

# sec news digest

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Issue 79-237

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## COMMISSION ANNOUNCEMENTS

### U.S. SECURITIES AND EXCHANGE COMMISSION

#### REVIEW OF GUIDES FOR THE PREPARATION AND FILING OF REGISTRATION STATEMENTS AND REPORTS

The Commission has authorized the Division of Corporation Finance to request public comment to assist it in its re-evaluation of the Guides for the Preparation and Filing of Registration Statements and Reports. The Division intends to re-examine the Guides to determine if they are current and effective and to consider what action, if any, would be appropriate to increase their usefulness and to eliminate any inconsistencies or out-of-date material. All communications 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 February 29, 1980 and should refer to File No. S7-813. All comments will be available for public inspection. (Rel. 33-6163)

FOR FURTHER INFORMATION CONTACT: Catherine Collins or Bruce S. Mendelsohn at (202) 272-2589

#### COMMISSION STUDY EXAMINES IMPACT OF SECTION 11(a)

The Commission today published the results of a voluntary survey of national securities exchange member firms that deal with the public. The survey was developed and analyzed by the Commission's Directorate of Economic and Policy Research and Division of Market Regulation to measure the impact of Section 11(a) of the Securities Exchange Act of 1934 upon those exchange members who provide exchange brokerage services to institutional accounts over which they exercise investment discretion.

The survey, which was mailed to all 636 national securities exchange member firms, elicited information regarding the nature and extent of such services, the problems created for member firms by Section 11(a), and the means by which firms are coping with the problems of adapting to the full implementation of Section 11(a).

The 428 survey responses came from all segments of the surveyed exchange members. The results reveal the extent to which the respondents continue to manage institutional accounts subject to Section 11(a), the size and characteristics of their institutional money management business, and the extent to which they rely upon the "effect versus execute" rule. (Rel. 34-16406)

#### TABULATIONS OF QUARTERLY INVESTMENT MANAGER REPORTS AVAILABLE

The Commission has announced that tabulations of the reports filed under the institutional investment manager program for the calendar quarter ending September 30, 1979, are now available. These reports, filed under Section 13(f) of the Securities Exchange Act of 1934 by institutional investment managers, list securities over which the manager exercises investment discretion. There are two tabulations: (1) a listing, arranged according to individual security, showing how many shares of that security are managed by each investment manager; and (2) an abbreviated listing, also arranged according to individual security, showing how many shares of that security are managed by each category of investment manager. These tabulations are available for public inspection and copying in the Commission's Public Reference Room located at 1100 L Street, N.W., Washington, D.C.

## CIVIL PROCEEDINGS

#### NESCO MINING CORPORATION ENJOINED

The Seattle Regional Office announced that on September 4, in the Eastern District of Washington, the Honorable Daniel H. Thomas, U.S. District Judge, entered a preliminary injunction ordering Nesco Mining Corporation and Bruce R. McNett, president of Nesco, to make a full public disclosure of all material facts concerning the

publicity generated by them with regard to the relationship of Nesco and Milan R. Ayers Oil and Gas Company within 90 days from the date of the order, in all available media in the area of the Spokane Stock Exchange.

The court declined to enjoin Nesco and McNett from further violation of the securities laws and denied the Commission's motion for preliminary injunction against Milan R. Ayers and Thornton G. Dewey, individually or as a partnership doing business as Milan R. Ayers Oil and Gas Company. (SEC v. Nesco Mining Corporation, et al., E.D. Wash., No. C79-31). (LR-8939)

#### TOTH ALUMINUM CORPORATION ENJOINED

The Atlanta Regional Office announced that on November 28 a complaint was filed in Federal Court in New Orleans, Louisiana, charging Charles Toth, of New Orleans, with violations of the registration and antifraud provisions of the securities laws and aiding and abetting violations of the reporting requirements of the Exchange Act, and Toth Aluminum Corporation, a Louisiana company headed by Toth, with violations of the reporting requirements of the Exchange Act. On the same date, the court entered an order, to which the company consented without admitting or denying the allegations of the complaint, permanently enjoining the company from violating the reporting provisions of the Exchange Act. A hearing on the Commission's Motion for Preliminary Injunction against Toth has been set for December 13, 1979. (SEC v. Charles Toth, et al., E.D., La., Civil Action No. 79-4758). (LR-8945)

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## CRIMINAL PROCEEDINGS

#### JEROME MATUSOW AND IRWIN HYMAN PLEAD GUILTY

The Commission announced that on December 3 Jerome Matusow and Irwin Hyman entered pleas of guilty before Federal District Judge Constance Baker Motley to four counts of wire fraud and four counts of interstate transportation of stolen property. Matusow was formerly president of Aminex Resources Corporation, a public corporation engaged in the mining and sale of coal with headquarters in New York, and Hyman was vice president of Aminex. The defendants pleaded guilty to charges that during 1977 they defrauded Aminex of approximately \$1 million. Sentencing in this matter has been scheduled for January 11, 1980.

The Commission previously filed a civil injunctive action generally concerning these matters on March 9, 1978 against Matusow, Hyman, Aminex and others, SEC v. Aminex Resources Corporation, et al., Civil Action No. 78-0410 (D.D.C.). On May 24, 1978 a Judgment of Permanent Injunction and Ancillary Relief was entered against Matusow and Hyman, by consent, variously enjoining Matusow and Hyman from further violations of the antifraud, reporting and accountability provisions of the Securities Exchange Act of 1934 and rules thereunder and providing for other ancillary relief, including disgorgement of \$1.24 million to Aminex. (U.S. v. Jerome Matusow and Irwin Hyman, U.S.D.C. S.D.N.Y., 79 Cr. 677). (LR-8944)

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## HOLDING COMPANY ACT RELEASES

#### EASTERN UTILITIES ASSOCIATES

An order has been issued authorizing a proposal by Eastern Utilities Associates, a registered holding company, that it issue and sell through March 31, 1982, up to 200,000 common shares pursuant to a dividend reinvestment plan and that it be granted an exemption from competitive bidding in connection therewith. (Rel. 35-21329 - Dec. 6)

#### NEW ENGLAND ELECTRIC SYSTEM

An order has been issued authorizing a proposal by New England Electric System, a registered holding company, that its short-term borrowing authorization be extended from December 31, 1979 to December 31, 1980. (Rel. 35-21330 - Dec. 6)

An order has also been issued authorizing a proposal of NEES to make capital contributions in the amount of \$20 million to New England Power Company, subsidiary of NEES. (Rel. 35-21331 - Dec. 6)

MIDDLE SOUTH UTILITIES, INC.

An order has been issued authorizing a post-effective amendment to a declaration filed by Middle South Utilities, Inc., a registered holding company, regarding increasing the maximum principal amount at any one time outstanding of short-term borrowings from \$174,800,000 to \$226,820,000. (Rel. 35-21332 - Dec. 6)

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## SECURITIES ACT REGISTRATIONS

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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; and File number and date filed.

- (S-1) BLOCKER DRILLING PARTNERS 1980, LTD., 800 Bering Dr., Houston, Tex. 77057 - 6,000 limited partnership interests. (File 2-66156 - Dec. 7)
- (S-16) THE DETROIT EDISON COMPANY, 2000 Second Ave., Detroit, Mich. 48226 (313) 237-8000 - \$50 million of general and refunding mortgage bonds, 1980 Series A, due January 1, 1987. Underwriters: Morgan Stanley & Co. Inc. and E. F. Hutton & Company, Inc. The company is engaged in the generation, purchase, transmission, distribution and sale of electric energy. (File 2-66157 - Dec. 7)
- (S-7) LEAR PETROLEUM CORPORATION, 950 One Energy Sq., 4925 Greenville Ave., Dallas, Tex. 75206 (214) 363-6085 - 1,000,000 shares of common stock. Underwriters: Kidder, Peabody & Co. Inc. and Bateman Eichler, Hill Richards Inc. The company is engaged in the exploration for and development and production of oil and natural gas. (File 2-66158 - Dec. 7)
- (S-16) NORTHWEST ENERGY COMPANY, 315 East 200 South, Salt Lake City, Utah 84111 (801) 534-3600 - 500,000 shares of common stock. (File 2-66159 - Dec. 7)
- (S-8) NEW ENGLAND ELECTRIC SYSTEM, 25 Research Dr., Westborough, Mass. 01581 (617) 366-9011 - 1,000,000 common shares. (File 2-66160 - Dec. 7)
- (S-12) CITIBANK, N.A., 111 Wall St., New York, N.Y. 10043 - 100,000 American Depositary Receipts for ordinary shares of Sasol Limited. (File 2-66162 - Dec. 7); of Ing. C. Olivetti & C., S.p.A. (File 2-66163); and of Coral Leisure Group Limited. (File 2-66164 - Dec. 7)
- (S-8) GENERAL HEALTH SERVICES, INC., 3828 Delmas Terrace, Culver City, Cal. 90230 (213) 278-6500 - 187,500 shares of common stock. (File 2-66165 - Dec. 7)
- (S-7) THE MARINE CORPORATION, 111 East Wisconsin Ave., P.O. Box 481, Milwaukee, Wis. 53202 (414) 765-3000 - 61,564 of \$2 cumulative convertible preferred stock and an indeterminable number of shares of common stock. (File 2-66169 - Dec. 10)

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