

sec news digest

U.S. SECURITIES AND
EXCHANGE COMMISSION

Issue 80-204

October 21, 1980

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RULES AND RELATED MATTERS

LIBRARY

REPURCHASES BY AN ISSUER OF ITS OWN SECURITIES

The Commission has authorized issuance of a release proposing for comment Rule 13e-2 under the Securities Exchange Act of 1934 and certain related amendments to Rule 10b-6. If adopted, Rule 13e-2 would impose disclosure requirements and substantive purchasing limitations on an issuer and certain other persons in connection with purchases of the issuer's common stock or preferred stock. The rule would regulate the time, price and volume of those purchases in order to prevent the issuer or other persons from leading or dominating the market for the issuer's securities.

All comments should be submitted in triplicate to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549, on or before January 15, 1981 and should refer to File No. S7-858. All comments will be available for public inspection. (Rel. 33-6248)

FOR FURTHER INFORMATION CONTACT: Mary E. Chamberlin at (202) 272-2880

ADMINISTRATIVE PROCEEDINGS

RESERVE MANAGEMENT CORPORATION, OTHERS CENSURED

The Commission announced that it has instituted public administrative proceedings under the Investment Company Act of 1940 and the Investment Advisers Act of 1940 naming as respondents Reserve Management Corporation (RM Corp.) and Reserve Management Company (RM Co.), registered investment advisers located in New York City, and Henry B. R. Brown and Bruce R. Bent, general partners of RM Co. and officers of RM Corp. Simultaneously, the Commission accepted an offer of settlement in which the respondents, without admitting or denying the allegations, consented to the entry of findings and an order by the Commission censuring them.

The sanctions imposed were based upon findings that the respondents violated Section 17(a) of the Securities Act of 1933, Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder and Section 34(b) of the Investment Company Act in that, in documents sent to shareholders of The Reserve Fund, Inc. (Reserve), a registered investment company, and/or filed with the Commission, respondents did not specifically disclose problems concerning computer and telephone malfunctions affecting the ability of Reserve to consistently make same-day payments upon redemption of its shares. In their offer, respondents made various undertakings, including an undertaking to provide equipment and/or services to Reserve, and consented to an order suspending them from association with an investment adviser or investment company for a period of twelve months if, prior to December 31, 1981, they failed or ceased to comply with their undertakings. (Rel. IC-11394)

COLLINS SECURITIES CORPORATION AND TIMOTHY COLLINS CITED

The Commission has entered an order accepting an offer of settlement in an administrative proceeding involving Collins Securities Corporation (CSC), a registered broker-dealer and investment adviser, and Timothy Collins, its president, formerly of Denver, Colorado, now residing in the New York City area. The Commission found that CSC and Collins wilfully violated the prohibition against trading by persons interested in a distribution of securities, and that CSC wilfully violated and Collins wilfully aided and abetted violations of the margin and the broker-dealer reporting and bookkeeping rules under the Securities Exchange Act of 1934 and the investment adviser reporting provisions under the Investment Advisers Act of 1940.

Based upon the above, the Commission suspended CSC's broker-dealer and investment adviser registrations for a period of six months and ordered that such registrations be cancelled upon the termination of such suspension periods, and suspended Collins from association with any broker, dealer, or investment adviser for a period of three months.

CSC and Collins consented to the above findings and sanctions without admitting or denying the findings. (Rel. 34-17212)

COMMISSION ANNOUNCEMENTS

NOTICE OF EXTENSION OF DEADLINE FOR FILING FORM CA-1

The Commission has announced the extension until December 15, 1980 of the date by which the thirteen temporarily registered clearing agencies must file Form CA-1, the clearing agency registration form, and related materials. The original deadline of October 31, 1980 was announced in Rel. 34-16900 (June 17, 1980). (Rel. 34-17231)

FOR FURTHER INFORMATION CONTACT: JoAnn Carpenter at (202) 272-2902

INVESTMENT COMPANY ACT RELEASES

THE CASH MANAGEMENT TRUST OF AMERICA

A notice has been issued giving interested persons until November 10 to request a hearing on an application filed by The Cash Management Trust of America, registered under the Investment Company Act of 1940 as an open-end, diversified, management investment company, requesting an order, pursuant to Section 6(c) of the Act, 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 utilize amortized cost valuation for the purpose of pricing its units for sale, redemption and repurchase, subject to specific conditions. (Rel. IC-11404 - Oct. 17)

TAX DEFERRED FUND, INC.

A notice has been issued giving interested persons until November 11 to request a hearing on an application filed by Tax Deferred Fund, Inc., registered under the Investment Company Act of 1940 as an open-end, diversified, management investment company, for an order, pursuant to Section 8(f) of the Act, declaring that Applicant has ceased to be an investment company within the meaning of the Act. (Rel. IC-11405 - Oct. 17)

HILLIARD - LYONS CASH MANAGEMENT, INC.

An order has been issued on an application filed by Hilliard-Lyons Cash Management, Inc., registered under the Investment Company Act of 1940 as an open-end, diversified, management investment company, pursuant to Section 6(c) of the Act, exempting Applicant from the provisions of Rules 2a-4 and 22c-1 under the Act to the extent necessary to permit Applicant to compute its net asset value per share, for purposes of effecting sales, redemptions and repurchases of its shares, to the nearest one cent on a share value of one dollar, subject to specified conditions. (Rel. IC-11406 - Oct. 17)

WEDNESDAY ALPHA CORPORATION

A notice has been issued giving interested persons until November 12 to request a hearing on an application filed by Wednesday Alpha Corporation, registered under the Investment Company Act of 1940 as a closed-end, diversified, management investment company, for an order declaring that Applicant has ceased to be an investment company as defined in the Act. (Rel. IC-11407 - Oct. 17)

HOLDING COMPANY ACT RELEASES

THE COLUMBIA GAS SYSTEM, INC.

A notice has been issued giving interested persons until November 17 to request a hearing on a proposal by The Columbia Gas System, Inc., a registered holding company, and by Columbia Alaskan Gas Transmission Corporation, subsidiary thereof, whereby Columbia Alaskan will issue and sell common stock and notes to Columbia in order to finance its participation in a partnership agreement relating to the construction and ownership of a natural gas pipeline. (Rel. 35-21748 - Oct. 20)

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) HERMAN MILLER, INC., 8500 Byron Rd., Zeeland, Mich. 49464 (616) 772-3300 - 350,000 shares of common stock. Underwriter: William Blair & Company. The company is engaged in the manufacture of modular space division, storage and materials-handling furniture systems. (File 2-69557 - Oct. 20) (Br. 6)
- (S-8) GENERAL INSTRUMENT CORPORATION, 1775 Broadway, New York, N.Y. 10019 (201) 779-3000 - 200,000 shares of common stock. (File 2-69558 - Oct. 20) (Br. 8)
- (S-8) DENELCOR, INC., 14201 East 4th Ave., Suite 321, Clocktower Sq., Aurora, Colo. 80011 (303) 340-3444 - 100,000 shares of common stock. (File 2-69559 - Oct. 17) (Br. 9)
- (S-14) KEY BANKS INC., 60 State St., Albany, N.Y. 12207 (518) 447-3245 - 212,723 shares of common stock. (File 2-69560 - Oct. 20) (Br. 1)
- (S-8) HARTFORD NATIONAL CORPORATION, 777 Main St., Hartford, Conn. 06115 (203) 728-2000 - 150,000 shares of common stock. (File 2-69562 - Oct. 20) (Br. 2)
- (S-6EL24) NUVEEN TAX-EXEMPT BOND FUND, SERIES 168, 209 South LaSalle St., Chicago, Ill. 60604 - an indefinite number of units. Depositor: John Nuveen & Co. Incorporated. (File 2-69563 - Oct. 20) (Br. 16 - New Issue)
- (S-6) TAX EXEMPT SECURITIES TRUST, SERIES 44, 1345 Avenue of the Americas, New York, N.Y. 10019 - 15,000 units. Depositors: Smith Barney, Harris Upham & Co. Incorporated, 1345 Avenue of the Americas, New York, N.Y. 10019, Kidder, Peabody & Co. Incorporated and Drexel Burnham Lambert Incorporated. (File 2-69564 - Oct. 20) (Br. 16 - New Issue)
- (N-1) CALVERT TAX-FREE RESERVES, 2301 Calvert Street, N.W., Washington, D.C. 20008 (202) 232-8165 - an indefinite number of shares of capital stock. (File 2-69565 - Oct. 20) (Br. 17 - New Issue)

REGISTRATIONS EFFECTIVE

Oct. 2: Tax Exempt Securities Trust, Series 42, 2-68757.
Oct. 3: Nuveen Tax Exempt Bond Fund, Series 163, 2-68627.
Oct. 10: Blocker Energy Corp., 2-69070.
Oct. 15: CSX Corp., 2-69281; Consolidated Bancshares, Inc., 2-68169; Cordis Corp., 2-69374; Dunlap and Associates, Inc., 2-69083; Hydro-Quebec, 2-69342; The Sophisticated Ladies Company, L.F., 2-69159.
Oct. 16: Anheuser-Busch Companies, Inc., 2-69455; Astrex, Inc., 2-69093; Equitable Money Market Account, Inc., 2-67691; International Harvester Co., 2-69362; Kratos, Inc., 2-69206.



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 and of registration statements may be ordered from the Public Reference Section, 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 to expedite service. The reproduction cost is 10c per page plus postage (\$3.50 minimum); 20c per page plus postage for expedited service (\$5.00 minimum) and 30c per page plus postage for priority service (\$5.00 minimum). Cost estimates are given on request. All other reference material is available in the SEC Docket.

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