

# sec news digest

Issue 81-169

LIBRARY

September 1, 1981

SEP 2 1981

## CIVIL PROCEEDINGS

## U.S. SECURITIES AND EXCHANGE COMMISSION

### COMPLAINT NAMES RICHARD W. SUTER

The Chicago Regional Office announced that on July 9 a complaint was filed in the U. S. District Court for the Northern District of Illinois, Eastern Division, seeking to preliminarily and permanently enjoin Richard W. Suter (Suter) and Richard W. Suter, doing business as National Investment Publishing Co. (National), from further violations of the registration, bookkeeping and antifraud provisions of the securities laws.

The complaint alleges that Suter violated the antifraud provisions of the Investment Advisers Act of 1940 (Advisers Act) in connection with his solicitation of subscriptions to his newsletters. Moreover, the complaint alleges that Suter violated Section 204 of the Advisers Act in that he refused to allow the staff of the Commission to examine certain of his books and records required to be kept in connection with his registration with the Commission.

In addition, the complaint alleges that Suter violated Section 5 of the Securities Act of 1933 (Securities Act) in connection with a nationwide offer of unregistered securities to at least 4,000 persons and sale of these securities to a number of persons. The complaint also alleges that Suter violated the antifraud provisions of the Securities Act and the Securities Exchange Act of 1934 in connection with material misrepresentation and omissions made in the offer, purchase and sale of these securities. (SEC v. Richard W. Suter, et al., U.S.D.C. N.D. Ill., Civil Action No. 81 C 3865). (LR-9430)

### OREGON BROKER-DEALER PRELIMINARILY ENJOINED

The Seattle Regional Office announced that on August 20 Judge Owen Panner in the U.S. District Court for the District of Oregon granted the Commission's motion for a preliminary injunction against T. E. Slanker Company, Incorporated, a Portland broker-dealer and Ted E. Slanker, Jr., its president, from further violations of the net capital and customer protection rules. (SEC v. T. E. Slanker Company, et al., Dist. of Oregon, Civil Action No. 81-540). (LR-9431)

### JAMES J. ROACH AND MICHAEL'S EATERY, INC. CONSENT TO JUDGMENTS OF PERMANENT INJUNCTION

The New York Regional Office announced that on July 21 the Commission obtained Judgments of Permanent Injunction by Consent from James J. Roach and Michael's Eatery, Inc. The Judgments, consented to without admitting or denying the allegations contained in the Commission's complaint, were issued by the Honorable John T. Elfvin, U.S. District Judge for the Western District of New York, and permanently restrain and enjoin Roach and Michael's from future violations of the registration and antifraud provisions of the securities laws. The Judgments also provide for equitable relief requiring Roach and Michael's to elect officers, hold Board of Directors meetings, distribute the Commission's Litigation Releases in this matter to all shareholders, and otherwise conduct business in compliance with the provisions of the New York Business Corporate Laws. (SEC v. James J. Roach and Michael's Eatery, Inc., U.S.D.C. W.D.N.Y., 81 Civil 419). (LR-9432)

---

## CRIMINAL PROCEEDINGS

---

### CATHRYN WENCKE FOUND GUILTY OF PERJURY

The Commission announced that on August 12 a U.S. District Court jury sitting in San Diego, California found Cathryn Wencke guilty of two counts of perjury. She was charged with testifying falsely in a deposition taken by the Commission in 1979 and again in an appearance before the District Court in 1980. Questioning in both instances related to the existence and location of business records involved in SEC v. Bookkeepers, Ltd. and SEC v. Walter Wencke. Judge Howard Turrentine set sentencing for September 28; maximum penalties include both fines of \$2,000 and \$10,000 respectively, and five years imprisonment. (U.S. v. Cathryn Wencke, S.D. Cal., CR-81-483). (LR-9433)

---

## INVESTMENT COMPANY ACT RELEASES

---

### FEDERAL LIFE INSURANCE COMPANY (MUTUAL)

An order has been issued on an application filed by Federal Life Insurance Company (Mutual), Federal Life Variable Annuity Account A and FED Mutual Financial Services, Inc., amending a previous order pursuant to Section 11 of the Act approving certain offers of exchange and, pursuant to Section 6(c), granting certain exemptions from the provisions of Sections 2(a)(32), 2(a)(35), 22(c), 22(d), 26(a), 27(a)(3), 27(c)(1), 27(c)(2), and 27(d) of the Act and Rules 22c-1 and 22d-3 thereunder. (Rel. IC-11924 - Aug. 31)

---

## HOLDING COMPANY ACT RELEASES

---

### OHIO POWER COMPANY INC.

An order has been issued authorizing Ohio Power Company, Inc., subsidiary of American Electric Power Company, Inc., and Windsor Power House Coal Company, subsidiary of Ohio Power, to finance a new coal preparation plant and related facilities at the Windsor mine. (Rel. 35-22179 - Aug. 28)

### ALABAMA POWER COMPANY

A supplemental order has been issued approving a proposal by Alabama Power Company, subsidiary of The Southern Company, whereby the time during which Alabama's authority to issue up to \$125 million of first mortgage bonds will be extended from August 31, 1981 through October 31, 1981. (Rel. 35-22180 - Aug. 31)

---

## 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-18) ROCKY MOUNTAIN HEALTH SERVICES, INC., 2135 Southgate Rd., Colorado Springs, CO 80906 - \$4,900,000 of first mortgage bonds, Series 1 (maturing October 1, 1986). Underwriter: B. C. Ziegler and Company, West Bend, WI 53095 (414) 334-5521. The company operates Brady Hospital, a 100 bed psychiatric hospital. (File 2-73789-D - Aug. 24) (Br. 6 - New Issue)

(S-18) MINIX, LTD., 209 West St., Annapolis, MD 21401 (301) 267-0750 - 1,000,000 shares of common stock. Underwriter: Rooney, Pace Inc., One State Street Plaza, New York, NY. The company is engaged in microfilming original medical x-rays and marketing a specialized line of microfilming and related equipment, primarily to hospitals. (File 2-73756-W - Aug. 20) (Br. 6 - New Issue)

- (S-11) HUTTON SOUTHERN TIMBER PARTNERS I, 109 North Franklin St., Dublin, GA 31021 - 10,000 units of limited partnership interest, \$1,000 per unit. (File 2-73838 - Aug. 28) (Br. 6 - New Issue)
- (S-8) HENRY ENERGY CORPORATION, 1201 N. Watson Rd., Arlington, TX 76011 (817) 640-8441 - 340,000 shares of common stock. (File 2-73861 - Aug. 28) (Br. 4)
- (S-1) BURTON ENERGY AND SOLAR TECHNOLOGY, INC., 243 Wyandanch Ave., North Babylon, NY 11704 (516) 643-6660 - 5,600,000 units of common stock and warrants. Underwriter: AMFCO Securities, Inc., 29 Broadway, New York, NY 10006 (212) 344-6363. (File 2-73862 - Aug. 28) (Br. 10 - New Issue)
- (S-8) MONARCH AVALON, INC., 4517 Harford Rd., Baltimore, MD 21214 (301) 254-9200 - 25,500 shares of common stock. (File 2-73863 - Aug. 28) (Br. 2)
- (S-6) THE CORPORATE INCOME FUND, ONE HUNDRED THIRTY-SECOND AND THIRTY-THIRD MONTHLY PAYMENT SERIES, One Liberty Plaza, 165 Broadway, New York, NY 10080 - an indefinite number of units of beneficial interest (each Series). Depositors: Merrill Lynch, Pierce, Fenner & Smith Incorporated, One Liberty Plaza, 165 Broadway, New York, NY 10080, Dean Witter Reynolds Inc., Bache Halsey Stuart Shields Incorporated and Shearson Loeb Rhoades Inc. (File 2-73864 and 2-73865 - Aug. 28) (Br. 17 - New Issues)
- (S-15) HEWLETT-PACKARD COMPANY, 1501 Page Mill Rd., Palo Alto, CA 94304 (415) 857-1501 - 291,594 shares of common stock. (File 2-73867 - Aug. 31) (Br. 8)
- (S-14) GREAT VERNON RECREATION, INC., c/o Vernon Valley Creation Association, Inc., Route 94, P.O. Box 391, Vernon, NJ 07462 (201) 827-2000 - 23,877,921 shares of common stock. (File 2-73868 - Aug. 28) (Br. 4 - New Issue)
- (S-1) CENTURY ENERGY 1981-82 OIL & GAS PROGRAM, LTD., 450 Martin Lane, Beverly Hills, CA 90210 - \$10 million of preformation limited partnership interests, 10,000 units at \$1,000 each. (File 2-73869 - Aug. 31) (Br. 3 - New Issue)
- (S-1) ANCHOR DRILLING CORPORATION, 621 Seventeenth St., Suite 811, Denver, CO 80293 - 11,000,000 shares of common stock. (File 2-73870 - Aug. 31) (Br. 10 - New Issue)
- (S-1) ROBERTS OIL AND GAS, INC., 1 West Loop South, Houston, TX 77027 (713) 621-8241 - 4,000,000 shares of common stock. Underwriter: Holt, Olinger & Co., Inc. The company is primarily engaged in domestic oil and gas exploration, development and production. (File 2-73871 - Aug. 31) (Br. 9 - New Issue)
- (S-14) CAPISTRANO BANCORP, 31873 Del Obispo St., San Juan Capistrano, CA 92675 (714) 496-8601 - 509,200 shares of common stock. (File 2-73872 - Aug. 31) (Br. 1 - New Issue)
- (S-8) AMERICAN FIRST CORPORATION, Suite 200, American First Tower, Oklahoma City, OK 73102 (405) 235-9621 - \$76,200 of interests. (File 2-73873 - Aug. 31) (Br. 1 - New Issue)
- (S-15) M/A-COM, INC., 7 New England Executive Park, Burlington, MA 01803 (617) 272-9600 - 550,009 shares of common stock. (File 2-73875 - Aug. 31) (Br. 7)
- (S-8) DUNLAP AND ASSOCIATES, INC., One Parkland Dr., Darien, CT 06820 (203) 655-3971 - 89,962 shares of common stock. (File 2-73876 - Aug. 31) (Br. 7)
- (S-14) THE PLASMINE CORPORATION, 61 Bishop St., Portland, ME 04103 (207) 797-5009 - 82,116 shares of common stock. (File 2-73878 - Aug. 31) (Br. 1)

#### REGISTRATIONS EFFECTIVE

Aug. 5: Lifemark Corp., 2-72679.

Aug. 27: Commercial National Corp., 2-73136; NCNB Corp., 2-73363; Softech, Inc., 2-73261; Striker Petroleum Corp., 2-72295.

Aug. 28: Acton Corp., 2-73823; Allied Bancshares, Inc., 2-73276, 2-73278, 2-73810, 2-73811; 2-73812, and 2-73814; Eastman Kodak Co., 2-73691; First International Bancshares Inc., 2-73609; The Kansas Power and Light Co., 2-73580.

NOTICE

Many requests for copies of documents referred to in the "SEC News Digest" have erroneously been directed to the Government Printing Office. Copies of such documents, registration statements, and other filings may be ordered by writing to the Public Reference Branch, Securities and Exchange Commission, Washington, D.C. 20549. When you are ordering more than one, we prefer that the documents be listed in alphabetical order by registrant name to expedite service. Cost estimates are given on request. Two types of service are available through the Public Reference Branch, one of which (priority service) is also available directly from the SEC's service contractor.

**REGULAR SERVICE** — The regular service reproduction cost is 10c per page, including applicable sales taxes, plus postage (\$5.00 minimum order). Regular service orders will be shipped within seven calendar days of the receipt by the SEC's service contractor of your request, forwarded from the Public Reference Branch. Slight delays may occur if the materials to be copied are not already in the contractor's master files.

**PRIORITY SERVICE** — Copies of documents may be ordered by telephone directly from the SEC's service contractor by calling 301/951-1350 (Maryland callers), or the toll-free number, 800-638-8241. The priority reproduction cost is 35¢ per page plus postage and applicable sales taxes (\$10.00 minimum order). Priority service orders will be shipped by 4:00 PM of the working day following the day of your telephoned request for materials already in the contractor's master files. Cost estimates are given on request.

All other reference material is available in the SEC Docket.

SEC NEWS DIGEST is published daily. Subscription rates: \$100.00/yr in U.S. first class mail; \$125.00 elsewhere.

SEC DOCKET is published weekly. Subscription rates: \$110.00/yr in U.S. first class mail; \$137.50 elsewhere.

SEC MONTHLY STATISTICAL REVIEW is published monthly. Subscription rates: \$19.00/yr in U.S. first class mail; \$23.75 elsewhere.

The News Digest, the Docket, and the Statistical Review are for sale by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.