

sec news digest

Issue 89-210

LIBRARY

November 2, 1989

NOV 3 1989

COMMISSION ANNOUNCEMENTS

U.S. SECURITIES AND
EXCHANGE COMMISSION

EDGAR BRIEFING

The Commission announced today that the Office of EDGAR Management plans to brief filing agents and other interested parties on the general format of the requirements for making an electronic submission on the Operational EDGAR system and the associated software that BDM International, the EDGAR contractor, plans to make available to the filing community. There will also be discussion of the various manuals and how filing agents can smooth the transition to Operational EDGAR.

Representatives of BDM as well as Commission staff will be available to respond to any questions. However, participants should recognize that the staff may not be able to give definitive answers to all questions since the Operational system is still under design and all issues subject to rulemaking have not been completely resolved.

The briefing will be held Tuesday, November 14, 1989 at 10:00 a.m. in Room 1C30, SEC, 450 Fifth Street, NW, Washington, DC. There will be a one hour break for lunch, and the meeting is expected to adjourn about 5:30 p.m.

Anyone interested in attending this briefing should contact John Penhollow, Director, Office of EDGAR Management, at (202) 272-3808. (Press Release 89-73)

CRIMINAL PROCEEDINGS

PENNY STOCK PROMOTERS SENTENCED

The Justice Department's Fraud Section and the Fort Worth Regional Office announced sentencing of the final defendant convicted in the Frontier Resources penny stock prosecution. On October 26, Judge Robert Maloney, U.S. District Court in Dallas, sentenced Oded Benary to five years imprisonment. He had previously sentenced Sam Merit, also known as Sam Mor also known as Samuel Moallem, to nine years imprisonment; and James VanTreese (who testified as a government witness) to six months imprisonment and five years probation. Merit was extradited from South Africa to face the criminal charges. The Justice Department's trial attorneys, John D. Arterberry and Robert J. Ridge, received assistance from the Commission's Penny Stock Task Force and Fort Worth and New York Regional Offices.

Merit, VanTreese, and others had been enjoined by the Fort Worth Office in 1983 for manipulating the price of Frontier stock from \$.50 to \$7.00 in one week, the first Regulation D manipulation case brought by the Commission. (U.S. v. Sam Merit, USDC NDTX, Dallas, CR 3-87-153-3). (LR-12287)

LISTING, DELISTING AND UNLISTED TRADING ACTIONS

DELISTINGS GRANTED

Orders have been issued granting the applications of the New York Stock Exchange to strike from listing and registration the depository receipts for preference units of limited partners' interest of FINE HOMES INTERNATIONAL, L.P. (Rel. 34-27400); and the general income mortgage bonds, 4-1/2% due January 1, 2038, of CHICAGO GREAT WESTERN RAILWAY COMPANY. (Rel. 34-27401)

UNLISTED TRADING GRANTED

An order has been issued granting the application of the Philadelphia Stock Exchange for unlisted trading privileges in the common stock of 39 issues which are listed and registered on one or more other national securities exchanges and are reported in the consolidated transaction reporting system. (Rel. 34-27402)

SELF-REGULATORY ORGANIZATIONS

APPROVAL OF PROPOSED RULE CHANGE

The Commission approved a proposed rule change filed by the National Association of Securities Dealers (SR-NASD-89-28) amending the examination specifications and study outline for the Direct Participation Programs Limited Principal (Series 39) qualifications examination. (Rel. 34-27403)

EFFECTIVENESS OF PROPOSED RULE CHANGE

The MBS Clearing Corporation filed a proposed rule change which became effective under Section 19(b)(3)(A) of the Securities Exchange Act of 1934 (SR-MBS-89-5) proposing a revised schedule of fees for failure to resolve uncomparated or inconsistent settlement balance order information, appearing on the advisory report. (Rel. 34-27404)

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.

- S-18 PRINCETON EQUITIES INC, 909 VANCE ST, RALEIGH, NC 27608 (919) 821-3335 - 60,000 (\$600,000) COMMON STOCK. 60,000,000 (\$1,200,000) WARRANTS, OPTIONS OR RIGHTS. (FILE 33-31606-A - OCT. 23) (BR. 11)
- S-18 PUBLICATION CORP, 15 MT KEMBLE AVE, MORRISTOWN, NJ 07960 (201) 267-9701 - 718,750 (\$2,515,625) COMMON STOCK. 62,500 (\$63) WARRANTS, OPTIONS OR RIGHTS. 62,500 (\$262,500) COMMON STOCK. UNDERWRITER: SWARTWOOD HESSE INC. (FILE 33-31611-NY - OCT. 23) (BR. 11 - NEW ISSUE)
- S-1 AMERICAN BIOGENETIC SCIENCES INC, REYNIERS GERM FREE BLDG, P.O. BOX 1001, NOTRE DAME, IN 46556 (219) 239-7755 - 1,150,000 (\$6,900,000) COMMON STOCK. 6,900,000 (\$25,875,000) COMMON STOCK. 100,000 (\$100) WARRANTS, OPTIONS OR RIGHTS. 100,000 (\$720,000) COMMON STOCK. 600,000 (\$2,250,000) COMMON STOCK. UNDERWRITER: BLAIR DH & CO. (FILE 33-31616 - OCT. 25) (BR. 4 - NEW ISSUE)
- S-8 MOBILE TELECOMMUNICATION TECHNOLOGIES CORP, 200 SOUTH LAMAR ST, SECURITY CENTRE S BUILDING, JACKSON, MI 39201 (601) 944-1300 - 2,500,000 (\$24,687,500) COMMON STOCK. (FILE 33-31617 - OCT. 25) (BR. 7)
- N-2 GERMANY FUND INC, 40 WALL ST, NEW YORK, NY 10005 (212) 612-0807 - 575,000 (\$6,756,250) COMMON STOCK. (FILE 33-31618 - OCT. 25) (BR. 16)
- S-4 CLAIRE'S STORES INC, 6095 N W 167TH ST, MAIMI, FL 33015 (305) 558-2577 - 310,000 (\$348,750) COMMON STOCK. (FILE 33-31619 - OCT. 26) (BR. 1)
- S-1 PARAMETRIC TECHNOLOGY CORP, 128 TECHNOLOGY DRIVE, WALTHAM, MA 02154 (617) 894-7111 - 1,620,226 (\$16,202,260) COMMON STOCK. 334,774 (\$3,347,740) COMMON STOCK. UNDERWRITER: ALEX BROWN & SONS, HAMBRECHT & QUIST, WESSELS ARNOLD & HENDERSON. (FILE 33-31620 - OCT. 26) (BR. 9 - NEW ISSUE)
- S-18 KWIK TRIP FINANCIAL INC, 1626 OAK ST P.O BOX 2107, LACROSSE, WI 54602 (608) 781-8988 - 7,500,000 (\$7,500,000) STRAIGHT BONDS. (FILE 33-31660-C - OCT. 18) (BR. 12 - NEW ISSUE)
- S-18 APOLLO ACQUISITION OF FLORIDA II INC, 988 BOULEVARD OF THE ARTS # 516, SARASOTA, FL 34236 (813) 951-1110 - 86,250 (\$862,500) COMMON STOCK. 86,250,000 (\$3,450,000) COMMON STOCK. (FILE 33-31661-A - OCT. 19) (BR. 12 - NEW ISSUE)

- S-18 YES CLOTHING CO, 1360 EAST 17TH ST, LOS ANGELES, CA 90021 (213) 742-0201 - 882,352 (\$7,499,992) COMMON STOCK. UNDERWRITER: SEIDLER AMDEC SECURITIES INC. (FILE 33-31704-LA - OCT. 20) (BR. 7 - NEW ISSUE)
- S-18 MERIT MEDICAL SYSTEMS INC, 79 WEST 4500 SOUTH SUITE 9, SALT LAKE CITY, UT 84107 (801) 263-9300 - 500,000 (\$2,500,000) COMMON STOCK. 500,000 (\$3,500,000) WARRANTS, OPTIONS OR RIGHTS. 50,000 (\$300,000) WARRANTS, OPTIONS OR RIGHTS. UNDERWRITER: WASATCH STOCK TRADING INC. (FILE 33-31708-D - OCT. 20) (BR. 8 - NEW ISSUE)
- S-18 HMC HOLDINGS CORP, 2515 PARK PLAZA, NASHVILLE, TN 37203 (615) 327-9551 - 7,500,000 (\$7,500,000) COMMON STOCK. (FILE 33-31717-A - OCT. 20) (BR. 6 - NEW ISSUE)
- S-18 ORIGINAL DIET PIZZA CO INC, 600 CORPORATE DR, FORT LAUDERDALE, FL 3334 (305) 491-8700 - 850,000 (\$4,250,000) COMMON STOCK. 85,000 (\$85) WARRANTS, OPTIONS OR RIGHTS. 85,000 (\$510,000) COMMON STOCK. (FILE 33-31718-A - OCT. 18) (BR. 11 - NEW ISSUE)
- S-1 UNION FEDERAL SAVINGS BANK /IN/, 45 N PENNSYLVANIA ST, INDIANAPOLIS, IN 46204 (317) 269-4700 - 1,000,000 (\$1,000,000) EQUIPMENT TRUST CERTIFICATES. UNDERWRITER: MERRILL LYNCH CAPITAL MARKETS, MORGAN STANLEY & CO INC. (FILE 33-31721 - OCT. 25) (BR. 11)
- S-1 UNION FEDERAL SAVINGS BANK /IN/, 45 N PENNSYLVANIA ST, INDIANAPOLIS, IN 46204 (317) 269-4700 - 1,000,000 (\$1,000,000) EQUIPMENT TRUST CERTIFICATES. (FILE 33-31722 - OCT. 25) (BR. 11)
- S-8 TEJAS GAS CORP /DE/, 1301 MCKINNEY STE 700, HOUSTON, TX 77010 (713) 658-0509 - 667,334 (\$15,682,349) COMMON STOCK. (FILE 33-31724 - OCT. 25) (BR. 8)
- S-6 SEARS TAX EXEMPT INVESTMENT TRUST DELAWARE MUN PORT SER 7, TWO WORLD TRADE CNTR, C/O DEAN WITTER REYNOLDS INC, NEW YORK, NY 10048 (FILE 33-31733 - OCT. 25) (BR. 22 - NEW ISSUE)
- S-6 SEARS TAX EXEMPT INVESTMENT TRUST TENNESSEE MUN PORT SER 4, TWO WORLD TRADE CNTR, C/O DEAN WITTER REYNOLDS INC, NEW YORK, NY 10048 (FILE 33-31734 - OCT. 25) (BR. 22 - NEW ISSUE)
- S-3 ANHEUSER BUSCH COMPANIES INC, ONE BUSCH PL, C/O OFFICE OF THE VP & SEC'Y, ST LOUIS, MO 63118 (314) 577-3314 (FILE 33-31735 - OCT. 26) (BR. 13)
- S-4 BB&T FINANCIAL CORP, 223 W NASH ST, WILSON, NC 27893 (919) 399-4291 (FILE 33-31736 - OCT. 26) (BR. 13)
- S-4 MIRAMAR RESOURCES INC, 5601 INTERSTATE 40 W, STE 350, AMARILLO, TX 79106 (806) 358-3577 - 395,200 (\$160,550) COMMON STOCK. (FILE 33-31757 - OCT. 25) (BR. 3 - NEW ISSUE)
- S-1 HOME NUTRITIONAL SERVICES INC, 600 LANIDEX CENTER, PARSIPPANY, NJ 07054 (201) 515-4909 - 2,400,000 (\$38,400,000) COMMON STOCK. 2,200,000 (\$35,200,000) COMMON STOCK. (FILE 33-31761 - OCT. 26) (BR. 6 - NEW ISSUE)
- S-4 COMERICA INC /NEW/, 211 W FORT ST, DETROIT, MI 48275 (313) 222-3300 - 709,926 (\$30,464,597) COMMON STOCK. (FILE 33-31777 - OCT. 26) (BR. 1)
- S-11 HISTORIC PRESERVATION PROPERTIES 1990 LP TAX CREDIT FUND, 50 ROWES WHARF, BOSTON, MA 02110 - 100,000 (\$100,000,000) OTHER SECURITIES INCLUDING VOTING TRUST. UNDERWRITER: BOSTON BAY CAPITAL INC. (FILE 33-31778 - OCT. 26) (BR. 5 - NEW ISSUE)
- S-1 SYNOPTICS COMMUNICATIONS INC, 501 E MIDDLEFIELD RD, MOUNTAIN VIEW, CA 94043 (415) 960-1100 - 1,725,000 (\$32,343,750) COMMON STOCK. (FILE 33-31779 - OCT. 26) (BR. 9)
- S-8 PRIMERICA CORP /NEW/, 65 E 55TH ST, NEW YORK, NY 10022 (212) 891-8900 - 6,833,000 (\$6,833,000) COMMON STOCK. (FILE 33-31780 - OCT. 26) (BR. 12)
- S-3 CHESAPEAKE & POTOMAC TELEPHONE CO OF WEST VIRGINIA, 1500 MACCORKLE AVE SE, CHARLESTON, WV 25314 (304) 343-9911 - 50,000,000 (\$50,000,000) STRAIGHT BONDS. (FILE 33-31781 - OCT. 26) (BR. 7)

* CALLS FROM THE PUBLIC *
* *
* Members of the public seeking information and/or material from the Commission con- *
* tinue to complain of being incorrectly referred to the wrong telephone number by *
* Commission staff. The following information is furnished to assist you in directly *
* calling the appropriate office: *
* *
* Consumer Affairs (272-7440) - Investor inquiries and complaint processing informa- *
* tion. *
* *
* Freedom of Information Branch (272-7420) - Requests concerning FOIA, Privacy Act, *
* Sunshine Act, confidential treatment matters, etc. *
* *
* Personnel Locator (272-2550) - Requests for names and phone numbers of Commission *
* personnel. *
* *
* Public Affairs (272-2650) - Information about matters in the SEC News Digest, *
* the Commission's operations, and calls from the press not directed to particular *
* individuals, and other related matters. *
* *
* Public Reference (272-7450) - Requests for information on whether or not a document *
* has been filed, etc. *
* *
* Publications Unit (272-7460/7461) - Requests for forms, studies, directories, etc. *
* *
* Office of the Secretary (272-2600) - Requests for information on the Commission *
* calendar. *
* *
* SEC Information Line (272-3100/5624) - general information about SEC operations and *
* activities through a series of recorded messages. *
* *
