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SEC NEWS DIGEST

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COMMISSION ANNOUNCEMENTS

CHRIS MIXTER, CHIEF LITIGATION COUNSEL IN THE DIVISION OF ENFORCEMENT, LEAVES THE COMMISSION AFTER NINE YEARS OF SERVICE

Christian J. Mixter, Chief Litigation Counsel in the Division of Enforcement of the Securities and Exchange Commission, departed the Commission on Friday, September 22, 2000 after nine years of service to become a partner in the Washington, D.C. office of Morgan, Lewis & Bockius LLP.

Mr. Mixter, 47, became Chief Litigation Counsel in February 1997 after serving for more than five years as a trial attorney in the Division of Enforcement. During that time he litigated a number of the Commission's most significant enforcement cases, including the fraud case against First Jersey Securities and Robert Brennan, the financial fraud case against Comparator Systems Corporation, and the insider trading cases concerning transactions related to Rochester Community Savings Bank. In 1995-1996, he was the Acting District Administrator for the Commission's Fort Worth District Office.

SEC Chairman Arthur Levitt said, "Chris has been an effective litigator and a committed member of the enforcement team. He has been a treasured counselor to me and I will miss him. Personally, and on behalf of the Commission, I thank him for his tireless service and commitment to investors and our markets."

SEC Director of Enforcement Richard H. Walker said, "Chris is an outstanding trial lawyer who has successfully overseen many important cases, several of which were precedent setting. The Commission and America's investors have benefited greatly from Chris's outstanding enforcement efforts over the past nine years. His knowledge is encyclopedic, his judgment is infallible, and his counsel is wise. We will miss his quick wit and his steady hand at the helm of the trial unit."

Mr. Mixter said, "It's been my good fortune to have served the SEC for nine years during which the Commission, and the Division of Enforcement, have had outstanding leaders. The work has been exciting, my colleagues have been wise and supportive, and

the mission of protecting investors has been a high calling. I look forward to returning to private practice and to the new challenges that await me.”

Prior to joining the Commission, Mr. Mixter was an Associate Counsel to Independent Counsel Lawrence E. Walsh in the investigation of the Iran/Contra matter. Mr. Mixter began his legal career at Davis Polk & Wardwell in New York City and Washington, DC.

Mr. Mixter received a B.A. in history *summa cum laude* from Ohio State University in 1974. In 1977, he was awarded a J.D. with distinction by the Duke University School of Law, where he was an Article Editor for the Duke Law Journal. (Press Rel. 2000-137)

FEE RATE ADVISORY #1

The fee rate on filings made pursuant to Section 6(b) of the Securities Act of 1933 may change as of October 1, 2000, the beginning of fiscal year 2001. Any change is dependent on the enactment of a fiscal year 2001 appropriation for the SEC. However, as of today, a fiscal year 2001 appropriation bill for the SEC has not been enacted, so it is uncertain what the fee rate will be. There are two possibilities.

1) If an appropriation bill is enacted, the fee rate will decrease to \$250 per \$1,000,000. This rate would be applied pro rata to amounts less than \$1,000,000. The fee should be calculated by multiplying the aggregate offering amount by .00025.

2) If a continuing resolution is enacted, or in the event that neither a fiscal year 2001 appropriations bill nor a continuing resolution is enacted, the fee rate will continue at the current rate of \$264 per \$1,000,000.

The Commission will issue further notices as appropriate to keep filers and registrants informed of developments affecting the Section 6(b) fee rate. This information will be posted at the SEC's Internet website at <<http://www.sec.gov>>. In the interim, filers and registrants should contact the Office of Filings and Information Services, Filer Support Unit, at (202) 942-8900 if they have any questions. (Press Rel. 2000-138)

ENFORCEMENT PROCEEDINGS

ADMINISTRATIVE PROCEEDINGS SETTLED AGAINST MANOHAR SURANA

On September 22, the Commission entered an Order Making Findings and Imposing a Cease and Desist Order (Order) against Manohar Surana of Miami, Florida. The Commission accepted Surana's Offer of Settlement, in which he agreed to an order for him to cease and desist from committing or causing any violations of, and any future violation of, Section 17(a) of the Securities Act of 1933, Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder.

The Order finds that while Surana was the Director of Finance and Assistant City Manager of Miami, Florida he caused the city of Miami to violate the antifraud provisions of the federal securities laws in connection with Miami's issuance of its Comprehensive Annual Financial Statement in February 1995 and its sale of three bonds later that year. (Rel. 33-7895; 34-43325; File No. 3-10022)

RUDY WANN DENIED PRIVILEGE OF APPEARING OR PRACTICING BEFORE THE COMMISSION AS AN ACCOUNTANT

The Commission announced that on September 22 it issued an Order Instituting Public Administrative Proceeding Pursuant to Rule 102(e) of the Commission's Rules of Practice, Making Findings and Imposing Remedial Sanction (Order) against Rudy Wann, the former Chief Financial Officer of IDB Communications Group, Inc., a telecommunications company formerly headquartered in Los Angeles, California. Wann consented to institution of the proceeding, which bars him from appearing or practicing before the Commission as an accountant based upon the entry of an injunction against him on August 21, 2000, by U.S. District Judge Dean D. Pregerson of the Central District of California. The judgment permanently enjoined Wann from violating antifraud, reporting, internal controls, and books and records provisions of the Securities Exchange Act of 1934, and imposed a civil penalty of \$50,000. Wann may, however, reapply for reinstatement after five years. (Rel. 34-43326; AAE Rel. 1306; File No. 3-10296)

EDWARD CHERAMY DENIED PRIVILEGE OF APPEARING OR PRACTICING BEFORE THE COMMISSION AS AN ACCOUNTANT

The Commission announced that on September 22 it issued an Order Instituting Public Administrative Proceeding Pursuant to Rule 102(e) of the Commission's Rules of Practice, Making Findings and Imposing Remedial Sanction (Order) against Edward Cheramy, the former President of IDB Communications Group, Inc., a telecommunications company formerly headquartered in Los Angeles, California. Cheramy consented to institution of the proceeding, which bars him from appearing or practicing before the Commission as an accountant based upon the entry of an injunction against him on August 21, 2000, by U.S. District Judge Dean D. Pregerson of the Central District of California. The judgment permanently enjoined Cheramy from violating antifraud, reporting, internal controls, and books and records provisions of the Securities Exchange Act of 1934, imposed a civil penalty of \$100,000, and barred Cheramy from acting as an officer or director of a public company for ten years. (Rel. 34-43327; AAE Rel. 1307; File No. 3-10297)

SEC CHARGES MARTIN FRANKEL AND JOHN HACKNEY IN CONNECTION WITH MASSIVE FRAUD TO LOOT ASSETS OF INSURANCE COMPANIES

On September 22, the Commission charged Martin R. Frankel and John A. Hackney with violating the antifraud provisions, as well as numerous other provisions, of the

federal securities laws. The Commission's complaint alleged that Frankel, who was permanently enjoined from committing securities fraud and barred from the securities industry in 1992, masterminded a massive fraud to loot the assets of Franklin American Corporation (FAC), a public holding company, and numerous insurance companies located in Tennessee, Alabama, Oklahoma, Mississippi, Missouri and Arkansas. Hackney, the Chief Executive Officer of FAC, participated in Frankel's fraud and deliberately hid Frankel's control of FAC, and his control over FAC's investments, from the Commission, state insurance regulators, employees of FAC and the public.

The complaint alleged the following:

Frankel commenced his fraudulent scheme in 1990, when he wanted to obtain a source of funds to buy and sell securities, and he decided to acquire businesses with liquid assets. Frankel retained Hackney in October 1990 to help Frankel acquire a bank and, subsequently, an insurance company. Hackney knew that Frankel wished to hide his identity from the outset of their relationship. Hackney helped Frankel establish the Thunor Trust (Thunor) to acquire FAC, a reporting company and the parent company of Franklin American Life Insurance Company (Franklin Life), while concealing Frankel's identity. Frankel appointed Hackney as Trustee of Thunor. When Thunor acquired FAC and Franklin Life, Frankel appointed Hackney to be CEO, President and a director of both companies. Thus, Hackney was positioned to serve as a front for Frankel.

During the eight-year period in which Hackney participated in the fraud, he received over \$8 million in cash and other compensation from Frankel. These payments included trustee fees, a home for Hackney in Franklin, Tennessee, improvements to Hackney's country home in Guntersville, Alabama, charitable contributions, and a loan to Hackney's brother.

Through Thunor, Frankel ultimately acquired 83% of the outstanding stock of FAC. From 1991 through April 1999, Frankel directed FAC to acquire additional insurance company subsidiaries. Pursuant to Frankel's direction, Thunor also acquired and became the sole shareholder of International Financial Corporation (IFC), a holding company for four insurance companies. Frankel and Hackney caused FAC, IFC and their subsidiary insurance companies to invest their assets, which are reported to exceed \$215 million, through Frankel. Specifically, Frankel claimed to invest funds forwarded to him by FAC, IFC and their insurance company subsidiaries in government securities through accounts purportedly maintained at Liberty National Securities, Inc. (LNS). On September 18, 2000, the Commission charged LNS, a registered broker-dealer located in Dundee, Michigan, and Robert Guyer, LNS' president, with aiding and abetting Frankel's fraud. See Lit. Release No. 16707. Frankel did not, however, set up accounts for FAC, IFC and the insurance company subsidiaries at LNS. Instead, Frankel fabricated trades, which he reported on phony LNS monthly account statements, and confirmations that Frankel generated and sent to FAC, IFC and their insurance company subsidiaries. Frankel invested a portion of the funds transferred to him by the insurance companies through brokerage accounts maintained at other broker-dealers. Frankel,

however, used a significant portion of the insurance companies' funds for his personal living expenses, misappropriating millions of dollars.

Finally, FAC's periodic reports were materially inaccurate. In order to hide Frankel's involvement with FAC and the insurance companies, Hackney filed inaccurate annual and quarterly reports with the Commission. FAC's annual and quarterly reports failed to disclose that Frankel was a controlling shareholder of FAC, and that Frankel was also responsible for investing FAC's and its insurance company subsidiaries' assets through LNS in a related party arrangement. The annual and quarterly reports also materially misrepresented FAC's financial condition. For instance, FAC's annual and quarterly reports materially misstated FAC's revenues from investments that were purportedly being executed through LNS. Hackney also provided FAC's auditors with false information about the relationship among Frankel, Thunor, LNS and FAC. Additionally, Hackney filed proxy statements on behalf of FAC, and Schedules 13D on behalf of Thunor, that were materially misleading.

Accordingly, the Commission amended its complaint in *SEC v. Robert J. Guyer and Liberty National Securities, Inc.*, 3:00 CV 1778 (PCD), to add Frankel as a defendant alleging that Frankel: 1) violated Section 17(a) of the Securities Act of 1933 (Securities Act), and Sections 10(b) and 13(d) of the Securities Exchange Act of 1934 (Exchange Act) and Rules 10b-5 and 13d-1 thereunder; 2) aided and abetted violations of Sections 10(b) and 13(a) of the Exchange Act and Rules 10b-5, 12b-20, 13a-1 and 13a-13 thereunder; and 3) violated the terms of a previous Commission order barring him from the securities industry and that he should be ordered to comply with the terms of that order under Section 21(e) of the Exchange Act. In addition, the Commission charged that Hackney violated Section 10(b) and 13(b) of the Exchange Act and Rules 10b-5 and 13b2-2 thereunder; and, as a control person, violated Sections 13(a) and 14(a) of the Exchange Act and Rules 12b-20, 13a-1, 13a-13, and 14a-9 thereunder; and aided and abetted violations of Section 13(d) of the Exchange Act and Rule 13d-1 thereunder. The Commission is seeking permanent injunctions against future violations of these provisions of the securities laws; disgorgement of ill-gotten gains and pre-judgment interest; civil penalties; and an order barring Frankel and Hackney from serving as officers or directors of a public company.

The Commission acknowledges the assistance of the U.S. Attorney's Office for the District of Connecticut in bringing this case. [*SEC v. Martin R. Frankel and John A. Hackney*, USDC, D. Conn., 3:00 CV 1788, PCD] (LR-16719)

COMPLAINT FILED AGAINST CAPITAL CONSULTANTS, LLC, JEFFREY GRAYSON, AND BARCLAY GRAYSON

On September 21, the Commission filed a complaint alleging securities fraud against Capital Consultants, LLC, a registered investment adviser in Portland, Oregon, and its principals Jeffrey L. Grayson and Barclay L. Grayson. The Commission's complaint allege that the Defendants operated an undisclosed Ponzi scheme by using client funds to **make interest payments to clients invested in a failed and bankrupt \$160 million loan.**

Moreover, the Defendants billed their clients invested in the bankrupt loan a 3% annual management fee, and sold to clients participation interests in the loan, based on the purported \$160 million value.

The Commission's complaint charged the Defendants with violating the antifraud provisions of Section 17(a) of the Securities Act of 1933 and Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder, and Capital Consultants, aided and abetted by the Graysons, with violating the advisory antifraud provisions of Sections 206(1) and (2) of the Investment Advisers Act of 1940. The Defendants stipulated to a preliminary injunction from future violations of the federal securities laws and asset freeze and the appointment of a permanent receiver over Capital Consultants. [SEC v. Capital Consultants, LLC, Jeffrey L. Grayson, and Barclay L. Grayson, Civil Action No. 1290 KI, D. Ore.] (LR-16720)

COMPLAINT FILED AND INJUNCTION ENTERED AGAINST ROYAL PICTURES, DAVID OLINSKY AND ROBERT BRENT

The Commission announced that it filed a federal civil action against Royal Pictures Inc. (Royal), a New York corporation headquartered in North Miami Beach, Florida, David Olinsky (Olinsky), its former CEO, Robert Brent (Brent) and its former special advisor to the Board of Directors, for securities fraud. Royal is purportedly in the business of developing and producing motion pictures.

Simultaneous with the filing of the Commission's complaint, Royal, Olinsky and Brent consented, without admitting or denying the allegations in the complaint, to the entry of a Final Judgment enjoining them from future violations of Section 10(b) of the Exchange Act of 1934 and Rule 10b-5 promulgated thereunder. In addition, Brent consented to the entry of a permanent bar prohibiting him from acting as an officer or director of a public company. Further, Olinsky and Brent consented to each pay a \$10,000 civil penalty.

The complaint alleges that from approximately August 1998 through June 1999, Royal at the direction of Olinsky and Brent, made false and misleading statements in press releases, in an investor brochure, and on the company's website. Specifically, the complaint alleges that Royal made false and misleading statements concerning final negotiations that the Company purportedly had with various well-known actors and actresses for parts in Royal-produced films. For example, according to the complaint, Royal falsely stated that it was in final negotiations with well-known artists such as Paul Newman, Alec Baldwin and Isabella Rossellini, among many others.

In addition, the complaint alleges that Royal made false claims it was backed by \$24 million in film financing with an established film financing company when in fact, Royal had only raised \$5 million and the established film financing company was a one-man company that had previously only financed one film. Finally, the complaint alleges that Royal misrepresented and omitted material information concerning Brent's background and experience in a investor brochure distributed to investors during a road show. For example, the Commission alleges that the brochure failed to disclose that Brent is a

twice-convicted felon. [SEC v. Royal Pictures, Inc., David Olinsky, and Robert Brent, Civil Action No. 00-3557-CIV-HUCK, SD Florida] (LR-16721)

COMMISSION CHARGES FORMER OFFICERS AND EMPLOYEES WITH FINANCIAL FRAUD AT HEALTH MANAGEMENT, INC.

On September 21, the Commission filed a complaint in the United States District Court for the Eastern District of New York, alleging a financial fraud conducted by former officers and employees of Health Management, Inc. Health Management, which was purchased by another company in 1997, was headquartered in Holbrook, New York, and provided outpatient drug therapies to individuals and performed management services for the health care industry. Without admitting or denying the Commission's allegations, all of the defendants have consented to the entry of Final Judgments and Orders.

The complaint alleges that, from approximately July 1994 through February 1996, senior officers and employees of Health Management, including defendants Clifford E. Hotte, Chief Executive Officer and Chairman of the Board, currently incarcerated; Drew Bergman, of Merrick, New York, Chief Financial Officer; Michael R. Norman, of Stockton, New Jersey, Chief Operating Officer; Luis E. Gomez, of Jericho, New York, Controller; Irwin Hirsh, of Pittsburgh, Pennsylvania, Vice President of Purchasing; and Michael Escuder, of Flushing, New York, Supervising Pharmacist, took part in a scheme to falsify the books and records of the company in order to meet quarterly and annual earnings expectations. Beginning with the first quarter of fiscal 1995 and continuing through the second quarter of fiscal 1996, Health Management issued fraudulent financial statements and press releases, which materially overstated its revenues, earnings and financial condition. Hotte and Bergman directed and supervised the fraudulent scheme at Health Management. The complaint also alleges insider trading by Bergman and his broker, Theodore R. Hunter, of Kula, Hawaii.

As part of the scheme, the complaint alleges that the defendants falsified the aging of accounts receivables to mislead Health Management's auditors and to overstate revenues. The defendants also falsely inflated inventory in order to increase earnings for the fiscal year ended April 30, 1995. They told the auditors that almost \$2 million of inventory had been in transit on the day that inventory was counted, when in fact this inventory did not exist. As a result, the company reported inflated revenue which, together with other fraudulent adjustments, overstated Health Management's net income for the year by 72 percent.

The complaint also alleges that defendants Bergman and Hunter engaged in unlawful insider trading in the common stock of Health Management. In late May 1995, after learning that Health Management would not meet expected earnings estimates for the quarter, Bergman sold Health Management stock from one of his personal brokerage accounts, avoiding approximately \$13,563 in losses. In addition, immediately prior to a June 14, 1995 public announcement by Health Management of the lower than expected earnings, Bergman tipped Hunter about the substance of the announcement. Following the announcement, the price of Health Management common stock dropped by 28

percent. While in possession of the material, nonpublic information furnished by Bergman, Hunter traded securities in his own and 27 of his client accounts, including accounts for Bergman, Bergman's children and brother, thereby avoiding losses in the total amount of \$95,130.

The Final Judgments and Orders permanently enjoin all of the defendants from violations of the antifraud provisions of the federal securities laws. Hotte, Bergman, Norman, Gomez and Hirsh are also enjoined from violations of the accounting books and records and lying to auditors provisions. Hotte and Bergman are also enjoined from violations of the reporting provisions. Escuder is also enjoined from violations of the accounting books and records provisions. In addition, the Orders bar Hotte and Bergman from serving as officers or directors of any reporting company. Bergman is ordered to disgorge \$23,775, plus prejudgment interest, and to pay a civil penalty of \$53,775. Gomez, Escuder and Hirsh are ordered to pay civil penalties of \$10,000 each. Hunter is ordered to disgorge \$84,918, plus prejudgment interest, and to pay a civil penalty of \$84,918. No civil penalty is ordered against Norman based on his demonstrated inability to pay.

Hotte was convicted by a jury of securities fraud, mail fraud and wire fraud, and in October 1998 was sentenced to nine years in prison, and ordered to pay \$250,000 in fines and \$9.5 million in restitution. He is currently incarcerated. Because of the criminal fines and restitution previously imposed, the Commission did not seek additional civil penalties from Hotte. [SEC v. Clifford E. Hotte, et al., Civil Action No. CV00-5704, EDNY] (LR-16722; AAE Rel. 1308)

INVESTMENT COMPANY ACT RELEASES

AETNA LIFE INSURANCE AND ANNUITY COMPANY, ET AL.

An order has been issued pursuant to Section 6(c) of the Investment Company Act granting exemptive relief from Sections 2(a)(32), 22(c) and 27(i)(2)(A) of the Act and Rule 22c-1 thereunder to Aetna Life Insurance and Annuity Company (ALIAC) and its Variable Annuity Account B (VA B), Aetna Insurance Company of America (AICA), and any other separate accounts of ALIAC or AICA that support in the future variable annuity contracts and certificates that are substantially similar in all material respects to the VA B contracts described in the application to permit the recapture of certain bonuses applied to purchase payments made under certain deferred variable annuity contracts and certificates. The order also extends to any other National Association of Securities Dealers, Inc. member broker-dealer controlling or controlled by, or under common control with, ALIAC or AICA, whether existing or created in the future, that serves as a distributor or principal underwriter of such contracts. (Rel. IC-24649 – September 20)

HOLDING COMPANY ACT RELEASES

EXELON CORPORATION, ET AL.

A notice has been issued giving interested persons until October 13, 2000, to request a hearing on a proposal by Exelon Corporation (Exelon), Exelon Business Services Company, Exelon Ventures Company, Exelon Enterprises Company, LLC, Exelon Generation Company, LLC, and Exelon Energy Delivery Company, each a subsidiary of PECO Energy Company (PECO), an exempt utility holding company; together with PECO, PECO's utility subsidiaries PECO Energy Power Company, Susquehanna Power Company and Susquehanna Electric Company, Commonwealth Edison Company (ComEd), a utility subsidiary of Unicom Corporation, an exempt utility holding company (Applicants). Applicants request authority to engage in a variety of financing and related transactions following a reorganization that will result in Exelon becoming a registered holding company over PECO and ComEd. (Rel. 35-27231; International Series Rel. 1232)

POWERGEN PLC, ET AL.

A notice has been issued giving interested persons until October 13, 2000, to request a hearing on a proposal by PowerGen plc (PowerGen), a public limited company organized under the laws of England and Wales, its wholly owned nonutility holding company subsidiaries, PowerGen US Holdings Limited, PowerGen US Investments Limited, Ergon US Investments Limited, PowerGen Luxembourg sarl, PowerGen Luxembourg Holdings sarl, PowerGen Luxembourg Investments sarl, PowerGen US Partnership and PowerGen US Investments Corporation, LG&E Energy Corp. (LG&E Energy), a public-utility holding company exempt from registration by order under Section 3(a)(1) of the Act, its utility subsidiaries Louisville Gas and Electric Company and Kentucky Utilities Company, and LG&E Energy's nonutility subsidiaries LG&E Capital Corp., LG&E Energy Marketing Inc. and LG&E Energy Power Inc. (collectively, Applicants). Applicants request authority for PowerGen to acquire LG&E Energy (Merger) and to engage in financing and other transactions related and subsequent to the Merger. (Rel. 35-27231; International Series Rel. 1232)

KEYSPAN CORPORATION, ET AL.

A notice has been issued giving interested persons until October 16, 2000, to request a hearing on a proposal by KeySpan Corporation, a New York public utility holding company presently claiming exemption from registration under the Act by Rule 2, and its subsidiaries; Eastern Enterprises, a Massachusetts public utility holding company also presently claiming exemption from registration under the Act by Rule 2, and its subsidiaries; and EnergyNorth, Inc., a New Hampshire public utility holding company also presently claiming exemption from registration under the Act by Rule 2, and its **subsidiaries, to engage in various financing transactions and intrasystem transactions**

following the consummation of their proposed merger and registration under the Act. (Rel. 35-27234)

SELF-REGULATORY ORGANIZATIONS

PROPOSED RULE CHANGES

The New York Stock Exchange filed a proposed rule change (SR-NYSE-00-37) rescinding parts of, or the entire text of, Exchange Rule 112A.10, Rule 321.25, Rule 392, Rule 393 and Rule 395, which reference rescinded Exchange Rule 390 or Off-Board trading restrictions. Publication of the notice is expected in the Federal Register during the week of September 25. (Rel. 34-43309)

The Pacific Exchange filed a proposed rule change (SR-PCX-00-12) seeking to expand the disciplinary jurisdiction of the Ethics and Business Conduct Committee. Publication of the notice is expected in the Federal Register during the week of September 25. (Rel. 34-43312)

DELISTINGS GRANTED

An order has been issued granting the application of the American Stock Exchange to strike from listing and registration The Beard Company, Common Stock, \$.001 par value. (Rel. 34-43314)

An order has been issued granting the application of the New York Stock Exchange to strike from listing and registration Utah Medical Products, Inc., Common Stock, \$.01 par value. (Rel. 34-43323)

An order has been issued granting the application of the New York Stock Exchange to strike from listing and registration Altos Hornos de Mexico, S.A. de C.V., American Depositary Shares (each representing five shares of Common Stock) and 5-1/2% Senior Discount Convertible Notes, due December 15, 2001. (Rel. 34-43324)

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 SYNGENTA AG /ADR/, ONE WALL ST, NEW YORK, NY 10286 - 50,000,000
(\$2,500,000) DEPOSITARY RECEIPTS FOR COMMON STOCK. (FILE 333-12524 -
SEP. 13) (BR. 99 - NEW ISSUE)
- F-6 PERDIGAO SA /ADR/, 48 WALL ST, C/O BANK OF NEW YORK, NEW YORK, NY
10286
(212) 495-1727 - 50,000,000 (\$2,500,000)
DEPOSITARY RECEIPTS FOR COMMON STOCK. (FILE 333-12534 - SEP. 14) (BR.
99)
- S-8 MDS INC, 100 INTERNATIONAL BLVD, TORONTO, ONTARIO, CANADA M9W 6J6,
A6
(416) 213-4082 - 35,000 (\$1,429,750) FOREIGN COMMON STOCK. (FILE
333-12548 - SEP. 15) (BR. 1)
- S-1 RIVERSTONE NETWORKS INC, 5200 GREAT AMERICA PKWY, SANTA CLARA, CA
95054
(408) 878-6500 - \$200,000,000 COMMON STOCK. (FILE 333-45958 - SEP. 18)
(NEW ISSUE)
- S-8 NETWORK PERIPHERALS INC, 2859 BAYVIEW DR, FREMONT, CA 94538
(510) 897-5000 - 3,500,000 (\$49,105,000) COMMON STOCK. (FILE 333-45964
-
SEP. 18) (BR. 3)
- S-8 TELTRONICS INC, 2150 WHITEFIELD INDUSTRIAL WAY, SARASOTA, FL 34243
(813) 753-5000 - 500,000 (\$1,320,250) COMMON STOCK. (FILE 333-45968 -
SEP. 18) (BR. 7)
- S-8 AFFILIATED RESOURCES CORP, 3050 POST OAK BLVD, STE 1080, HOUSTON, TX
77056 (281) 334-0405 - 5,340,000 (\$2,670,080) COMMON STOCK. (FILE
333-45978 - SEP. 18) (BR. 9)
- S-8 RED HAT INC, 2600 MERIDIAN PARKWAY, DURHAM, NC 27713 (919) 547-0012
-
1,018,255 (\$1,383,369.70) COMMON STOCK. (FILE 333-45980 - SEP. 18)
(BR. 3)
- S-8 MDU COMMUNICATIONS INTERNATIONAL INC, 108 11951 HAMMERSMITH WAY,
V7A 5H9, RICHMOND BC CANADA, (604) 277-8150 - 4,000,000
(\$16,545,441.42)
COMMON STOCK. (FILE 333-45982 - SEP. 18) (BR. 9)
- S-8 FATBRAIN COM INC, 2550 WALSH AVE, SANTA CLARA, CA 95051 (408) 541-
2020
- 1,812,159 (\$6,342,556.50) COMMON STOCK. (FILE 333-45988 - SEP. 18)
(BR. 9)
- SB-2 MEDITECH PHARMACEUTICALS INC, 10105 E VIA LINDA #103, PMB 382,
SCOTTSDALE, AZ 85258 (480) 614-2874 - 77,116,000 (\$19,485,690)
COMMON STOCK. (FILE 333-45990 - SEP. 18) (BR. 1)

S-1 HARVARD BIOSCIENCE INC, 84 OCTOBER HILL ROAD, HOLLISTON, MA 01746
(508) 893-8999 - \$75,000,000 COMMON STOCK. (FILE 333-45996 - SEP. 18)
(NEW ISSUE)

S-8 NOVAVAX INC, 8320 GUILFORD RD, SUITE C, COLUMBIA, MD 21046
(307) 854-3900 - 1,600,000 (\$14,448,000) COMMON STOCK. (FILE 333-46000
-
SEP. 18) (BR. 1)

S-8 ASYST TECHNOLOGIES INC /CA/, 48761 KATO ROAD, FREMONT, CA 94538
(510) 661-5000 - 978,438 (\$22,238,771) COMMON STOCK. (FILE 333-46002 -
SEP. 18) (BR. 5)

S-3 GABLES RESIDENTIAL TRUST, 2859 PACES FERRY RD, STE 1450, ATLANTA, GA
30339 (770) 436-4600 - 33,955 (\$942,251) COMMON STOCK. (FILE 333-46004
-
SEP. 18) (BR. 8)

S-1 ORIUS CORP, 1401 FORUM WAY SUITE 400, WEST PALM BEACH, FL 33401
(561) 687-8300 - \$250,000,000 COMMON STOCK. (FILE 333-46006 - SEP. 18)
(BR. 6)

S-8 FINDWHAT COM INC, 121 WEST 27TH STREET, SUITE 903, NEW YORK, NY
10001
(212) 633-2660 - 1,975,000 (\$6,110,156) COMMON STOCK. (FILE 333-46008
-
SEP. 18) (BR. 8)

SB-2 ADMIRALTY BANCORP INC, 4400 PGA BLVD, STE 200, PALM BEACH GARDENS,
FL
33410 (561) 624-4100 - 1,100,000 (\$12,100,000) COMMON STOCK. (FILE
333-46010 - SEP. 18) (BR. 7)

S-3 ABOUT COM INC, 220 E 42ND ST, 24TH FL, NEW YORK, NY 10017 (212) 849-
2000
- 305,433 (\$11,310,565) COMMON STOCK. (FILE 333-46012 - SEP. 18) (BR.
3)

S-3 STORAGE USA INC, 165 MADISON AVENUE SUITE 1300, SUITE 1100, MEMPHIS,
TN
38103 (901) 252-2000 - 37,071 (\$1,143,408.66) COMMON STOCK. (FILE
333-46014 - SEP. 18) (BR. 8)

S-8 VERTICALNET INC, 700 DRESHER RD, HORSHAM, PA 19044 (215) 328-6100 -
12,800,000 (\$558,080,000) COMMON STOCK. (FILE 333-46016 - SEP. 18)
(BR. 2)

S-3 NET PERCEPTIONS INC, 7901 FLYING CLOUD DR, MINNEAPOLIS, MN 55344
(612) 903-1270 - 1,845,519 (\$24,969,872) COMMON STOCK. (FILE 333-46018
-
SEP. 18) (BR. 3)

S-3 CHROMATICS COLOR SCIENCES INTERNATIONAL INC, 5 EAST 80TH ST, NEW
YORK,
NY 10021 (212) 717-6544 - 4,151,231 (\$7,653,832) COMMON STOCK. (FILE
333-46020 - SEP. 18) (BR. 5)

S-8 BLUE VALLEY BAN CORP, 11935 RILEY, OVERLAND PARK, KS 66225
(913) 338-1000 - 368,500 (\$3,784,039.90) COMMON STOCK. (FILE 333-46022
-
SEP. 18) (BR. 7)

S-8 INTEGRA LIFESCIENCES HOLDINGS CORP, 105 MORGAN LANE, PLAINSBORO, NJ
08536 (609) 275-0500 - 2,000,000 (\$24,438,000) COMMON STOCK. (FILE
333-46024 - SEP. 18) (BR. 1)

S-3 IXYS CORP /DE/, 3540 BASSETT STREET, SANTA CLARA, CA 95054
(408) 954-0500 - 4,600,000 (\$163,300,000) COMMON STOCK. (FILE 333-
46028 -
SEP. 18) (BR. 5)

S-8 INNSUITES HOSPITALITY TRUST, INNSUITES HOTELS CENTRE,
1625 E NORTHERN AVENUE SUITE 201, PHOENIX, AZ 85020 (216) 622-0046 -
1,000,000 (\$2,310,000) CONVERTIBLE PREFERRED SHARE OF BENEFICIAL
INTEREST.
(FILE 333-46030 - SEP. 18) (BR. 8)

S-1 ATP OIL & GAS CORP, 4600 POST OAK PLACE, SUITE 200, HOUSTON, TX
77027
(713) 622-3311 - \$172,500,000 COMMON STOCK. (FILE 333-46034 - SEP. 18)
(NEW ISSUE)

S-4 NUI CORP, 550 RTE 202-206, BOX 760, BEDMINSTER, NJ 07921 (908) 781-
0500
- 1,158,928 (\$22,019,624) COMMON STOCK. (FILE 333-46036 - SEP. 18)
(BR. 2)

S-8 SYNAVANT INC, 3445 PEACHTREE ROAD NE SUITE 1400, ATLANTA, GA 30326
(404) 841-4000 - 9,619,812 (\$97,696,464) COMMON STOCK. (FILE 333-46038
-
SEP. 18) (BR. 9)

S-8 SYNAVANT INC, 3445 PEACHTREE ROAD NE SUITE 1400, ATLANTA, GA 30326
(404) 841-4000 - 100,000 (\$800,000) COMMON STOCK. (FILE 333-46040 -
SEP. 18) (BR. 9)

S-8 INSYNQ INC, 1101 BROADWAY PLAZA, 60 EAST SOUTH TEMPLE, TACOMA, WA
98402
(253) 284-2000 - 16,675,300 (\$24,551,498) COMMON STOCK. (FILE 333-
46042 -
SEP. 18) (BR. 5)

S-8 INSYNQ INC, 1101 BROADWAY PLAZA, 60 EAST SOUTH TEMPLE, TACOMA, WA
98402
(253) 284-2000 - 5,400,000 (\$3,156,000) COMMON STOCK. (FILE 333-46044
-
SEP. 18) (BR. 5)

S-8 CYBERAMERICA CORP, 268 W 400 S STE 300, RICHARD SURBER, SALT LAKE
CITY,
UT 84101 (801) 575-8073 - 500,000 (\$656,250) COMMON STOCK. (FILE
333-46052 - SEP. 19) (BR. 8)

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 S Offerings.

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		
AAMES FINANCIAL CORP/DE	DE					X		X			09/05/00	
ACCRUE SOFTWARE INC	DE		X					X			07/14/00	AMEND
ACTERNA CORP	DE					X		X			09/22/00	
ADEN ENTERPRISES INC	CA	X									09/21/00	
ADVANCED MATERIALS GROUP INC	NV				X			X			09/19/00	
AMERICAN NORTEL COMMUNICATIONS INC	WY				X						09/15/00	
AMORTIZING RESI COLLATERAL TR MOR P AS THRU CERT SER 2000-BC3	DE					X		X			08/31/00	
AMSOUTH BANCORPORATION	DE					X		X			09/22/00	
AMTECH SYSTEMS INC	AZ					X		X			09/13/00	
ANTIGUA FUNDING CORP	DE					X					09/12/00	
ANTIGUA FUNDING CORP	DE					X					09/12/00	
ARKANSAS BEST CORP /DE/	DE					X					09/18/00	
ARMITEC INC	DE					X		X			08/24/00	
ATLANTIC GREYHOUND LINES OF VIRGINI A INC	VA					X					09/22/00	
AUTOZONE INC	NV					X		X			09/21/00	
AVANEX CORP	CA					X		X			06/30/00	
AVIATION SALES CO	DE					X		X			09/07/00	
AVNET INC	NY					X		X			08/07/00	
BANK OF AMERICA CORP /DE/	DE					X		X			02/08/00	
BEAR STEARNS COMMERCIAL MORTGAGE SE CURITIES INC	DE							X			09/15/00	
BEAR STEARNS COMMERCIAL MORTGAGE SE CURITIES INC	DE							X			09/15/00	
BEAR STEARNS COMMERCIAL MORTGAGE SE CURITIES INC	DE					X		X			09/20/00	
BROADCOM CORP	CA		X					X			09/07/00	
C & F FINANCIAL CORP	VA					X					09/22/00	
CAL DIVE INTERNATIONAL INC	MN					X		X			09/21/00	

NAME OF ISSUER	STATE CODE	8K ITEM NO.									DATE	COMMENT
		1	2	3	4	5	6	7	8	9		
CITICORP MORTGAGE SECURITIES INC	DE					X					09/22/00	
CKE RESTAURANTS INC	DE					X	X				09/07/00	
CLARK/BARDES HOLDINGS INC	DE					X					07/25/00	
COMARCO INC	CA					X	X				09/22/00	
COMMERCIAL MORTGAGE PASS THROUGH CE RTIFICATES SERIES 1999 C2	DE							X			09/15/00	
CONECTISYS CORP	CO					X					09/11/00	
CORECOMM LTD	DO					X	X				09/22/00	
CREDIT SUISSE FIR BOS MO SEC CORP C M MT PS TH CRT SR 2000-C1	DE					X	X				08/14/00	
CREDIT SUISSE FIR BOS MO SEC CORP C M MT PS TH CRT SR 2000-C1	DE							X			09/15/00	
CRIIMI MAE INC	MD					X	X				09/22/00	
DARDEN RESTAURANTS INC	FL					X	X				09/19/00	
DEAN FOODS CO	DE					X					09/20/00	
DELTA PETROLEUM CORP/CO	CO						X				07/10/00	AMEND
DEVON ENERGY CORP/DE	DE					X					09/13/00	AMEND
DIGITAL BRIDGE INC	NV		X				X				09/19/00	
DIGITAL ISLAND INC	DE		X				X				09/15/00	
DLJ COMMERCIAL MORT COMM MOR PASS T HR CERT SER 2000-CF1	DE							X			09/11/00	
DLJ MORTGAGE ACCEPTANCE CORP	DE					X	X				09/20/00	
E PERSONNEL MANAGEMENT COM	NV	X									09/20/00	
EINSTEIN NOAH BAGEL CORP	DE					X					09/19/00	
ENDOSONICS CORP	DE	X					X				09/21/00	
EPLUS INC	DE					X					09/08/00	
FACTSET RESEARCH SYSTEMS INC	DE	X									09/30/00	
FIDELITY HOLDINGS INC	NV					X	X				09/18/00	
FIRST ALLIANCE CORP /DE/	DE					X	X				09/15/00	
FIRST HORIZON ASSET SECURITIES INC	DE					X	X				09/20/00	
FIRST NATIONAL BANK OF ATLANTA						X	X				08/31/00	
FIRST NATIONAL BANK OF ATLANTA						X	X				09/15/00	
FIRST UNION COMMERCIAL MORTGAGE SEC URITIES INC	NC							X			09/15/00	
FIRST UNION COMMERCIAL MORTGAGE SEC URITIES INC	NC							X			09/15/00	
FIRST UNION COMMERCIAL MORTGAGE SEC URITIES INC	NC							X			09/15/00	
FIRST UNION COMMERCIAL MORTGAGE SEC URITIES INC	NC							X			09/15/00	
FIRST USA BANK NATIONAL ASSOCIATION						X	X				09/11/00	
FLEET BANK NATIONAL ASSOCIATION /RI /	RI					X	X				08/25/00	
FLEET CREDIT CARD MASTER TRUST II	NY					X	X				08/25/00	
FLIGHTSERV COM	DE		X			X	X				09/07/00	
FMC CORP	DE					X					09/19/00	
FNB CORP \VA\ GENERAL MOTORS CORP	VA					X					08/07/00	
GLI HOLDING CO	DE					X					09/15/00	
GOLD BANC CORP INC	KS					X					09/22/00	
GREATAMERICA LEASING RECEIVABLES 20 00-1 LLC	DE					X	X				09/20/00	
GREENPOINT MORTGAGE SECURITIES INC/	DE					X	X				09/19/00	

NAME OF ISSUER	STATE CODE	8K ITEM NO.									DATE	COMMENT
		1	2	3	4	5	6	7	8	9		
GREYHOUND DE MEXICO SA DE CV						X					09/22/00	
GREYHOUND LINES INC	DE					X					09/22/00	
HARLEY DAVIDSON CREDIT CORP	NV					X	X				09/30/00	
HARLEY DAVIDSON CREDIT CORP	NV					X	X				09/30/00	
HEALTHCENTRAL COM	DE					X	X				09/18/00	
HEICO CORP	FL		X					X			09/14/00	
HEILIG MEYERS CO	VA					X	X				09/12/00	
HEWLETT PACKARD CO	DE				X		X				09/21/00	
HNC SOFTWARE INC/DE	DE		X				X				09/08/00	
HNC SOFTWARE INC/DE	DE					X	X				09/15/00	
ILLINOIS SUPERCONDUCTOR CORPORATION	DE					X	X				09/21/00	
INFOWAVE SOFTWARE INC			X				X				09/08/00	
INNOVATIVE GAMING CORP OF AMERICA	MN					X	X				09/21/00	
INNOVO GROUP INC	TN					X					09/22/00	
INTERNATIONAL MULTIFOODS CORP	DE					X	X				09/15/00	
INTRANET SOLUTIONS INC	MN						X				07/10/00	AMEND
JEFFERSON SAVINGS BANCORP INC	DE					X	X				09/20/00	
JUPITER MEDIA METRIX INC	DE					X	X				09/20/00	
KFX INC	DE					X	X				09/22/00	
LANGER BIOMECHANICS GROUP INC	NY	X					X				09/17/00	AMEND
LASERSIGHT INC /DE	DE					X	X				09/22/00	
LIVING CARD CO INC	NV	X									12/31/99	AMEND
LYCOS INC	DE					X	X				09/22/00	
MACK CALI REALTY CORP	MD					X	X				09/21/00	
MACK CALI REALTY L P	DE					X	X				09/21/00	
MAIL COM INC	DE					X					09/14/00	
MANUGISTICS GROUP INC	DE					X	X				09/21/00	
MAVERICK TUBE CORPORATION	DE					X	X				09/22/00	
MORGAN STANLEY DEAN WITTER CAPITAL I INC SERIES 2000 LIFE1	DE						X				09/15/00	
MRV COMMUNICATIONS INC	DE						X				07/12/00	AMEND
NETSOLVE INC	DE					X					09/11/00	
NEW VALLEY CORP	DE						X				09/21/00	
NOVAVAX INC	DE				X						09/19/00	
OAKWOOD MORTGAGE INVESTORS INC	NV					X	X				09/25/00	
OAKWOOD MORTGAGE INVESTORS INC OMI TRUST 1999-C	PA					X	X				09/15/00	
OAKWOOD MORTGAGE INVESTORS INC OMI TRUST 1999-D	PA					X	X				09/15/00	
OAKWOOD MORTGAGE INVESTORS INC OMI TRUST 2000-B	NV					X	X				09/15/00	
OCG TECHNOLOGY INC	DE				X						09/21/00	
OMI TRUST 1999 E	PA					X	X				09/15/00	
OMI TRUST 1999 E	PA					X	X				09/15/00	
OMI TRUST 2000 A	PA					X	X				09/15/00	
ONEPOINT COMMUNICATIONS CORP /DE	DE					X					09/11/00	
ORIX CREDIT ALLIANCE RECEIVABLES 20 00 B CORP	DE					X	X				09/30/00	
PANGEA PETROLEUM CORP	CO	X									08/25/00	
PARK MERIDIAN FINANCIAL CORP	NC				X		X				09/15/00	
PARTNERS FIRST CREDIT CARD MASTER T RUST	DE					X	X				09/15/00	
PEOPLES COMMUNITY BANCORP INC /DE/	DE					X	X				09/19/00	

NAME OF ISSUER	STATE CODE	8K ITEM NO.									DATE	COMMENT	
		1	2	3	4	5	6	7	8	9			
PNC MORTGAGE SECURITIES CORP MORT P ASS THROU CERT SER 2000 6	DE		X									09/22/00	
PRENTISS PROPERTIES TRUST/MD	MD					X	X					09/21/00	
RAINWIRE PARTNERS INC /DE/	DE					X	X					09/22/00	AMEND
RELIANT INTERACTIVE MEDIA CORP	NV	X										09/22/00	
REPAP ENTERPRISES INC	CT		X									09/22/00	
RESIDENTIAL ACCREDIT LOANS INC	DE					X	X					09/22/00	
RESIDENTIAL FUNDING MORTGAGE SECURI TIES I INC	DE					X	X					09/22/00	
RESIDENTIAL FUNDING MORTGAGE SECURI TIES II INC	DE					X	X					09/21/00	
RESIDENTIAL FUNDING MORTGAGE SECURI TIES II INC	DE					X						09/21/00	
SANTA CRUZ OPERATION INC	CA					X	X					09/11/00	
SCANA CORP	SC					X						08/26/00	
SHOP AT HOME INC /TN/	TN					X						06/30/01	
SISTEMA INTERNACIONAL DE TRANSPORTE DE AUTOBUSES INC	DE					X						09/22/00	
SKINTEK LABS INC	DE	X										09/14/00	
STOCKWALK COM GROUP INC	MN		X					X				09/08/00	
STREAMLINE COM INC	DE		X					X				09/07/00	
SUPPORT COM INC	DE		X					X				09/20/00	
SWIFTY CARWASH & QUIK LUBE INC	FL					X						07/21/00	AMEND
SYBRON INTERNATIONAL CORP	WI					X						09/21/00	
SYKES ENTERPRISES INC	FL					X	X					09/18/00	
SYNERGY MEDIA INC	NV	X										09/22/00	
TAB PRODUCTS CO	DE					X	X					09/21/00	
TBM HOLDINGS INC	FL					X						09/08/00	
TECHSYS INC	NJ					X	X					09/15/00	
TELECOMM INDUSTRIES CORP	DE					X	X					09/22/00	
TEXAS NEW MEXICO & OKLAHOMA COACHES INC	TX					X						09/22/00	
TIFFANY & CO	DE		X									09/21/00	
TNM & O TOURS INC	TX					X						09/22/00	
TRANSWORLD HEALTHCARE INC	NY					X						09/18/00	
TRIMBLE NAVIGATION LTD /CA/	CA							X				09/29/00	AMEND
TRITON ENERGY LTD	E9					X	X					09/22/00	
U S AGGREGATES INC	DE					X	X					09/01/00	
UNISERVICE CORP/FL	FL	X						X				09/08/00	
UNITED AMERICAN COMPANIES INC	CO					X						09/30/00	
UNITED INVESTORS GROWTH PROPERTIES II	MO	X						X				08/31/00	
UNITED PAN EUROPE COMMUNICATIONS NV						X	X					09/12/00	
UNITEL VIDEO INC/DE	DE					X	X					07/26/00	
UPGRADE INTERNATIONAL CORP /FL/	FL					X	X					04/06/00	
US FRANCHISE SYSTEMS INC/	DE					X						09/20/00	
VERMONT TRANSIT CO INC	VT					X						09/22/00	
WACHOVIA CREDIT CARD MASTER TRUST						X	X					08/31/00	
WELLS FARGO ASSET SECURITIES CORP	DE					X	X					09/22/00	