

SEC NEWS DIGEST

Issue 2002-21

January 31, 2002

RULES AND RELATED MATTERS

AMENDMENTS TO RULE 31-1 UNDER THE SECURITIES EXCHANGE ACT OF 1934

The Securities and Exchange Commission adopted amendments to Rule 31-1 under the Securities Exchange Act of 1934 to exempt options and futures on narrow-based security indexes from the fee and assessment requirements of Section 31 of the Exchange Act. The amendments will become effective on February 1, 2002.

Options and futures on broad-based security indexes already are exempt from Section 31 fees and assessments. The Commission's action relieves exchanges and national securities associations of the costs of monitoring whether an index underlying an index option or future is broad-based or narrow-based for purposes of Section 31. These costs exceed the very small amount of fees that the Commission currently collects on transactions in these products (for example, in 2001 the Commission collected approximately \$10,000 in Section 31 fees on narrow-based security index options compared to approximately \$1.1 billion in overall Section 31 fees). The exemption for options and futures on narrow-based security indexes is not expected to have any impact on the fee and assessment rates applicable to transactions in securities that remain subject to Section 31. (Rel. 34-45371)

ENFORCEMENT PROCEEDINGS

COMMISSION CHARGES TWO WITH INSIDER TRADING IN SHARES OF TECH DATA CORPORATION

The Commission announced today that it filed a complaint in Federal Court in San Diego against Thomas T. Johnson (Johnson) and Michael C. Dickman (Dickman). The Commission's complaint charges Johnson and Dickman with fraud and alleges that they engaged in insider trading in the stock of Tech Data Corporation (Tech Data) prior to the public announcement on May 20, 1999, that Tech Data had entered into a three-year, \$6 billion contract to assemble and distribute computers for GE Capital IT Solutions (GE Capital).

The complaint alleges that Johnson learned material, non-public information regarding the pending contract between Tech Data and GE Capital in the course of his employment as a sales manager for Tech Data. The complaint further alleges that Johnson tipped

Dickman, his former housemate, with information regarding the pending contract and the public announcement thereof and that, on May 19, 1999, Dickman purchased 20,000 shares of Tech Data common stock. Tech Data and GE Capital publicly announced their contract prior to the opening of trading on May 20, 1999. After the announcement, the share price of Tech Data's common stock opened at \$39.375, a 14% increase over the previous day's close of \$34.4375 per share. Dickman sold all 20,000 shares of Tech Data stock on May 21, 1999, realizing a profit of \$105,693.44. On June 1, 1999, Dickman purchased a cashier's check for more than \$24,000 in Johnson's name, which Johnson deposited the same day.

The Commission alleges that, as a result of the conduct described above, Johnson and Dickman violated Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder. In its action, the Commission seeks a final judgment against Johnson and Dickman enjoining them from future violations of the foregoing antifraud provisions, ordering them to disgorge all ill-gotten gains with prejudgment interest and assessing civil penalties against them. [SEC v. Thomas T. Johnson and Michael C. Dickman, Civil Action No. 02 CV 00184 L (RBB) (S.D.Cal.)] (LR-17347)

SEC CHARGES STOCKBROKER WITH FRAUD IN SCHEME RESULTING IN CLIENT LOSSES OF \$68 MILLION

The Commission today announced that it has sued stockbroker Enrique E. Perusquia for a long-running fraud that resulted in client losses of at least \$68 million. The complaint alleges that from January 1992 through March 1998, Perusquia secretly invested client funds in a series of speculative companies in return for broker kickback commissions from the companies, which later collapsed. In a separate matter, the United States Attorney's Office for the Northern District of California also announced today the filing of criminal charges against Perusquia for the same conduct that is alleged in the Commission's complaint.

The Commission's complaint alleges that Perusquia, formerly a Senior Vice President at PaineWebber and Lehman Brothers, defrauded a wealthy client of at least \$68 million by funneling tens of millions of dollars of client funds into a group of speculative gold mining companies from which Perusquia was secretly receiving millions of dollars in kickback commissions and stock. According to the complaint, Perusquia forged client signatures on private placement memoranda, powers of attorney and other documents to carry out his fraud; misappropriated at least \$1.6 million of client funds for personal use; and engaged in unauthorized margin trading during a six year period beginning in 1992 and ending in March 1998. To conceal his fraud, the complaint alleges that Perusquia prepared and sent phony account statements to his client that inflated the value of the client's investments, failed to disclose the value and extent of the gold mining investments, and listed other securities that the client did not own.

The complaint charges Perusquia with securities fraud and seeks to compel him to disgorge all his illegal profits plus prejudgment interest, and pay civil monetary penalties. The complaint also seeks an injunction prohibiting Perusquia from future violations of the

antifraud provisions of the securities laws (Section 10(b) of the Securities Exchange Act of 1934, Rule 10b-5 thereunder and Section 17(a) of the Securities Act of 1933). [SEC v. Enrique E. Perusquia, USDC, NDCA, Civil Action No. C 02-0540 CW] (LR-17348)

ADDITIONAL INFORMATION IN THE MATTER OF RUPAY-BARRINGTON CAPITAL MANAGEMENT, INC.

In yesterday's Digest, an article concerning Rupay-Barrington Capital Management, Inc. did not include a cite to the relevant administrative proceeding of January 30, 2002, In the matter of Rupay-Barrington Capital Management, Inc. (Rel. IA-2012; File No. 3-10691)

INVESTMENT COMPANY ACT RELEASES

DRW VENTURE PARTNERS LP AND RBC DAIN RAUSCHER CORP.

An order has been issued on an application filed by DRW Venture Partners LP and RBC Dain Rauscher Corp. (DRC) under Sections 6(b) and 6(e) of the Investment Company Act in connection with the formation of certain limited partnerships and limited liability companies (Partnerships) to be offered to certain key employees of DRC and certain of its affiliates. Each Partnership will be an "employees' securities company" within the meaning of Section 2(a)(13) of the Act. (Rel. IC-25404 - January 29)

THE CHARLES SCHWAB FAMILY OF FUNDS, ET AL.

An order has been issued on an application filed by The Charles Schwab Family of Funds, et al. under (1) Section 6(c) of the Investment Company Act exempting applicants from Sections 18(f) and 21(b) of the Act; (2) Section 12(d)(1)(J) of the Act exempting applicants from Section 12(d)(1) of the Act; (3) Sections 6(c) and 17(b) of the Act exempting applicants from Sections 17(a)(1) and 17(a)(3) of the Act; and (4) Section 17(d) of the Act and Rule 17d-1 under the Act. The order permits certain registered open-end management investment companies to participate in a joint lending and borrowing facility. The order also amends a prior order. (Rel. IC-25405 - January 30)

SELF-REGULATORY ORGANIZATIONS

PROPOSED RULE CHANGE

The National Association of Securities Dealers filed a proposed rule change (SR-NASD-2001-75) to make permanent a pilot amendment to NASD Rule 4120 relating to Nasdaq's

authority to initiate and continue trading halts. Publication of the notice in the Federal Register is expected during the week of February 4. (Rel. 34-45355)

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 SAFARI ASSOCIATES INC, 64 EDSON STREET, AMSTERDAM, NY, 12010,
5188426500 - 750,000 (\$240,000.00) Equity, (File 333-81630 - Jan. 30)
(BR. 09)
- S-1 AGERE SYSTEMS INC, 555 UNION BLVD, ALLENTOWN, PA, 18109, 6107124323 -
0 (\$200,000,000.00) Other, (File 333-81632 - Jan. 30) (BR. 36)
- S-8 MEADWESTVACO CORP, ONE HIGH RIDGE PARK, __, STAMFORD, CT, 06905,
2034617500 - 0 (\$6,980,000.00) Equity, (File 333-81634 - Jan. 30)
(BR. 04)
- S-8 MEADWESTVACO CORP, ONE HIGH RIDGE PARK, __, STAMFORD, CT, 06905,
2034617500 - 0 (\$41,880,000.00) Equity, (File 333-81636 - Jan. 30)
(BR. 04)
- S-8 MEADWESTVACO CORP, ONE HIGH RIDGE PARK, __, STAMFORD, CT, 06905,
2034617500 - 0 (\$652,552,110.00) Equity, (File 333-81638 - Jan. 30)
(BR. 04)
- S-8 MEADWESTVACO CORP, ONE HIGH RIDGE PARK, __, STAMFORD, CT, 06905,
2034617500 - 0 (\$69,800,000.00) Equity, (File 333-81640 - Jan. 30)
(BR. 04)
- S-8 MEADWESTVACO CORP, ONE HIGH RIDGE PARK, __, STAMFORD, CT, 06905,
2034617500 - 0 (\$27,920,000.00) Equity, (File 333-81642 - Jan. 30)
(BR. 04)
- S-3 YAHOO INC, 3420 CENTRAL EXPRESSWAY, SUITE 201, SANTA CLARA, CA,
95051,

4087313300 - 0 (\$4,933,575.15) Equity, (File 333-81644 - Jan. 30)
(BR. 03)

S-3 EXPEDIA INC, 13810 SE EASTGATE WAY, SUITE 400, BELLEVUE, WA, 98005,
4257054874 - 0 (\$47,644,950.00) Equity, (File 333-81646 - Jan. 30)
(BR. 05)

S-3 ALLOY INC, 151 WEST 26TH STREET, 11TH FLOOR, NEW YORK, NY, 10001,
2122444307 - 0 (\$89,965,000.00) Equity, (File 333-81648 - Jan. 30)
(BR. 02)

S-1 VIACELL INC, 131 CLARENDON ST, BOSTON, MA, 02116, 6172664373 -
0 (\$115,000,000.00) Equity, (File 333-81650 - Jan. 30) (BR.)

S-3 ENTRAVISION COMMUNICATIONS CORP, 2425 OLYMPIC BLVD, STE 6000 WEST,
SANTA MONICA, CA, 90404, 3104473870 - 0 (\$42,940,311.60) Equity,
(File 333-81652 - Jan. 30) (BR. 37)

S-8 ADVANCED PLANT PHARMACEUTICALS INC, 75 MAIDEN LA, NEW YORK, NY,
10038,
2124027878 - 875,000 (\$105,000.00) Equity, (File 333-81654 - Jan. 30)
(BR. 04)

S-8 CSG SYSTEMS INTERNATIONAL INC, 7887 EAST BELLEVIEW AVE, SUITE 1000,
ENGLEWOOD, CO, 80111, 3037962850 - 2,500,000 (\$89,137,500.00) Equity,
(File 333-81656 - Jan. 30) (BR. 03)

SB-2 PUMA ENERGY INC, 5430 LBJ FREEWAY SUITE 1600, DALLAS, TX, 75240-2636,
9726639400 - 3,000,000 (\$4,500,000.00) Debt Convertible into Equity,
(File 333-81662 - Jan. 30) (BR.)

S-3 LAM RESEARCH CORP, 4650 CUSHING BLVD, FREMONT, CA, 94538, 5106590200
-
0 (\$44,080,000.00) Equity, (File 333-81664 - Jan. 30) (BR. 36)

S-8 BIOGEN INC, 14 CAMBRIDGE CTR, CAMBRIDGE, MA, 02142, 6176792000 -
0 (\$533,300,000.00) Equity, (File 333-81668 - Jan. 30) (BR. 01)

S-8 SERVICEMASTER CO, ONE SERVICEMASTER WAY, DOWNERS GROVE, IL, 60515,
6302711300 - 287,536 (\$3,988,124.00) Equity, (File 333-81670 - Jan.
30)
(BR. 08)

S-8 DATAMEG CORP, 1653 HAIGHT AVENUE, BRONX, NY, 10461-1503, 2126825844 -
2,000,000 (\$180,000.00) Equity, (File 333-81672 - Jan. 30) (BR. 05)

S-8 MANHATTAN SCIENTIFICS INC, 641 FIFTH AVENUE, SUITE 36F, NEW YORK, NY,
10022, 2127520505 - 0 (\$390,000.00) Equity, (File 333-81674 - Jan.
30)
(BR. 09)

S-8 WEATHERFORD INTERNATIONAL INC /NEW/, 515 POST OAK BLVD, SUITE 600,
HOUSTON, TX, 77027-3415, 7132978400 - 0 (\$13,291,200.00) Equity,
(File 333-81676 - Jan. 30) (BR. 04)

S-8 WEATHERFORD INTERNATIONAL INC /NEW/, 515 POST OAK BLVD, SUITE 600,
HOUSTON, TX, 77027-3415, 7132978400 - 0 (\$258,440,000.00) Equity,
(File 333-81678 - Jan. 30) (BR. 04)

S-8 NAVIGANT CONSULTING INC, 615 N WABASH, CHICAGO, IL, 60611, 3125735650
-
0 (\$4,336,000.00) Equity, (File 333-81680 - Jan. 30) (BR. 08)

S-8 NETIQ CORP, 3553 NORTH FIRST STREET, SAN JOSE, CA, 95134, 4083307000
-
4,900,000 (\$154,635,000.00) Other, (File 333-81682 - Jan. 30) (BR.
03)

S-8 DICE INC, 3 PARK AVE, NEW YORK, NY, 10016, 2127256550 -
2,864,991 (\$5,801,606.70) Equity, (File 333-81684 - Jan. 30) (BR. 03)

S-2 HARTFORD LIFE INSURANCE CO, 200 HOPMEADOW ST, P O BOX 2999, SIMSBURY,
CT, 06089, 8608435445 - 0 (\$1,000,000,000.00) Other, (File 333-81686
-
Jan. 30) (BR. 20)

S-11 CRUSADE MANAGEMENT LTD, LEVEL 11, 55 MARKET STREET,
SIDNEY NSW 2217 AUSTRALIA,
0 (\$2,000,000.00) Debt Convertible into Equity, (File 333-81688 -
Jan. 30) (BR. 05)

S-8 E PIPHANY INC, 1900 S NORFOLK ST, SUITE 310, SAN MATEO, CA, 94403,
6504962430 - 0 (\$53,029,980.00) Equity, (File 333-81690 - Jan. 30)
(BR. 08)

S-3 JDN REALTY CORP, 359 EAST PACES FERRY ROAD, STE 400, ATLANTA, GA,
30305, 4042623252 - 0 (\$3,050,400.00) Equity, (File 333-81692 -
Jan. 30) (BR. 08)

S-4 TITAN CORP, 33033 SCIENCE PARK RD, SAN DIEGO, CA, 92121, 8585529500 -
0 (\$24,813,532.00) Equity, (File 333-81694 - Jan. 30) (BR. 03)

S-8 LOGICVISION INC, 101 METRO DRIVE 3RD FL, SAN JOSE, CA, 95110,
4084530146 - 0 (\$12,278,886.37) Equity, (File 333-81696 - Jan. 30)
(BR. 03)

S-3 ANWORTH MORTGAGE ASSET CORP, 1299 OCEAN AVENUE, SUITE 210,
SANTA MONICA, CA, 90401, 3103931428 - 0 (\$4,725,000.00) Equity,
(File 333-81698 - Jan. 30) (BR. 08)

S-8 SAFARI ASSOCIATES INC, 64 EDSON STREET, AMSTERDAM, NY, 12010,
5188426500 - 4,000,000 (\$1,280,000.00) Equity, (File 333-81700 -
Jan. 30) (BR. 09)

S-8 E TRADE GROUP INC, 4500 BOHANNON DRIVE, MENLO PARK, CA, 94025,
6508422500 - 17,781,985 (\$169,640,136.90) Equity, (File 333-81702 -
Jan. 30) (BR. 07)

S-8 LOGICVISION INC, 101 METRO DRIVE 3RD FL, SAN JOSE, CA, 95110,
4084530146 - 0 (\$1,359,375.00) Equity, (File 333-81704 - Jan. 30)
(BR. 03)

S-8 PREMIER AXIUM ASP INC, 10922 COPPOLA STREET, NONE, LAS VEGAS, NV,
89141, 702-6161986 - 175,000,000 (\$3,500,000.00) Equity,
(File 333-81706 - Jan. 30) (BR. 02)

S-3 TRIMERIS INC, 3518 WESTGATE DRIVE, SUITE 300, DURHAM, NC, 27707,
9194196050 - 0 (\$46,810,437.50) Equity, (File 333-81708 - Jan. 30)
(BR. 01)

S-8 MEGAPRO TOOLS INC, 5-5492 PRODUCTION BLVD, V3S BP5, SURREY BC CANADA,
321,000 (\$449,400.00) Equity, (File 333-81710 - Jan. 30) (BR. 09)

S-8 RUBY MINING CO, 3399 PEACHTREE ROAD NE, SUITE 810, ATLANTA, GA,
30326,
404-231-8500 - 4,500,000 (\$855,000.00) Other, (File 333-81712 -
Jan. 30) (BR. 04)

S-4 DELTA HOLDCO CORP, C/O EACHTELL LIPTON ROSEN & KATZ,
51 WEST 52ND STREET, NEW YORK, NY, 10018, 2124031183 -
0 (\$99,475,000.00) Equity, (File 333-81716 - Jan. 30) (BR. 04)

S-1 COGENT COMMUNICATIONS GROUP INC, 1015 31ST STREET, WASHINGTON, DC,
20007, 2022954200 - 0 (\$3,672,405.00) Equity, (File 333-81718 -
Jan. 30) (BR. 08)

S-3 KERR MCGEE CORP /DE, KEN MCGEE CENTER, OKLAHOMA CITY, OK, 73102,
4052701313 - 0 (\$1,500,821,339.47) Other, (File 333-81720 - Jan. 30)
(BR. 04)

SB-2 EASY MONEY HOLDING CORP, 5295 GREENWICH ROAD, SUITE 108,
VIRGINIA BEACH, VA, 23462, 7574991126 - 0 (\$5,250,000.00) Equity,
(File 333-81722 - Jan. 30) (BR. 07)

S-8 CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
FL,
33021, 9543314211 - 75,000 (\$447,750.00) Equity, (File 333-81724 -
Jan. 30) (BR. 36)

S-8 CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
FL,
33021, 9543314211 - 67,500 (\$402,975.00) Equity, (File 333-81726 -
Jan. 30) (BR. 36)

S-8 CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
FL,
33021, 9543314211 - 4,500 (\$24,750.00) Equity, (File 333-81728 -
Jan. 30) (BR. 36)

S-8 CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
FL,
33021, 9543314211 - 20,000 (\$142,600.00) Equity, (File 333-81730 -

Jan. 30) (BR. 36)

- S-8 INTERACTIVE DATA CORP/MA/, 22 CROSBY DRIVE, BEDFORD, MA, 01730,
7816878800 - 0 (\$28,450,000.00) Other, (File 333-81732 - Jan. 30)
(BR. 07)
- S-8 CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
FL,
33021, 9543314211 - 11,250 (\$67,162.50) Equity, (File 333-81734 -
Jan. 30) (BR. 36)
- S-8 CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
FL,
33021, 9543314211 - 15,000 (\$89,550.00) Equity, (File 333-81736 -
Jan. 30) (BR. 36)
- S-8 CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
FL,
33021, 9543314211 - 12,000 (\$81,000.00) Equity, (File 333-81738 -
Jan. 30) (BR. 36)
- S-8 CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
FL,
33021, 9543314211 - 21,000 (\$115,500.00) Equity, (File 333-81740 -
Jan. 30) (BR. 36)
- S-8 CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
FL,
33021, 9543314211 - 4,500 (\$26,865.00) Equity, (File 333-81742 -
Jan. 30) (BR. 36)
- S-8 CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
FL,
33021, 9543314211 - 11,250 (\$67,162.50) Equity, (File 333-81744 -
Jan. 30) (BR. 36)
- S-8 CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
FL,
33021, 9543314211 - 9,000 (\$45,000.00) Equity, (File 333-81746 -
Jan. 30) (BR. 36)
- S-8 CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
FL,
33021, 9543314211 - 8,000 (\$54,000.00) Equity, (File 333-81748 -
Jan. 30) (BR. 36)
- S-8 CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
FL,
33021, 9543314211 - 3,000 (\$17,910.00) Equity, (File 333-81750 -
Jan. 30) (BR. 36)
- S-3 BIOJECT MEDICAL TECHNOLOGIES INC, 7620 S W BRIDGEPORT RD, PORTLAND,
OR,
97224, 5036397221 - 461,740 (\$5,277,688.20) Equity, (File 333-81752 -

Jan. 30) (BR. 36)

S-8
FL, CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
33021, 9543314211 - 20,000 (\$80,200.00) Equity, (File 333-81754 -
Jan. 30) (BR. 36)

S-8
FL, CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
33021, 9543314211 - 30,000 (\$202,500.00) Equity, (File 333-81756 -
Jan. 30) (BR. 36)

S-8
FL, CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
33021, 9543314211 - 7,500 (\$44,775.00) Equity, (File 333-81758 -
Jan. 30) (BR. 36)

S-8
FL, CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
33021, 9543314211 - 2,250 (\$13,432.50) Equity, (File 333-81760 -
Jan. 30) (BR. 36)

S-8
FL, CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
33021, 9543314211 - 2,000 (\$9,020.00) Equity, (File 333-81762 -
Jan. 30) (BR. 36)

S-8
FL, CONCORD CAMERA CORP, 4000 HOLLYWOOD BLVD, STE 650 NORTH, HOLLYWOOD,
33021, 9543314211 - 5,000 (\$29,950.00) Equity, (File 333-81766 -
Jan. 30) (BR. 36)