

SEC NEWS DIGEST

Issue 2001-243

December 19, 2001

ENFORCEMENT PROCEEDINGS

EAJA CLAIM OF KIRK MONTGOMERY DENIED

The Commission has denied the claim of Kirk Montgomery for reimbursement of attorneys fees and expenses under the Equal Access to Justice Act. Montgomery, who was compliance director of FSC Securities Corporation, had been charged with failing reasonably to supervise Richard Hoffman, an FSC salesperson charged with antifraud violations. Although an administrative law judge had dismissed proceedings against Montgomery, the Commission found, as a basis for its decision to deny his claim, that the allegations against him were substantially justified. The Commission also based its decision on the fact that Montgomery's fees and expenses were paid by FSC and that he therefore did not incur them within the meaning of the statute. (Rel. 34-45161; File No. 3-9786)

SOUTH CAROLINA NOTE AND BOND MARKETER CONSENTS TO ANTIFRAUD CHARGES FOR HIS ROLE IN \$314 MILLION PONZI SCHEME, ACCEPTS BAR FROM ASSOCIATION WITH ANY BROKER OR DEALER

On December 19, the Commission entered an Order Instituting Public Administrative Proceedings Pursuant to Section 15(b) of the Securities Exchange Act of 1934, Making Findings and Imposing Remedial Sanctions (Order) against Robert C. Ellenburg (Ellenburg), of Columbia, South Carolina for his role in a \$314 million Ponzi scheme involving at least 1000 investors. Without admitting or denying its findings except as to the Commission's jurisdiction, Ellenburg consented to the entry of the Order, which bars him from associating with any broker or dealer.

The \$314 million Ponzi scheme in which Ellenburg was involved is one of the largest Ponzi schemes that the Commission has pursued. The Commission filed a complaint against Ellenburg charging that he participated in the Ponzi scheme controlled by Charles Richard Homa and Michael Gause from approximately 1996 to October 1999. [SEC v. Homa, et al., 99 C 6895 (N.D.Ill.)] Ellenburg, as part of an extensive sales network developed by Homa and Gause, offered and sold securities, in the form of promissory notes and bonds issued by three companies he owned: 1) R & E, Ltd. d/b/a JB Roof & Associates, LLC; 2) J & R Financial Services, Ltd; and 3) J. Roof & R. Ellenburg, LLC, which purported to provide returns through investments in the car title and payday loan business. Ellenburg raised approximately \$29 million from investors. The investment funds raised in the scheme were not used in the car title or payday loan business, but

rather were used to make interest payments to existing investors, to pay marketer commissions, and for personal expenditures of Homa and Gause. The complaint alleges that Ellenburg made misrepresentations and omissions of material fact concerning the use of investor funds and failed to disclose the source of the interest payments and that the receivables purportedly securing certain offerings were insufficient security. On May 12, 2000, in SEC v. Homa, the U.S. District Court for the Northern District of Illinois issued an order enjoining Ellenburg from violations of Section 17(a) of the Securities Act of 1933 and Sections 10(b), 15(a), and 15(c) of the Exchange Act and Rules 10b-5 and 15c1-2 promulgated thereunder. (Rel. 34-45168; File No. 3-10656)

ZILA, INC. AND JOSEPH HINES CONSENT TO THE ENTRY OF AN ADMINISTRATIVE CEASE-AND-DESIST ORDER FOR VIOLATIONS OF THE ANTIFRAUD PROVISIONS OF THE SECURITIES EXCHANGE ACT

On December 19, the Commission instituted and settled administrative proceedings, pursuant to Section 21C of the Securities Exchange Act of 1934 (Exchange Act), against Phoenix, Arizona based Zila, Inc., and Joseph Hines, Zila's chairman and chief executive officer. The Commission found that in January 1999, Zila made optimistic statements about Food and Drug Administration ("FDA") and Oncologic Drugs Advisory Committee (ODAC) approval of Zila's New Drug Application (NDA) for OraTest, a drug that Zila hoped would assist in the detection of oral cancer. The Commission found that Zila made these statements after Zila and Hines had learned that the FDA staff had written a negative draft review of Zila's NDA for OraTest and had recommended to the ODAC that OraTest was not approvable. The Commission found that Zila's optimistic statements were materially false or misleading because Zila and Hines had recklessly failed to disclose the fact or substance of the negative draft FDA staff review. The Commission found that Zila violated Section 10(b) of the Exchange Act and Rule 10b-5 thereunder, and that Hines caused Zila's violations of Section 10(b) of the Exchange Act and Rule 10b-5 thereunder.

Without admitting or denying the Commission's findings, Zila and Hines consented to the entry of an order which requires them to cease and desist from committing or causing any violation, and any future violations, of Section 10(b) of the Exchange Act and Rule 10b-5 thereunder. (Rel. 34-45169; File No. 3-10657)

SEC CHARGES SEVEN WITH INSIDER TRADING

On December 18, the Commission filed an insider trading case against Patricia A. Bugenhagen, a former employee of BetzDearborn Inc., of Skippack, Pennsylvania; James L. Shisler, of Buffalo, New York; James R. Gallagher (Bob Gallagher), of Flourtown, Pennsylvania; Estate of Timothy P. Gallagher, (Tim Gallagher died on May 4, 2001, while a resident of Philadelphia); Richard J. Merman, of Wayne, Pennsylvania; John P. Dougherty, of Springfield, Pennsylvania; and Fred D. Shapiro, of Bala Cynwyd, Pennsylvania alleging that the defendants engaged in illegal insider trading in advance of

the July 30, 1998 announcement that BetzDearborn Inc. and Hercules Inc. had agreed to merge. The complaint, filed in the United States District Court for the Eastern District of Pennsylvania, alleges that Bugenhagen learned confidential information about the pending merger from her then-employer, BetzDearborn, and then she reallocated a portion of her retirement account to purchase BetzDearborn securities. At the same time, Bugenhagen tipped Shisler, her brother-in-law, who purchased BetzDearborn securities. Bugenhagen subsequently purchased BetzDearborn securities for herself on July 17 using her brother-in-law's account. The complaint further alleges that Bugenhagen tipped her close friend defendant Bob Gallagher about the impending merger, and he in turn tipped his brother, Tim Gallagher. Tim Gallagher purchased BetzDearborn stock and call options, and in turn tipped three friends who belonged to his informal weekly investment group about the impending takeover of BetzDearborn by Hercules. These three individuals, Merman, Dougherty, and Shapiro, purchased BetzDearborn securities in advance of the merger announcement. After the announcement on July 30, the defendants sold their securities and reaped illegal profits of \$270,200.

The complaint seeks permanent injunctions against future violations of the securities laws, disgorgement of the illegal trading profits, prejudgment interest, and civil penalties. Without admitting or denying the facts alleged in the complaint, the defendants have agreed to settle the matter as follows: (1) Bugenhagen, Shisler, Bob Gallagher, Merman, Dougherty, Shapiro consent to entry of final judgments permanently enjoining them from future violations of Section 10(b) of the Securities Exchange Act and Rule 10b-5 thereunder; and (2) they have agreed to pay the following: Bugenhagen, \$9,325 disgorgement, prejudgment interest, and \$9,325 in civil penalties; Shisler, \$2,556 disgorgement, prejudgment interest, and \$2,556 in civil penalties; Bob Gallagher \$10,000 in civil penalties; Estate of Timothy P. Gallagher, \$102,569 disgorgement and prejudgment interest; Merman, \$109,750 disgorgement, prejudgment interest, and \$55,000 in civil penalties; Dougherty, \$36,250 disgorgement, prejudgment interest, and \$36,250 in civil penalties; and Shapiro, \$ 9,750 disgorgement, prejudgment interest, and \$9,750 in civil penalties. [SEC v. Patricia A. Bugenhagen, et al., 01 Civ. 6538 (EDPA)] (LR-17278)

SEC CHARGES SENIOR VICE PRESIDENT OF BALTIMORE-BASED SAFENET, INC. AND FORMER MERRILL LYNCH STOCKBROKER WITH INSIDER TRADING

On December 19, the Commission filed a settled insider trading action in federal court in Washington, D.C. against Sean R. Price, a Senior Vice President at Safenet, Inc. (formerly known as Information Resource Engineering, Inc., or IRE), and Benjamin J. Maldonado III, a former stockbroker in the Washington, DC office of Merrill Lynch, Pierce, Fenner & Smith, Inc. Safenet is an Internet security company based in Baltimore, Maryland, and its stock is traded on the NASDAQ National Market under the symbol SFNT. Without admitting or denying the allegations in the complaint, Maldonado and Price consented to the entry of a final judgment that would permanently enjoin each of them from violating Section 17(a) of the Securities Act of 1933, and Section 10(b) of the

Securities Exchange Act of 1934 and Rule 10b-5 promulgated thereunder. Maldonado will disgorge \$38,489.80 in losses avoided, plus prejudgment interest, and will pay a civil penalty of \$38,489.80. Price will pay a civil penalty of \$38,489.80 based on Maldonado's avoided losses.

The SEC's complaint alleges that Price tipped Maldonado in advance of IRE's October 4, 1999 announcement that the company expected to report third quarter financial results below analysts' expectations. According to the complaint, during the week immediately before the announcement, Price tipped Maldonado with confidential information about IRE's adverse financial results, and Maldonado then sold 29,500 shares of IRE that Maldonado and his family members owned. Price and Maldonado have known each other since their early teenage years, and Maldonado was the stockbroker assigned to Price's accounts at Merrill Lynch. As a result of his illegal sales, Maldonado and his family avoided losses of more than \$38,000.

As part of the settlement, Maldonado also consented, without admitting or denying the Commission's findings, to the entry of an administrative order pursuant to Section 15(b)(6) of the Securities Exchange Act of 1934 barring him from associating with any broker or dealer with a right to reapply after five years.

The Commission acknowledges the assistance of the NASD Regulation, Inc. in this matter. [SEC v. SEAN R. PRICE AND BENJAMIN J. MALDONADO III, Case No. 1:01CV02624 (D.D.C.) (ESH)] (LR-17279)

GEORGIA ACCOUNTANT SETTLES SEC CHARGES OF INSIDER TRADING AND SELLING UNREGISTERED SYSTEMS OF EXCELLENCE SECURITIES

The Commission today announced that on December 14, 2001 the Honorable Gladys Kessler of the United States District Court for the District of Columbia entered a final judgment against Richard Morrissey, a Georgia accountant, permanently enjoining him from violations of the antifraud and registration provisions of the federal securities laws and requiring him to pay disgorgement and prejudgment interest. The Commission has now obtained settlements from all four defendants in this action.

The Commission's complaint, filed on February 15, 2001, charged that Morrissey, who performed in-house bookkeeping services for Systems of Excellence (SOE) in 1995 and 1996, learned in detail certain aspects of the SOE fraud in August and September 1996. Thereafter, but before public disclosure had been made, Morrissey resold 95,000 SOE shares while in possession of material, non-public information, in violation of the antifraud provisions contained in Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act") and Exchange Act Rule 10b-5. Additionally, before learning of the fraud, Morrissey resold another 220,000 SOE shares in violation of the strict-liability registration provisions contained in Sections 5(a) and 5(c) of the Securities Act of 1933

(Securities Act). In total, Morrisey realized illegal profits of \$272,182 on the resale of these 315,000 shares.

Morrisey, without admitting or denying the SEC's allegations, consented to the entry of a court order that: (i) permanently enjoins him from violating Section 10(b) of the Exchange Act and Rule 10b-5 thereunder, and Sections 5(a) and (c) of the Securities Act; and (ii) requires him to disgorge \$272,182 plus prejudgment interest of \$132,540, provided that all shall be waived but for the payment of \$35,100, prejudgment interest of \$14,083, and the surrender of 200 shares of Texas Instruments stock to the Court-appointed receiver, and no penalties assessed based on his inability to pay. [SEC v. Maria Iacovelli, Richard Morrisey, Individually, as Custodian for Chelsea Adair Morrisey, as Custodian for Eric Ryan Morrisey, and as Custodian for Andrew Jason Morrisey, Jerry Thornthwaite, and Marvin Kogod, Civil Action No. 1:01CV00344(GK) (D.D.C.)] (LR-17280)

INVESTMENT COMPANY ACT RELEASES

HSBC HOLDINGS PLC, ET AL.

The Commission has issued a temporary order to HSBC Holdings plc, et al., under Section 9(c) of Investment Company Act. The temporary order exempts applicants and other entities of which Republic New York Securities Corporation (RNYSC) is or becomes an affiliated person from Section 9(a) of the Act, with respect to a cooperation and plea agreement between RNYSC and the U.S. Attorney for the Southern District of New York, until the Commission takes final action on the application for a permanent order. A notice has been issued giving interested persons until January 11, 2002 to request a hearing on the application filed by HSBC Holdings plc, et al. for a permanent order under Section 9(c) of the Act. (Rel. IC-25318 - December 17)

INTEGRITY LIFE INSURANCE COMPANY, ET AL.

An order has been issued pursuant to Section 6(c) of the Investment Company Act granting Integrity Life Insurance Company (Integrity), et al. exemptions from Sections 2(a)(32) and 27(i)(2)(A) and Rule 22c-1 to the extent necessary to permit the recapture, under specified circumstances, of credits applied to purchase payments made under certain deferred variable annuity contracts that applicants will issue. The order extends to any other National Association of Securities Dealers, Inc. member broker-dealer controlling or controlled by, or under common control with, Touchstone Securities Inc., whether existing or created in the future, that serves as distributor or principal underwriter for the contracts. (Rel. IC-25319 - December 19)

SELF-REGULATORY ORGANIZATIONS

PROPOSED RULE CHANGE

The National Association of Securities Dealers filed a proposed rule change (SR-NASD-2001-90) relating to Nasdaq's proposed separation from the NASD and the establishment of the NASD Alternative Display Facility. Publication of the proposal is expected in the Federal Register during the week of December 17. (Rel. 34-45156)

ACCELERATED APPROVAL OF PROPOSED RULE CHANGES

The Commission granted accelerated approval to a proposed rule change (SR-Amex-2001-91) and Amendment No. 1 submitted by the American Stock Exchange relating to the listing and trading of Balanced Strategy Notes. Publication of the proposal is expected in the Federal Register during the week of December 24. (Rel. 34-45160)

The Commission granting accelerated approval to a proposed rule change filed by the National Association of Securities Dealers (SR-NASD-2001-89) extending the effectiveness of NASD's pilot injunctive relief rule for six months. Publication of the proposal is expected in the Federal Register during the week of December 24. (Rel. 34-45162)

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>.

F-6 NOMURA HORUDINGUSU KABUSHIKI KAISHA/ADR, 620 AVENUE OF THE AMERICAS, 6TH FLOOR, NEW YORK, NY 10286 (212) 462-6682 - 100,000,000 (\$5,000,000) DEPOSITARY RECEIPTS FOR COMMON STOCK. (FILE 333-14178 - DEC. 10)

(NEW ISSUE)

- F-6 M CELL LTD/ADR, 620 AVENUE OF THE AMERICAS, 6TH FLOOR, NEW YORK, NY
10286 (212) 462-6682 - 10,000,000 (\$500,000)
DEPOSITARY RECEIPTS FOR COMMON STOCK. (FILE 333-14180 - DEC. 10) (BR.
99
- NEW ISSUE)
- S-8 ABITIBI CONSOLIDATED INC, 800 RENE LEVESQUE BLVD WEST, SUITE 1800,
MONTREAL QUEBEC, E6 (514) 875-2160 - 2,000,000 (\$13,940,000)
FOREIGN COMMON STOCK. (FILE 333-14184 - DEC. 10) (BR. 4)
- F-6 BELLUNA CO LTD/ADR, 620 AVENUE OF THE AMERICAS, 6TH FLOOR, NEW YORK,
NY
10286 (212) 462-6682 - 20,000,000 (\$1,000,000)
DEPOSITARY RECEIPTS FOR COMMON STOCK. (FILE 333-14190 - DEC. 11) (BR.
99
- NEW ISSUE)
- F-6 JOHNNIC COMMUNICATIONS, 620 AVENUE OF THE AMERICAS, 6 FLOOR, NEW
YORK,
NY 10286 (212) 462-6682 - 10,000,000 (\$500,000)
DEPOSITARY RECEIPTS FOR COMMON STOCK. (FILE 333-14192 - DEC. 11)
(NEW ISSUE)
- S-8 TRIPATH IMAGING INC, 780 PLANTATION DR, BURLINGTON, NC 27215
(336) 222-9707 - 200,000 (\$1,343,000) COMMON STOCK. (FILE 333-74936 -
DEC. 12) (BR. 5)
- S-8 TRIPATH IMAGING INC, 780 PLANTATION DR, BURLINGTON, NC 27215
(336) 222-9707 - 1,000,000 (\$6,715,000) COMMON STOCK. (FILE 333-74938
-
DEC. 12) (BR. 5)
- S-3 SPSS INC, 233 S WACKER DR, CHICAGO, IL 60606 (312) 329-2400 -
200,000
(\$3,666,000) COMMON STOCK. (FILE 333-74944 - DEC. 12) (BR. 3)
- S-8 SOLECTRON CORP, 777 GIBRALTAR DR, MILPITAS, CA 95035 (408) 957-8500
-
5,164,184 (\$55,050,201) COMMON STOCK. (FILE 333-74946 - DEC. 12) (BR.
5)
- S-8 CYBERONICS INC, 16511 SPACE CENTER BLVD, SUITE 600, HOUSTON, TX
77058
(713) 332-1375 - 750,000 (\$17,812,500) COMMON STOCK. (FILE 333-74948 -
DEC. 12) (BR. 5)
- S-8 IRON MASK MINING CO, 656 CEDAR ST, PONDERAY, ID 83852 (208) 263-3834
-
20,000,000 (\$1,200,000) COMMON STOCK. (FILE 333-74950 - DEC. 12) (BR.
9)
- S-4 FNB BANCORP/CA/, 975 EL CAMINO REAL 3RD FL, C/O FIRST NATIONAL BANK,

S. SAN FRANCISCO, CA 94080 (650) 588-6800 - 2,574,346 (\$66,933,020)
COMMON STOCK. (FILE 333-74954 - DEC. 12) (NEW ISSUE)

S-8 POTLATCH CORP, 601 W RIVERSIDE AVE, STE 1100, SPOKANE, WA 99201
(509) 835-1500 - 1,000,000 (\$28,100,000) COMMON STOCK. (FILE 333-74956
DEC. 12) (BR. 4)

S-3 CMS ENERGY CORP, FAIRLANE PLZ S STE 1100, 330 TOWN CENTER DR,
DEARBORN,
MI 48126 (313) 436-9261 - 300,000,000 (\$300,000,000)
CONVERTIBLE PREFERRED SHARE OF BENEFICIAL INTEREST. (FILE 333-74958 -
DEC. 12) (BR. 2)

S-8 LEGGETT & PLATT INC, NO 1 LEGGETT RD, CARTHAGE, MO 64836 (417) 358-
8131
- 20,000,000 (\$20,000,000) OTHER SECURITIES INCLUDING VOTING TRUST.
(FILE
333-74960 - DEC. 12) (BR. 6)

S-8 DIMENSIONAL VISIONS INC/ DE, 2301 WEST DUNLAP, SUITE 207, PHOENIX,
AZ
85021 (602) 997-1990 - 1,250,000 (\$87,500) COMMON STOCK. (FILE 333-
74962 -
DEC. 12) (BR. 5)

S-8 TS&B HOLDINGS INC, 10 GUNNEBA DR, 501-221-0613, LONOKE, AR 72086
(501) 676-2994 - 500,000 (\$375,000) COMMON STOCK. (FILE 333-74970 -
DEC. 12) (BR. 9)

S-3 TARGETED GENETICS CORP /WA/, 1100 OLIVE WAY, STE 100, SEATTLE, WA
98101
(206) 623-7612 - 8,840,000 (\$23,779,600) COMMON STOCK. (FILE 333-74976
DEC. 12) (BR. 1)

S-3 ESS TECHNOLOGY INC, 48401 FREMONT BLVD, FREMONT, CA 94538 (510) 492-
1088
- 4,600,000 (\$94,571,400) COMMON STOCK. (FILE 333-74980 - DEC. 12)
(BR. 5)

S-3 MEDTRONIC INC, 710 MEDTRONIC PKWY, MS LC300, MINNEAPOLIS, MN 55432
(763) 514-4000 - 2,012,500,000 (\$2,082,937,500)
CONVERTIBLE DEBENTURES AND NOTES. (FILE 333-74994 - DEC. 12) (BR. 5)

S-3 XCEL ENERGY INC, 800 NICOLLET MALL, MINNEAPOLIS, MN 55402 (612) 330-
5500
- 4,000,000 (\$108,320,000) COMMON STOCK. (FILE 333-74996 - DEC. 12)
(BR. 2)

S-1 DJ ORTHOPEDICS LLC, 2985 SCOTT STREET, VISTA, CA 92083 (760) 727-
1280 -
100,000,000 (\$100,000,000) STRAIGHT BONDS. (FILE 333-74998 - DEC. 12)
(BR. 5)

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 6. Resignations of Registrant's Directors.
- Item 7. Financial Statements and Exhibits.
- Item 8. Change in Fiscal Year.
- Item 9. Regulation FD Disclosure.

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 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>.

NAME OF ISSUER	STATE CODE	8K ITEM NO.									DATE	COMMENT
		1	2	3	4	5	6	7	8	9		
ABC NACO INC	DE				X	X					12/07/01	
ACCELIO CORP	AI				X	X					12/17/01	
ADAMS GOLF INC	DE				X	X					12/13/01	
ADVANCE AUTO PARTS INC	DE					X					11/30/01	AMEND
ADVANCED VIRAL RESEARCH CORP	DE				X	X					12/03/01	
ADVANTA BUSINESS SERVICES CORP	DE						X				12/12/01	
ADVANTA BUSINESS SERVICES CORP	DE						X				12/12/01	
ADVANTA EQUIPMENT LEASING RECEIVABL ES SERIES 2000-1 LLC	NV						X				12/12/01	
ADVANTA LEASING RECEIVABLES CORP IV	NV						X				12/12/01	
ADVANTA LEASING RECEIVABLES CORP IX	NV						X				12/12/01	
ADVANTA LEASING RECEIVABLES CORP V	NV						X				12/12/01	
ADVANTA LEASING RECEIVABLES CORP VI	NV						X				12/12/01	
II												
AFFINITY GROUP HOLDING INC	DE				X	X					12/05/01	
AIRCRAFT FINANCE TRUST	DE				X						12/17/01	
ALASKA AIR GROUP INC	DE							X			12/18/01	
ALLEN TEST CO INC & POINT RELEASE T EST 10/08/01	MD		X								12/18/01	
ALLEN TEST DR I	MD				X						12/01/01	
ALLIANCE CAPITAL MANAGEMENT HOLDING LP	DE						X	X			12/14/01	
ALLIANCE CAPITAL MANAGEMENT L P	DE						X	X			12/14/01	
ALLIANCE CONSUMER INTERNATIONAL INC	CA	X	X		X	X					12/14/01	
ALTEON INC /DE	DE				X						12/10/01	
AMANDA CO INC	UT						X				10/26/01	AMEND
AMANDA CO INC	UT						X				10/26/01	AMEND
AMDL INC	DE				X	X					12/14/01	

NAME OF ISSUER	STATE CODE	8K ITEM NO.									DATE	COMMENT
		1	2	3	4	5	6	7	8	9		
AMERICA WEST AIRLINES INC	DE									X	12/18/01	
AMERICA WEST HOLDINGS CORP	DE									X	12/18/01	
AMERICAN EXPRESS CENTURION BANK	UT				X		X				12/17/01	
AMERICAN EXPRESS CREDIT ACCOUNT MAS TER TRUST	DE				X		X				12/17/01	
AMERICAN EXPRESS MASTER TRUST	DE				X		X				12/17/01	
AMERICAN EXPRESS RECEIVABLES FINANC ING CORP	DE				X		X				12/17/01	
AMERICAN EXPRESS RECEIVABLES FINANC ING CORP II	DE				X		X				12/17/01	
AMERICAN HOME PRODUCTS CORP	DE				X		X				12/17/01	
AMERICAN TISSUE INC	DE				X		X				12/17/01	
AMGEN INC	DE				X		X				12/16/01	
ANTHEM INC	IN								X		12/17/01	
ANWORTH MORTGAGE ASSET CORP	MD							X	X		12/17/01	
APPROVED FINANCIAL CORP	VA				X		X				12/03/01	
APTIMUS INC	WA				X		X				12/14/01	
ARC WIRELESS SOLUTIONS INC	UT				X						11/30/01	
ARC WIRELESS SOLUTIONS INC	UT			X			X				12/11/01	
ASSOCIATES CREDIT CARD MASTER NOTE TRUST					X						11/30/01	
ASSOCIATES CREDIT CARD RECEIVABLES CORP	DE				X						11/30/01	
ATSI COMMUNICATIONS INC/DE	DE				X						12/13/01	
ATSI COMMUNICATIONS INC/DE	DE				X						12/13/01	
AUDIO VISUAL SERVICES CORP	DE		X		X						12/17/01	
AUDIO VISUAL SERVICES CORP	DE		X		X						12/17/01	
BA MASTER CREDIT CARD TRUST /								X			11/17/01	
BANC ONE CREDIT CARD MASTER TRUST	NY				X		X				12/17/01	
BANKATLANTIC BANCORP INC	FL				X		X				12/13/01	
BARNETT AUTO TRUST 1997-A	DE				X		X				12/17/01	
BERKLEY W R CORP	DE				X		X				12/14/01	
BIDDER COMMUNICATIONS INC	NV	X			X	X					12/01/01	
BIOLABS INC	NY		X								11/30/01	
BIOMARIN PHARMACEUTICAL INC	DE				X						12/17/01	
BIRCH FINANCAIL INC	NV				X						10/26/01	AMEND
BIRCH TELECOM INC /MO	DE				X		X				12/17/01	
BISHOP CAPITAL CORP					X						12/12/01	
BOSTON PRIVATE FINANCIAL HOLDINGS I NC	MA		X				X				11/30/01	
BRM HOLDINGS INC	DE				X		X				12/04/01	
BSB BANCORP INC	DE				X		X				12/17/01	
BUCA INC /MN	MN				X		X				12/17/01	
BUTLER NATIONAL CORP	DE				X						12/17/01	
BUTLER NATIONAL CORP	DE				X						12/18/01	
CARMAX AUTO OWNER TRUST 2001-2	DE				X		X				11/30/01	
CARNIVAL CORP	DE				X		X	X			12/16/01	
CARRAMERICA REALTY CORP	MD				X		X				12/13/01	
CATERPILLAR INC	DE				X						12/17/01	
CC MASTER CREDIT CARD TRUST II	MD						X				12/17/01	
CCC GLOBALCOM CORP	NV		X				X				11/30/01	

NAME OF ISSUER	STATE CODE	8K ITEM NO.									DATE	COMMENT
		1	2	3	4	5	6	7	8	9		
CE GENERATION LLC	DE					X		X			12/17/01	AMEND
CELERITY SYSTEMS INC	DE			X							12/11/01	
CELSION CORP	MD					X					12/13/01	
CENTRAL EUROPEAN MEDIA ENTERPRISES LTD						X					12/17/01	
CHART HOUSE ENTERPRISES INC	DE					X		X			12/12/01	
CHASE FUNDING INC	NY					X		X			12/18/01	
CHEVY CHASE BANK FSB	MD		X			X		X			12/01/01	
CIRCUIT CITY CREDIT CARD MASTER TRU ST	DE					X		X			11/30/01	
CIRCUIT CITY CREDIT CARD MASTER TRU ST	DE					X		X			11/30/01	
CITICORP MORTGAGE SECURITIES INC	DE					X					12/18/01	
CITIZENS COMMUNICATIONS CO	DE					X		X			12/17/01	
CLICKACTION INC	DE					X					12/17/01	
COCA COLA ENTERPRISES INC	DE							X	X		12/18/01	
COMMONWEALTH BANCORP INC	PA					X		X			12/18/01	
COMMUNITY SAVINGS BANKSHARES INC /D E/	DE					X		X			12/17/01	
COMPUSONICS VIDEO CORP	CO					X					12/17/01	
COOPER INDUSTRIES INC	OH							X	X		12/18/01	
CORECOMM LTD /DE/	DE					X		X			12/18/01	
CORIXA CORP	DE					X		X			12/03/01	
CORIXA CORP	DE					X		X			12/13/01	
COUNTRYWIDE HOME LOAN TRUST HOME LO AN BAC NO SER 2001-HLV1	NY	X									12/10/01	
CRAY INC	WA					X		X			12/14/01	
CREDIT SUISSE FIRST BOSTON MORTGAGE SECURITIES CORP	DE							X			11/19/01	
CROWN MEDIA HOLDINGS INC	DE					X		X			12/17/01	
CWABS INC ASSET BACKED CERTIFICATES SERIES 2001-4	DE					X		X			11/30/01	
CWABS INC REVOLVING HOME EQ LOAN AS SET BKD NOTES SER 2001-B	DE					X		X			12/15/01	
CYBER CARE INC	FL		X					X			12/03/01	
DAIMLER BENZ VEHICLE OWNER TRUST 19 98-A	DE					X		X			11/20/01	
DAIMLERCHRYSLER AUTO TRUST 2001 B	DE					X		X			12/13/01	
DAIMLERCHRYSLER AUTO TRUST 2001-A						X		X			12/13/01	
DAIMLERCHRYSLER AUTO TRUST 2001-C	DE					X		X			12/13/01	
DAIRY MART CONVENIENCE STORES INC	DE		X					X			09/24/01	
DARDEN RESTAURANTS INC	FL					X					12/13/01	
DEAN FOODS CO	DE					X					12/17/01	
DELTONA CORP	DE					X					12/13/01	
DENTSPLY INTERNATIONAL INC /DE/	DE							X			10/02/01	AMEND
DISCOUNT MORTGAGE SOURCE INC	TX						X				12/18/01	
DISCOVER BANK	DE					X		X			12/17/01	
DISCOVER CARD MASTER TRUST I	DE					X		X			12/17/01	
DORAL FINANCIAL CORP	PR					X		X			12/17/01	
DREAMLIFE INC	DE							X			07/18/01	AMEND
DRKOOP COM INC	DE					X					12/17/01	

NAME OF ISSUER	STATE CODE	8K ITEM NO.									DATE	COMMENT
		1	2	3	4	5	6	7	8	9		
DT SOLUTIONS INC	DE						X				09/14/01	
E CENTIVES INC	DE		X						X		12/03/01	
E PRIME AEROSPACE CORP	CO				X						12/17/01	
E TRADE GROUP INC	DE								X		10/01/01	AMEND
EDT LEARNING INC	DE								X		10/01/01	AMEND
ELECTRICAL GENERATION TECHNOLOGY CO RP	UT				X				X		12/17/01	AMEND
ELECTRO SCIENTIFIC INDUSTRIES INC	OR					X		X			12/17/01	
ELOYALTY CORP	DE					X		X			12/17/01	
EMAGIN CORP	NV					X					12/18/01	
ENDO PHARMACEUTICALS HOLDINGS INC	DE							X		X	12/17/01	
ENETPC INC	MN					X		X			12/06/01	
ENRON CORP/OR/	OR			X				X			12/02/01	
ENSCO INTERNATIONAL INC	DE									X	12/17/01	
ENTERGY ARKANSAS INC	AR				X			X			08/13/01	
ENTERGY CORP /DE/	DE				X			X			08/13/01	
ENTERGY GULF STATES INC	TX				X			X			08/13/01	
ENTERGY LOUISIANA INC	LA				X			X			08/13/01	
ENTERGY MISSISSIPPI INC	MS				X			X			08/13/01	
ENTERGY NEW ORLEANS INC	LA				X			X			08/13/01	
EPIQ SYSTEMS INC	MO		X					X			12/17/01	AMEND
ESSENTIAL THERAPEUTICS INC	CA		X					X			10/24/01	AMEND
EVERGREEN RESOURCES INC	CO					X		X			12/13/01	
EXTENDED STAY AMERICA INC	DE					X		X			12/17/01	
FAIRFIELD INN BY MARRIOTT LTD PARTN ERSHIP	DE	X									11/30/01	
FAIRMOUNT CHEMICAL CO INC	NJ					X					12/06/01	
FARWEST GROUP INC	NV					X					12/17/01	
FINANCIAL SECURITY ASSURANCE HOLDIN GS LTD/NY/	NY							X			12/12/01	
FINGERHUT RECEIVABLES INC	DE							X			12/17/01	
FIRST CHICAGO MASTER TRUST II	DE					X		X			12/17/01	
FIRST FORTIS LIFE INSURANCE CO	NY		X					X			11/30/01	AMEND
FIRST NBC CREDIT CARD MASTER TRUST								X			12/12/01	
FIRST USA BANK NA AS SERV ON BEHALF PART CREDIT CARD MAS TR	DE							X			12/17/01	
FIRST USA BANK NA AS SERVIC ON BEHA LF WACH CRED CARD MAS TR						X		X			12/17/01	
FIRST USA BANK NATIONAL ASSOCIATION								X			12/17/01	
FIRST USA CREDIT CARD MASTER TRUST	DE					X		X			12/10/01	
FIRSTMARK CORP /ME/	ME				X			X			11/30/01	AMEND
FNANB CREDIT CARD MASTER TRUST					X			X			11/30/01	
GASCO ENERGY INC	NV				X			X			10/29/01	AMEND
GENENCOR INTERNATIONAL INC	DE					X					11/30/01	
GENERAL GROWTH PROPERTIES INC	DE					X		X			12/12/01	
GENERAL GROWTH PROPERTIES INC	DE					X		X			12/14/01	
GENERAL MAGIC INC	DE					X		X			12/12/01	
GENESCO INC	TN					X		X			12/18/01	
GENESEE & WYOMING INC	DE					X		X			12/17/01	
GLOBAL INDUSTRIES LTD	LA									X	12/17/01	
GLOBESPAN INC/DE	DE		X								12/31/01	

NAME OF ISSUER	STATE	8K ITEM NO.									DATE	COMMENT	
	CODE	1	2	3	4	5	6	7	8	9			
GREENPOINT CREDIT LLC	DE					X	X					11/01/01	
GREENPOINT CREDIT LLC	DE					X	X					11/01/01	
GREENPOINT HELOC 2001-1						X	X					11/15/01	
GREENPOINT HOME EQUITY LOAN TRUST 2 000-3						X	X					11/15/01	
GTECH HOLDINGS CORP	DE					X						11/12/01	
HANOVER COMPRESSOR CO /	DE							X				12/03/01	
HARTMARX CORP/DE	DE					X	X		X			12/17/01	
HEALTH & NUTRITION SYSTEMS INTERNAT IONAL INC	FL					X	X					12/14/01	
HOLLIS EDEN PHARMACEUTICALS INC /DE /	DE					X	X					12/13/01	
IKON OFFICE SOLUTIONS INC	OH					X	X					12/13/01	
IMAGIS TECHNOLOGIES INC	AL					X	X					12/06/01	
IMATRON INC	NJ					X						12/18/01	
IMMUNEX CORP /DE/	WA					X	X					12/17/01	
IMP INC	DE	X							X			11/30/01	
INNOVATIVE SOLUTIONS & SUPPORT INC	PA					X						11/28/01	
IPC HOLDINGS LTD						X	X					12/12/01	
IT GROUP INC	DE					X	X					12/13/01	
JAMESON INNS INC	GA					X	X					12/14/01	
KELLSTROM INDUSTRIES INC	DE					X	X					12/15/01	
KERR MCGEE CORP /DE	DE					X	X					12/14/01	
KIMBALL INTERNATIONAL INC	IN									X		12/13/01	
KINGTHOMASON GROUP INC	NV	X										12/07/01	
LANDAMERICA FINANCIAL GROUP INC	VA					X	X					12/17/01	
LATTICE SEMICONDUCTOR CORP	DE					X	X					12/07/01	
LEASE INVESTMENT FLIGHT TRUST	DE					X						12/17/01	
LOGIX COMMUNICATIONS ENTERPRISES IN C	OK					X						12/15/01	
LONG BEACH MORT LOAN TR 2001-4 AS B K CERT SER 2001-4	DE	X							X			12/03/01	
LORAL CYBERSTAR INC	DE					X	X					12/18/01	
LORAL SPACE & COMMUNICATIONS LTD	DO					X	X					12/18/01	
MACQUARIE SECURITISATION LTD	DE					X	X					12/13/01	
MARKWEST HYDROCARBON INC	DE					X						12/03/01	
MARTIN INDUSTRIES INC /DE/	DE	X							X			11/30/01	
MATTHEWS INTERNATIONAL CORP	PA	X							X			12/03/01	
MAVERICK TUBE CORPORATION	DE					X	X					12/17/01	
MAVERICK TUBE CORPORATION	DE								X	X		12/18/01	
MBNA CORP	MD					X						12/18/01	
MCDONALDS CORP	DE					X	X					12/14/01	
MEDIA ARTS GROUP INC	DE					X	X					11/30/01	
MEDIALINK WORLDWIDE INC	DE					X						11/29/01	
METLIFE INC	DE					X	X					12/18/01	
METRIS MASTER TRUST	DE								X			11/30/01	
METRIS MASTER TRUST	DE								X			11/30/01	
METRIS RECEIVABLES INC	DE								X			11/30/01	
METRIS RECEIVABLES INC	DE								X			11/30/01	
MIAD SYSTEMS LTD	A6							X				12/03/01	
MMCA AUTO OWNER TRUST 2001-4	DE					X	X					12/17/01	

NAME OF ISSUER	STATE CODE	8K ITEM NO.									DATE	COMMENT
		1	2	3	4	5	6	7	8	9		
MMCA AUTO RECEIVABLES TRUST	DE				X	X					12/17/01	
MONTANA POWER CO /MT/	MT				X	X					12/18/01	
NATEXCO CORP	NV				X						12/17/01	
NATIONAL WINE & SPIRITS INC	IN				X						12/10/01	
NATIONAL WINE & SPIRITS INC	IN				X						12/10/01	
NATIONSBANK OF DELAWARE NA	DE				X	X					12/17/01	
NATIONSCREDIT GRANTOR TRUST 1996-1	DE				X	X					12/11/01	
NATIONSCREDIT GRANTOR TRUST 1997-1	DE				X	X					12/11/01	
NATIONSCREDIT GRANTOR TRUST 1997-2	DE				X	X					12/11/01	
NEVADA HOLDING GROUP INC /NV/	NV				X	X					12/11/01	
NEW CENTURY FINANCIAL CORP	DE				X						12/18/01	
NEXTGEN COMMUNICATIONS CORP	DE		X		X	X					11/30/01	
NIGHTINGALE INC	UT				X	X					12/18/01	
NTL INC/DE/	DE				X	X					12/18/01	
NU SKIN ENTERPRISES INC	DE				X						12/13/01	
NX NETWORKS INC	DE				X	X					11/30/01	
ORPHAN MEDICAL INC	MN				X	X					12/10/01	
OSTEOTECH INC	DE				X						12/12/01	
PALM INC	DE				X	X					11/28/01	
PHAGE THERAPEUTICS INTERNATIONAL IN C	FL				X	X					11/29/01	AMEND
PHARMACEUTICAL FORMULATIONS INC	DE				X						12/15/01	
PIPELINE TECHNOLOGIES INC	CO		X				X				12/03/01	
PLAINS RESOURCES INC	DE							X			12/19/01	
PNI TECHNOLOGIES INC	GA				X						12/17/01	
POWERCOLD CORP	NV				X						12/14/01	
PRESERVER GROUP INC	NJ					X	X				12/18/01	
PRESERVER GROUP INC	NJ					X	X				12/18/01	
PRESERVER GROUP INC	NJ					X	X				12/18/01	
PRESERVER GROUP INC	NJ					X	X				12/18/01	
PRESERVER GROUP INC	NJ					X	X				12/18/01	
PRESERVER GROUP INC	NJ					X	X				12/18/01	
PROFIT RECOVERY GROUP INTERNATIONAL INC	GA		X		X	X					12/14/01	
PROVIDIAN FINANCIAL CORP	DE				X						11/30/01	
PS BUSINESS PARKS INC/CA	CA				X	X					11/20/01	AMEND
PURCHASEPRO COM INC	NV				X						12/17/01	
PYR ENERGY CORP	DE				X	X					12/14/01	
QUANTECH LTD /MN/	MN				X	X					12/10/01	
RAYTEL MEDICAL CORP	DE				X	X					12/18/01	
REINSURANCE GROUP OF AMERICA INC	MO				X	X					12/12/01	
RELIANT ENERGY INC	TX					X	X				12/17/01	
RESIDENTIAL ASSET FUNDING CORP	NC				X	X					12/17/01	
RESIDENTIAL ASSET FUNDING CORP C-BA SS 2001 CB3					X	X					09/25/01	
RESIDENTIAL ASSET FUNDING CORP C-BA SS 2001 CB3					X	X					10/25/01	
RESIDENTIAL ASSET FUNDING CORP C-BA SS 2001 CB3					X	X					11/25/01	
RESTORAGEN INC	DE				X	X					12/13/01	

NAME OF ISSUER	STATE	8K ITEM NO.									DATE	COMMENT	
	CODE	1	2	3	4	5	6	7	8	9			
REVOLVING HOME EQUITY LOAN ASSET BA CKED NOTES SERIES 2001-A	DE					X		X				12/15/01	
RHYTHMS NET CONNECTIONS INC	DE		X			X		X				12/03/01	
RIDDELL SPORTS INC	DE					X		X				12/14/01	
RSTAR CORP	DE					X		X				12/10/01	
RURAL ELECTRIC COOPERATIVE GRANTOR TRUST KEPCO SERIES 1997	NY					X		X				12/17/01	
S&T BANCORP INC	PA					X						12/17/01	
S&T BANCORP INC	PA					X						12/17/01	
S&T BANCORP INC	PA					X						12/17/01	
S&T BANCORP INC	PA					X						12/17/01	
SAKS CREDIT CARD MASTER TRUST	NV					X		X				12/17/01	
SALIENT CYBERTECH INC	DE					X						12/31/01	
SALOMON BROTHERS COMMERCIAL MORTGAG E TRUST 2001-C1	DE					X		X				08/20/01	
SALOMON BROTHERS COMMERCIAL MORTGAG E TRUST 2001-C1	DE					X		X				08/20/01	
SALOMON BROTHERS COMMERCIAL MORTGAG E TRUST 2001-C1	DE					X		X				08/20/01	
SALOMON BROTHERS COMMERCIAL MORTGAG E TRUST 2001-C1	DE					X		X				08/20/01	
SALOMON BROTHERS COMMERCIAL MORTGAG E TRUST 2001-C1	DE					X		X				09/18/01	
SALOMON BROTHERS COMMERCIAL MORTGAG E TRUST 2001-C1	DE					X		X				10/18/01	
SALOMON BROTHERS COMMERCIAL MORTGAG E TRUST 2001-C1	DE					X		X				11/19/01	
SALOMON BROTHERS MORTGAGE SECURITIE S VII INC	DE							X				12/14/01	
SALOMON BROTHERS MORTGAGE SECURITIE S VII INC	DE					X		X				12/14/01	
SCANSOFT INC	DE					X						12/14/01	
SEARS ROEBUCK & CO	NY					X		X				12/12/01	
SECURITY CAPITAL GROUP INC/	MD					X		X				12/14/01	
SELECT THERAPEUTICS INC	DE		X					X				12/05/01	AMEND
SENIOR HOUSING PROPERTIES TRUST	MD							X		X		12/13/01	
SENTRY BUILDERS CORP	DE		X					X				06/30/01	AMEND
SERVICEMASTER CO	DE		X									12/30/01	
SOLECTRON CORP	DE		X					X				12/14/01	AMEND
SOLECTRON CORP	DE		X					X				12/14/01	AMEND
SOLECTRON CORP	DE							X		X		12/17/01	
SONIC CORP	DE					X		X				12/14/01	
SPORT HALEY INC	CO							X		X		12/18/01	
STORAGE COMPUTER CORP	DE							X		X		12/18/01	
STRESSGEN BIOTECHNOLOGIES CORP								X		X		11/29/01	
STRUCTURED ASSET SECURITIES CORP MO RT PA THR CE SER 2001-18A	DE							X		X		09/30/01	
SUPERIOR NATIONAL INSURANCE GROUP I NC	DE			X				X				12/17/01	
SUPREME HOSPITALITY	NV					X						12/31/01	AMEND
SWIFT ENERGY CO	TX		X					X				11/30/01	

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	CODE	1	2	3	4	5	6	7	8	9		
SYSCO CORP	DE				X	X					12/05/01	
SYSTEM ENERGY RESOURCES INC	AR			X		X					08/13/01	
TCPI INC	FL		X								11/06/01	
TEJAS BANCSHARES INC	TX				X	X					12/13/01	
TEXTRON FINANCIAL CORP	DE				X						11/30/01	
TITANIUM METALS CORP	DE				X						12/17/01	
TRANSKARYOTIC THERAPIES INC	DE				X						12/14/01	
TRANSKARYOTIC THERAPIES INC	DE				X	X					12/18/01	
TRAVELOCITY COM INC	DE							X			12/18/01	
TROYDEN CORP	NV				X						12/07/01	
ULTRATECH STEPPER INC	DE						X	X			12/14/01	
UNITED DOMINION REALTY TRUST INC	VA				X						07/23/01	AMEND
UNITED DOMINION REALTY TRUST INC	VA				X						10/22/01	AMEND
UNITED DOMINION REALTY TRUST INC	VA				X						12/17/01	
UNITED FINANCIAL MORTGAGE CORP	IL				X						12/17/01	
UNIVERSAL BANK NA	DE				X						11/30/01	
US MEDICAL GROUP INC	NV				X	X					11/30/01	
USA NETWORKS INC	DE				X	X					12/17/01	
USA NETWORKS INC	DE				X	X					12/17/01	
USX CORP	DE				X	X					12/17/01	
VIKING CAPITAL GROUP INC	UT					X					08/01/01	AMEND
VIKING CAPITAL GROUP INC	UT		X			X					12/03/01	
VISUAL DATA CORP	FL				X	X					12/05/01	
WELLS FARGO ASSET SECURITIES CORP	DE				X	X					12/17/01	
WEST PHARMACEUTICAL SERVICES INC	PA		X								12/31/01	
WESTBURY METALS GROUP INC	NY		X			X					12/06/01	
WHITE MOUNTAINS INSURANCE GROUP LTD	DE					X	X				11/02/01	
WHX CORP	DE					X	X				12/17/01	
WILD OATS MARKETS INC	DE					X					12/17/01	
37POINT9	NV					X	X				11/16/01	
8X8 INC /DE/	DE					X	X				12/17/01	