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sec news digest

SECURITIES & EXCHANGE COMMISSION
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Issue 77-134

JUL 14 1977

July 13, 1977

DECISIONS IN ADMINISTRATIVE PROCEEDINGS

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T. RUSHTON BAKER SANCTIONED

Pursuant to an offer of settlement submitted by T. Rushton Baker, Roswell, Georgia, president of Baker, Welker and Company, Inc., Atlanta, Georgia, the Commission has suspended him from association with any broker or dealer for a period of sixty days. Following the suspension period, the Commission ordered that Welker be barred from association with any broker or dealer in a supervisory or proprietary capacity with the proviso that he may apply to become associated with a broker or dealer in a supervisory or proprietary capacity twelve months after the entry of the Commission's order. The offer of settlement was made without admitting or denying the allegations in the Commission's order for proceedings. The sanctions were based upon findings pursuant to the offer of settlement that Baker wilfully aided and abetted violations of the net capital, bookkeeping, reporting and customer protection rules. (Rel. 34-13717)

ORDERS FOR PUBLIC PROCEEDINGS

OPPENHEIMER & CO., INC.

The SEC has ordered companion public administrative proceedings pursuant to Section 15(b) and Section 15(c)(4) of the Securities Exchange Act of 1934 against Oppenheimer & Co., Inc., a registered broker-dealer in New York, New York. The proceedings are based upon allegations of the Commission staff that Oppenheimer wilfully violated Section 13(d) of the Securities Exchange Act of 1934 and Rule 13d-1 thereunder by failing to file a Schedule 13D containing misrepresentations of material facts relating to Oppenheimer's purpose in acquiring the Medcom common stock. Medcom, Inc. is a Massachusetts corporation whose common stock is traded in the over-the-counter market. The proceedings are also based on staff allegations that Oppenheimer wilfully violated the antifraud provisions of the securities laws by bidding for and purchasing for its own account Medcom common stock while engaging in a distribution of such common stock. A hearing will be scheduled by further order to take evidence on the staff allegations to afford Oppenheimer an opportunity to offer defenses thereto. (Rel. 34-13743)

NOTICE OF COMMISSION MEETINGS

Following is a schedule of Commission meetings which will be conducted pursuant to provisions of the Government in the Sunshine Act. In general, the Commission expects to follow a schedule of holding closed meetings on Tuesdays, and open meetings on Thursday mornings. Meetings on Wednesday, and if necessary on Thursday afternoons, will be either open or closed according to the requirements of agenda items under consideration. The Commission will not normally meet on Mondays or Fridays.

Visitors are welcome at all open meetings, insofar as seating is available.

Meetings will be held in the Commission Meeting Room on the eighth floor of the Commission's headquarters building at 500 North Capitol Street, Washington, D.C. All visitors are required to sign in and obtain passes at the Reception Desk in the lobby. Persons wishing to photograph or tape record Commission meetings must obtain permission in advance from the Secretary of the Commission.

CLOSED MEETING - TUESDAY, July 19, 1977 - 2 P.M.

The subject matter of the July 19 closed meeting will be: Formal orders of investigation; Institution of administrative proceedings; Referral of investigative files to Federal, State or Self regulatory authorities; Affirmation of duty officer action regarding institution of formal order of investigation; Amendment of formal order of investigation; Request to purchase a copy of transcript; Authorization of staff member to testify in civil action; Affirmation of duty officer action regarding assertion of governmental privilege with respect to testimony by staff members; Affirmation of duty officers' action with respect to subpoena; Freedom of Information Act Appeals; Consideration of the issuance of a report of investigation.

OPEN MEETING - WEDNESDAY, July 20, 1977 - 10 A.M.

The subject matter of the July 20, 10 a.m. open meeting will be:

- (1) Consideration of the issuance of a notice giving interested persons an opportunity to request a hearing on an application by the Liquidating Agent for Foundation Investment Corporation for an order exempting the corporation from certain registration, reporting, and proxy soliciting requirements.
- (2) Consideration of an application by Skyline Oil Company for an order exempting the company from certain reporting requirements.
- (3) Consideration of the adoption of proposed schedule 14D-1 which relates to disclosure required bidders in connection with certain tender offers and the amendment of current Rule 14d-1 to facilitate the changeover to the new schedule.
- (4) Consideration of the issuance of a notice giving interested persons an opportunity to request a hearing on applications of Hartford Variable Life Insurance Company (HVA), HVA-QP Variable Account, HVA-DC-VA Account I, HVA-DC-VA Account II, Hartford Fund, Inc., and Axe Securities Corporation. These applications relate to proposed agreements for maintenance and preservation of records and certain exemptive relief under the Investment Advisers Act.
- (5) Consideration of the proposed adoption of Form SECO-77 which establishes SECO assessments for fiscal year 1977.
- (6) Consideration of a Petition for Rulemaking requesting an amendment to Rule 15c3-2 under the Securities Exchange Act of 1934. The petition requests that the Commission require broker-dealers to submit to customers the proceeds of each transaction unless specifically authorized by the customer to retain such proceeds.
- (7) Consideration of a request by the Anti-Trust Division of the Department of Justice for tabular compilations of information contained in broker-dealer reports of revenues and expenses.

OPEN MEETING - WEDNESDAY, July 20, 1977 - 2:30 P.M.

The subject matter of the July 20, 2:30 p.m. open meeting will be: (1) Review of current activities of the National Association of Securities Dealers, Inc. including the Nasdaq System, Composite Quotation System, Nasdaq Options Program, allocation of functions among self-regulators, and related matters.

CLOSED MEETING - THURSDAY, July 21, 1977 - 10 A.M.

The subject matter of the July 21 closed meeting will be: Institution of injunctive actions; Institution of administrative proceedings; Settlement of administrative proceedings; Simultaneous institution and settlement of injunctive actions and/or administrative proceedings; Referral of investigative files to Federal, State or Self-regulatory authorities; Application for re-entry into securities business.

For further information contact: Willie M. Alexander at (202) 376-7474 or John P. Sweeney at (202) 376-8003.

INVESTMENT COMPANY ACT RELEASES

LIQUIFUND

An order has been issued declaring that Liquifund, Inc., has ceased to be an investment company. (Rel. IC-9845 - July 12)

SELF-REGULATORY ORGANIZATIONS

NOTICE OF PROPOSED RULE CHANGE

The Chicago Board Options Exchange, Inc. has filed a proposed rule change under Rule 19b-4 (SR-CBOE-77-4) to amend CBOE Rule 9.10(a) to eliminate the requirement that member firms qualified to conduct a non-member customer business obtain, on an annual basis, renewal of written authorization to maintain a discretionary account. Publication of the proposal is expected to be made in the Federal Register during the week of July 11. (Rel. 34-13734)

The Midwest Stock Exchange, Inc. (MSE) has filed a proposed rule change under Rule 19b-4 (SR-MSE-77-22) to allow representatives of the MSE Floor Procedure Committee to authorize deviations from the MSE option quotation parameters when it would be impossible or impracticable to convene a meeting of the full Floor Procedure Committee. Publication of the proposal is expected to be made in the Federal Register during the week of July 11. (Rel. 34-13735)

NOTICE OF EFFECTIVENESS OF PROPOSED RULE CHANGE

The MSE has filed a proposed rule change under Rule 19b-4 (SR-MSE-77-24) to increase the fees charged to issuers for listing additional shares on that Exchange. The proposed rule change has become effective upon filing pursuant to Section 19(b)(3)(A) of the Act. Publication of the proposal is expected to be made in the Federal Register during the week of July 18. (Rel. 34-13737)

APPROVAL OF PROPOSED RULE CHANGE

The Commission has approved a proposed rule change filed by the Philadelphia Stock Exchange, Inc. (SR-PHLX-77-3) relating to its summary procedure for fining members and other employees for violations of Options Committee Regulations with respect to order, decorum, health, safety and welfare on the options trading floor. (Rel. 34-13738)

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; and File number and date filed.

- (S-1) PALO PINTO 1977-78 DRILLING PROGRAMS, 412 Citizens National Bank Bldg., Abilene, Tex. 79604 - 1,500 units of preformation subscriptions in limited partnerships (File 2-59475 - July 12)
- (S-6) EMPIRE STATE TAX EXEMPT BOND TRUST, SERIES 2, 25 Broad St., New York, N.Y. 10004 - 25,000 units. Depositor: Weeden & Co. (File 2-59476 - July 12)
- (S-6) WEEDEN TAX EXEMPT BOND TRUST, SERIES 7, 25 Broad St., New York, N.Y. 10004 - 25,000 units. Depositor: Weeden & Co. (File 2-59477 - July 12)
- (S-6) INSURED MUNICIPALS - INCOME TRUST SERIES 16, 208 South LaSalle St., Chicago, Ill. 60604 - 7,500 units. Depositor: Van Kampen Sauerma Inc. (File 2-59478 - July 12)
- (S-7) NORTHERN INDIANA PUBLIC SERVICE CO., 5265 Hohman Ave., Hammond, Ind. 46320 (219-853-5200) - \$50 million of first mortgage bonds, Series Z (File 2-59479 - July 12)
- (S-14) JACOBS ENGINEERING GROUP INC., 251 South Lake Avenue, Pasadena, Cal. 91101 (213-449-2171) - 83,211 shares of common stock (File 2-59480 - July 12)
- (S-8) TOPPS & TROWERS, 681 Market St., San Francisco, Cal. 94105 - 225,000 shares of common stock (File 2-59581 - July 12)
- (S-8) KANSAS CITY SOUTHERN INDUSTRIES, INC., 114 West 11th St., Kansas City, Mo. 64105 - 122,000 shares of common stock (File 2-59482 - July 12)
- (S-6) THE CORPORATE INCOME FUND, FIFTY-EIGHTH MONTHLY PAYMENT SERIES - 20,000 of units. Depositors: Merrill Lynch, Pierce, Fenner & Smith Inc., One Liberty Plaza, 165 Broadway, New York, N.Y. 10006; Bache Halsey Stuart Shields Inc.; Reynolds Securities Inc. (File 2-59485 - July 12)
- (S-5) HIGH YIELD SECURITIES, INC., 1080 Dresser Tower, 601 Jefferson St., Houston, Tex. 77002 - 4,000,000 shares of capital stock. Underwriters: Drexel Burnham Lambert Inc.; Hornblower, Weeks, Noyes & Trask Inc.; Reynolds Securities Inc.; and Alex. Brown & Sons. (File 2-59486 - July 12)

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. Financial Statements and Exhibits.

The companies listed below 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. Copies of the reports may be purchased from the Commission's Public Reference Section (in ordering, please give the date of the report). An invoice will be included with the requested material when mailed.

COMPANY	ITEM NO.	DATE
ATHENA COMMUNICATIONS CORP	2	06/30/77
CANDEUB FLEISSIG & ASSOCIATES	5,6	06/77
COOPER JARRETT INC	5	07/05/77
CUNEO PRESS INC	2	06/01/77
FALCON SEABOARD INC	5,6	06/29/77
GANNETT CO INC	2,6	06/16/77
HALLCRAFT HOMES INC	1,5,6	06/20/77
HESS INC	5	05/77
HIGHLAND COAL & CHEMICAL CO	1,2,6	06/15/77
HOLUBEAM INC	13,14	06/77 *
HYDRAULIC PRESS BRICK CO	5,6	06/29/77
INTERNATIONAL MINING CORP	1,5	06/21/77
TPM TECHNOLOGY INC	4,6	06/30/77
LCEWS CORP	2,6	06/22/77
LCEWS THEATRES INC	2,6	06/22/77
MAMMOTH MART INC	1,6	06/29/77
MID AMERICA GREAT PLAINS FINANCIAL CORP	2,5	06/01/77
MOLYCORP INC	1,5	06/21/77
NORTHERN INDIANA PUBLIC SERVICE CO	5	06/77
PATRICK PETROLEUM CO 77 COMBINATION PROG	5	07/02/77
PLANT INDUSTRIES INC	2,11,14	06/77 *

^{*/} The Form 8-K was amended (Rel. 34-13156, January 13, 1977) effective for all events which occur subsequent to February 28, 1977. Those companies above which are noted with an asterisk (*) have filed pursuant to the old Form 8-K; the captions of the item numbers under which such reports are filed are as follows:

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| Item 1. Changes in Control of Registrant | Item 9. Options to Purchase Securities |
| Item 2. Acquisition or Disposition of Assets | Item 10. Extraordinary items, other material charges and credits and capital restatements |
| Item 3. Legal Proceedings | Item 11. Submission of Matters to a Vote of Security Holders |
| Item 4. Changes in Securities | Item 12. Changes in Registrant's Certifying Accountant |
| Item 5. Changes in Security for Registered Securities | Item 13. Other Materially Important Events |
| Item 6. Defaults upon Senior Securities | Item 14. Financial Statements and Exhibits |
| Item 7. Increase in Amount of Securities Outstanding | |
| Item 8. Decrease in Amount of Securities Outstanding | |

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. The reproduction cost is 10¢ per page plus postage (7 days) (\$3.50 minimum); 20¢ per page plus postage for expedited service (4 days) (\$5.00 minimum) and 30¢ per page plus postage for priority service overnight (\$5.00 minimum). Cost estimates are given on request. All other reference material is available in the SEC Docket.

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SEC DOCKET is published weekly. Subscription rates: \$43.70/yr in U.S. first class mail, \$54.65 elsewhere.

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