWNSBORO ROAD, LOUISVILLE, KY 40207
(908) 964-7000 - 2,000,000 (\$50,200,000) COMMON STOCK. (FILE 333-57854
-
MAR. 29) (BR. 5)

S-8 JUNIPER NETWORKS INC, 1194 NORTH MATHILDA AVE, SUNNYVALE, CA 94089
(650) 526-8000 - 15,904,261 (\$844,834,344) COMMON STOCK. (FILE 333-
57860 -
MAR. 29) (BR. 3)

S-8 JUNIPER NETWORKS INC, 1194 NORTH MATHILDA AVE, SUNNYVALE, CA 94089
(650) 526-8000 - 15,904,261 (\$844,834,344) COMMON STOCK. (FILE 333-
57862 -
MAR. 29) (BR. 3)

S-8 JUNIPER NETWORKS INC, 1194 NORTH MATHILDA AVE, SUNNYVALE, CA 94089
(650) 526-8000 - 6,000,000 (\$318,720,000) COMMON STOCK. (FILE 333-
57864 -
MAR. 29) (BR. 3)

S-8 HONEYWELL INTERNATIONAL INC, 101 COLUMBIA RD, PO BOX 4000,
MORRISTOWN,
NJ 07962 (973) 455-2000 - 22,000 (\$824,890) COMMON STOCK. (FILE 333-
57866
- MAR. 29) (BR. 5)

S-8 HONEYWELL INTERNATIONAL INC, 101 COLUMBIA RD, PO BOX 4000,
MORRISTOWN,
NJ 07962 (973) 455-2000 - 300,000 (\$11,248,500) COMMON STOCK. (FILE
333-57868 - MAR. 29) (BR. 5)

S-8 HONEYWELL INTERNATIONAL INC, 101 COLUMBIA RD, PO BOX 4000,
MORRISTOWN,
NJ 07962 (973) 455-2000 - 16,000,000 (\$599,920,000) COMMON STOCK.
(FILE
333-57870 - MAR. 29) (BR. 5)

S-8 UBS AG, BAHNHOFSTRASSE 45, ZURICH SWITZERLAND, V8 00000 - 1,000,000
(\$134,900,000) FOREIGN COMMON STOCK. (FILE 333-57878 - MAR. 29) (BR.
7)

S-8 FACTSET RESEARCH SYSTEMS INC, ONE GREENWICH PLAZA, GREENWICH, CT
06830
(203) 863-1500 - 500,000 (\$14,660,000) COMMON STOCK. (FILE 333-57880 -
MAR. 29) (BR. 3)

S-8 ROGUE WAVE SOFTWARE INC /OR/, 5500 FLATIRON PARKWAY, BOULDER, CO
80301

(303) 473-9118 - 4,569,544 (\$18,141,089.68) COMMON STOCK. (FILE 333-57894
- MAR. 29) (BR. 3)

S-8 STANFORD MICRODEVICES INC, 522 ALAMANOR AVE, SUNNYVALE, CA 94806
(408) 616-5400 - 1,088,189 (\$5,728,228) COMMON STOCK. (FILE 333-57896
- MAR. 29) (BR. 5)

S-8 MACERICH CO, 401 WILSHIRE BLVD, STE 700, SANTA MONICA, CA 90401
(310) 394-6000 - 3,400,000 (\$71,366,000) COMMON STOCK. (FILE 333-57898
- MAR. 29) (BR. 8)

S-8 TRITON NETWORK SYSTEMS INC, 8529 SOUTH PARK CIRCLE,
SAND LAKE WEST BUSINESS PARK, ORLANDO, FL 32819 (407) 903-0900 -
1,500,000 (\$4,602,900) COMMON STOCK. (FILE 333-57900 - MAR. 29) (BR. 7)

S-8 CERADYNE INC, 3169 RED HILL, COSTA MESA, CA 92626 (714) 549-0421 -
250,000 (\$2,150,000) COMMON STOCK. (FILE 333-57902 - MAR. 29) (BR. 6)

S-3 UNITED RENTALS INC /DE, FOUR GREENWICH OFFICE PARK, GREENWICH, CT
06830 (203) 622-3131 - 988,559 (\$19,061,736) COMMON STOCK. (FILE 333-57916 -
MAR. 30) (BR. 6)

S-8 FUTURELINK CORP, 100 6 MORGAN, IRVINE, CA 92618 (403) 216-6000 -
78,947 (\$42,631.38) COMMON STOCK. (FILE 333-57918 - MAR. 30) (BR. 3)

S-8 CABLEVISION SYSTEMS CORP /NY, 1111 STEWART AVENUE, BETHPAGE, NY
11714 (516) 380-6230 - 13,575,000 (\$1,104,665,625) COMMON STOCK. (FILE
333-57922 - MAR. 30) (BR. 7)

S-8 CABLEVISION SYSTEMS CORP /NY, 1111 STEWART AVENUE, BETHPAGE, NY
11714 (516) 380-6230 - 5,000,000 (\$406,875,000) COMMON STOCK. (FILE 333-
57924 - MAR. 30) (BR. 7)

S-8 DOCENT INC, 2444 CHARLESTON RD, SUITE 444, MOUNTAIN VIEW, CA 94043
(650) 934-9500 - 9,300,000 (\$74,400,000) COMMON STOCK. (FILE 333-57926
- MAR. 30) (BR. 8)