# **ADMINISTRATIVE PROCEEDINGS**

#### GARY ROZAK CITED

The Commission announced that it has instituted public administrative proceedings under the Securities Exchange Act of 1934 against Gary Rozak of Barrington, Illinois, formerly a registered representative with registered broker-dealers.

The Order for Proceedings alleges that while Rozak was employed at two broker-dealers, he wilfully violated the antifraud provisions of the securities laws in connection with the offer, purchase and sale for his customers of various publicly traded option contracts. The Order further alleges that Rozak solicited customers to purchase shares of TONM Oil & Gas Exploration Corporation stock by falsely representing that he had inside information. As a result of Rozak's conduct, during a 12-month period, 11 customers lost over \$135,000.

A hearing will be scheduled to take evidence on the allegations against Rozak and to afford him an opportunity to present any defenses he may have. The purpose of the hearing is to determine whether or not the allegations against Rozak are true, and if so, to decide what, if any, remedial action is necessary in the public interest. (Rel. 34-18646)

ORDER INSTITUTING PROCEEDINGS AND IMPOSING REMEDIAL SANCTIONS AGAINST AARON ALBERT KLEINMAN

The Commission announced that it has instituted administrative proceedings against Aaron Albert Kleinman, president, director and sole shareholder of Manus, Inc., a Los Angeles investment adviser. Simultaneously with the institution of the proceedings, the Commission accepted an Offer of Settlement from Kleinman in which he admits that he has been permanently enjoined from violations of securities registration, broker-dealer registration and antifraud provisions of the securities laws and that he was convicted, pursuant to a guilty plea, of mail and securities fraud arising out of the conduct of Manus' business as an investment adviser, and without admitting or denying the allegations of violations, he consents to the entry of findings and the imposition of sanctions.

Based upon the Order for Proceedings and the Offer of Settlement, the Commission found that Kleinman wilfully violated Sections 5(a), 5(c) and 17(a) of the Securities Act of 1933, and Sections 10(b) and 15(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder, and Section 206 of the Investment Advisers Act and Rule 206(4)-2 thereunder. The Commission ordered that Kleinman be barred from association with any broker or dealer, investment adviser, or municipal securities dealer, and be permanently prohibited from serving or acting as an employee, officer, director, member of an advisory board, investment adviser or depositor of, or principal underwriter for a registered investment company. (Rel. IA-797)

# CIVIL PROCEEDINGS

## COMPLAINT NAMES CHARLES L. ANDES, OTHERS

The Washington Regional Office announced that on April 14 a complaint was filed in the U.S. District Court for the Eastern District of Pennsylvania naming as defendants Charles L. Andes of Villanova, Pennsylvania, Brian G. Harrison of Radnor, Pennsylvania, Nelson B. Colton and James M. Doyle, both of Philadelphia, Pennsylvania.

The complaint alleges that from in or about October through December 1976, the defendants, who at that time were officers and/or directors of the Franklin Mint Corporation of Franklin Center, Pennsylvania, violated the antifraud provisions of the securities laws by selling in the aggregate 33,350 shares of the common stock of Franklin Mint while in possession of material non-public information. The complaint further alleges that for Franklin Mint's fiscal years ending December 31, 1976 and December 31, 1977, and for its first fiscal quarter ending March 31, 1977, Andes and Doyle caused Franklin Mint to file with the Commission periodic financial reports which did not accurately reflect, among other things, sales and earnings.

Simultaneous with the filing of the complaint, the defendants, without admitting or denying the allegations contained therein, and for the purpose of settlement of this litigation, consented to the entry of Final Judgments permanently enjoining them from future violations of Section 17(a) of the Securities Act of 1933, Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5. The Judgments also permanently enjoin Andes and Doyle from future violations of Section 13(a) of the Exchange Act and Rules 12b-20, 13a-1 and 13a-13, and provide that the defendants pay over to the court registry a total of \$283,738 in profits which the Commission alleged were illegally obtained by the defendants while in possession of material non-public information. The Final Judgments provide that the funds shall be disbursed pursuant to a plan to be submitted at a later date by the Commission. (SEC v. Charles L. Andes, et al., U.S.D.C., E.D. Pa., Civil Action No. 82-1659). (LR-9649)

#### WAYNE FARRIS PERMANENTLY ENJOINED

The Atlanta Regional Office announced that on March 24 the Honorable L. Clure Morton, Chief Judge of the U.S. District Court for the Middle District of Tennessee, entered a Final Judgment of Permanent Injunction against Wayne Farris of Memphis, Tennessee, a former salesman of Ratliff Farms, Inc., a Tennessee corporation. The Final Judgment permanently enjoins Farris from future violations of the registration and antifraud provisions of the securities laws in connection with the offer and sale of fractional undivided working interests in oil and gas wells proposed to be drilled by Ratliff Farms, or any other security. Farris consented to the entry of the Final Judgment without admitting or denying the allegations in the Commission's complaint, filed October 29, 1981, against Farris and two other defendants.

The injunction restrains Farris from making misrepresentations of material fact and/or omitting to state material facts concerning, inter alia, the success or lack of success of similar oil and gas drilling ventures by the same or affiliated promoters; the background of the principals of the issuer; the financial condition of the issuer; the availability of a gas pipeline; the deductability of investments on U.S. income tax returns; and the use of the proceeds. (SEC v. Ratliff Farms, Inc., et al., M.D. Tenn., Civil Action No. C81-2076M). (LR-9647)

# **CRIMINAL PROCEEDINGS**

### PAUL F, KENDRICK SENTENCED

The San Francisco Branch Office announced that on March 26 Paul F. Kendrick of Atherton, California, was sentenced in federal district court in San Francisco to six months of confinement and fined \$20,000, following a verdict of guilty rendered by a jury on February 26, on two counts of securities fraud and one count of perjury. Kendrick actually received a five year term of imprisonment; however, four-and-a-half years of that term were suspended and he was placed on five years probation. Kendrick had been charged with looting funds from a broker-dealer's customers' accounts and with lying to an officer of the Commission during the investigation of that conduct. (U.S. v. Kendrick, Crim. No. 81-312-WWS, N.D. Cal.). (LR-9646)

## **INVESTMENT COMPANY ACT RELEASES**

## GRADISON U.S. GOVERNMENT TRUST

An order has been issued pursuant to Section 6(c) of the Investment Company Act of 1940 on an application of Gradison U.S. Government Trust, registered under the Act as an open-end, diversified, management investment company, exempting Applicant from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder to the extent necessary to permit Applicant to use the amortized cost method for the purpose of valuing its assets. (Rel. IC-12368)

# LISTING, DELISTING AND UNLISTED TRADING ACTIONS

#### UNLISTED TRADING GRANTED

An order has been issued granting the applications of the <u>Pacific Stock Exchange</u>, <u>Inc</u>. for unlisted trading privileges in two issues which are listed and registered on one or more other national securities exchanges and are reported in the consolidated transaction reporting system. (Rel. 34-18642)

## **SELF-REGULATORY ORGANIZATIONS**

### NOTICE OF EFFECTIVENESS OF PROPOSED RULE CHANGES

Rules changes filed by the following have become effective in accordance with Section 19(b)(3)(A) of the Securities Exchange Act of 1934: Pacific Clearing Corporation (SR-PCC-82-2) which adds Rule VIII to PCC's rules. This rule requires that PCC provide its participants with quarterly and annual financial statements in accordance with Release 34-16900 (June 17, 1980). (Rel. 34-18630); New England Securities Depository Trust Company (SR-NESDTC-82-2) which allows NESDTC to extend its temporary 15 percent increase in fees from March 31, 1982 through June 30, 1982. (Rel. 34-18631); Boston Stock Exchange Clearing Corporation (SR-BSECC-82-1) which allows BSECC to extend its temporary 15 percent increase in fees from March 31, 1982 through June 30, 1982. (Rel. 34-18632); and the Pacific Securities Depository Trust Company (SR-PSD-82-1) which adds Rule 27 to PSD's rules. This rule requires that PSD provide its participants with quarterly and annual financial statements in accordance with Release 34-16900 (June 17, 1980). (Rel. 34-18633)

Publication of the proposals are expected to be made in the <u>Federal Register</u> during the week of April 12.

## 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; and whether the registration statement is a New Issue.

- (S-16) KAY CORPORATION, 320 King St., Alexandria, VA 22314 (703) 683-3800 150,437 shares of common stock. (File 2-76979 Apr. 13) (Br. 3)
- (S-8) HYBRITECH INCORPORATED, 11085 Torreyana Rd., San Diego, CA 92121 (714) 455-6700 1,000,000 shares of Series B common stock. (File 2-76980 Apr. 13) (Br. 8)
- (S-6) NUVEEN TAX-EXEMPT BOND FUND, SERIES 212, 209 South La Salle St., Chicago, IL 60604 - an indefinite number of units. Depositor: John Nuveen & Co. Incorporated. (File 2-76981 - Apr. 12) (Br. 18 - New Issue)
- (S-16) ESMARK, INC., 55 East Monroe St., Chicago, IL 60603 (312) 431-3600 130,000 shares of common stock. (File 2-76982 Apr. 13) (Br. 4)
- (S-14) INSTRUMENT SYSTEMS CORPORATION, 100 Jericho Quandrangle, Jericho, NY 11753 (516) 938-5544 - 1,399,125 shares of second preferred stock, Series I, and 1,399,125 shares of common stock. (File 2-76983 - Apr. 13) (Br. 8)
- (S-16) MIDDLESEX WATER COMPANY, One Woodbridge Center, Woodbridge, NJ 07095 (201) 634-1500 50,000 shares of common stock. (File 2-76984 Apr. 13) (Br. 8)
- (S-8) CENTRAL PENN NATIONAL CORP., Barclay Bldg., One Belmont Ave., Bala Cynwyd, PA 19004 136,034 shares of common stock. (File 2-76985 Apr. 13) (Br. 2)
- (S-8) FORD MOTOR COMPANY, The American Rd., Dearborn, MI 48121 (313) 322-3000 -5,250,000 shares of common stock, and \$21,500,000 of participations. (File 2-76986 -Apr. 13) (Br. 2)

- (N-1) CARNEGIE TAX FREE INCOME TRUST, 1331 Euclid Ave., Cleveland, OH 44115 (216) 781-4440 - an indefinite number of shares of beneficial interest. (Pile 2-76897 -Apr. 13) (Br. 18 - New Issue)
- (S-16) INSILCO CORPORATION, 1000 Research Parkway, Meriden, CT 06450 (203) 634-2000 -135,000 shares of common stock. (File 2-76988 - Apr. 13) (Br. 2)
- (S-6) MUNICIPAL SECURITIES TRUST, SERIES 13, 55 Water St., New York, NY 10041 12,000 units. Depositor: Bear, Stearns & Co. (File 2-76989 - Apr. 13) (Br. 16 -New Issue)
- (S-14) BANCORP OF MISSISSIPPI, INC., 1 Mississippi Plaza, Tupelo, MS 38801 (601) 842-6661 - 1,021,395 shares of common stock. (File 2-76992 - Apr. 13) (Br. 1 -
- (S-3) THE COLUMBIA GAS SYSTEM, INC., 20 Montchanin Rd., Wilmington, DE 19807 (302) 429-5363 - 3,000,000 shares of common stock. (File 2-76993 - Apr. 13) (Br. 7)
- (S-16) HOSPITAL CORPORATION OF AMERICA, One Park Plaza, Nashville, TN 37203 (615) 327-9551 - 280,169 common shares. (File 2-76994 - Apr. 14) (Br. 6)
- (S-8) ASTROSYSTEMS, INC., Six Nevada Dr., Lake Success, NY 11042 (212) 425-4320 -300,000 shares of common stock. (File 2-76995 - Apr. 14) (Br. 8)
- (S-8) U.S. HOME CORPORATION, 1177 West Loop South, Box 2863, Houston, TX 77001 (713) 877-2423 - 750,000 shares of common stock. (File 2-76997 - Apr. 13) (Br. 9)
- (S-16) CENTRAL ILLINOIS PUBLIC SERVICE COMPANY, 607 East Adams St., Springfield, IL 62701 (217) 523-3600 - 2,000,000 shares of common stock. (File 2-76998 - Apr. 14)
- (S-8) INTER-TEL, INCORPORATED, 3232 West Virginia Ave., Phoenix, AZ 85009 (602) 269-5091 717,806 shares of common stock. (File 2-76999 Apr. 14) (Br. 7)
- (N-1) STATE STREET INVESTMENT CORPORATION, 225 Franklin St., Boston, MA 02110 (617) 482-3920 - 700,000 shares of common stock. (File 2-77000 - Apr. 14) (Br. 18)
- (S-8) CITIZENS AND SOUTHERN GEORGIA CORPORATION, 35 Broad St., N.W., Atlanta, GA 30399 (404) 586-1500 400,000 shares of common stock. (File 2-77002 Apr. 14) (Br. 1)
- (S-8) COMPUTERVISION CORPORATION, 201 Burlington Rd., Bedford, MA 01730 (617) 275-1800 -750,000 shares of common stock. (File 2-77003 - Apr. 14) (Br. 9)
- THE MUNICIPAL BOND TRUST, SERIES 116; 117; and 118, 140 Broadway, New York, NY 10005 - 15,000 units (each Series). Depositor: Paine, Webber, Jackson & Curtis Incorporated. (File 2-77004, 2-77005, 2-77006 - Apr. 14) (Br. 16 - New Issues)

### REGISTRATIONS EFFECTIVE

- 1: Tana Bancshares, Inc., 2-76074-C. Apr.
- Apr. 7: Starfin, Inc., 2-76577.
- Apr. 8: Empire State Municipal Exempt Trust, Series 32, 2-76376.

  Apr. 9: Australia and New Zealand Banking Group Limited, 2-76914; Energy Sources 1982 Program, 2-75333; First American Money Fund, Inc., 2-74747; Sullair Corporation, 2-76613; United Bancorp of Arizona, 2-75814.
- Apr. 12: F L & T Financial Corporation, 2-76138; May Private Drilling Partnership 1982-A, 2-76128.
- Apr. 13: C.I.T. Financial Corporation, 2-76805; Gradison U.S. Government Trust, 2-75704; International Controls Corp., 2-76305; National Municipal Trust, Fifty-Fifth Series, 2-76442; Nuveen Tax-Exempt Bond Fund, Series 205, 2-75982; O-Petro Energy Corporation, 2-74121; Pennsylvania Power & Light Company, 2-76678; Umet Properties Corporation, 2-76451.
- Apr. 14: Missouri Public Service Company, 2-76001.