

sec news digest

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NOTICE OF COMMISSION MEETINGS

U.S. SECURITIES AND
EXCHANGE COMMISSION

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 morning. 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 space 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 videotape Commission meetings must obtain permission in advance from the Secretary of the Commission. Persons wishing to tape record a Commission meeting should notify the Secretary's office 48 hours in advance of the meeting.

CLOSED MEETING - TUESDAY, FEBRUARY 2, 1982 - 10:00 A.M.

The subject matter of the February 2 closed meeting will be: Formal orders of investigation; Access to investigative files by Federal, State, or Self-Regulatory authorities; Settlement of administrative proceedings of an enforcement nature; Settlement of injunctive action; Litigation matter; Institution of injunctive actions; Institution of administrative proceedings of an enforcement nature; Regulatory matter bearing enforcement implications.

OPEN MEETING - THURSDAY, FEBRUARY 4, 1982 - 3:30 P.M.

The subject matter of the February 4 open meeting will be:

Oral argument on an appeal by George R. Zenanko from the initial decision of an administrative law judge. FOR FURTHER INFORMATION, PLEASE CONTACT R. Moshe Simon at (202) 523-4588.

CLOSED MEETING - THURSDAY, FEBRUARY 4, 1982 - FOLLOWING THE OPEN MEETING

The subject matter of the February 4 closed meeting will be: Post oral argument discussion.

AT TIMES CHANGES IN COMMISSION PRIORITIES REQUIRE ALTERATIONS IN THE SCHEDULING OF MEETING ITEMS. FOR FURTHER INFORMATION AND TO ASCERTAIN WHAT, IF ANY, MATTERS HAVE BEEN ADDED, DELETED OR POSTPONED, PLEASE CONTACT: Jerry Marlatt at (202) 272-2092

COMMISSION ANNOUNCEMENTS

WEEKLY CALENDAR

The following is a schedule of speaking engagements, Congressional testimony, Commission hearings and other public events involving the Commission for the week of January 31, 1982. (Commission Meetings are announced separately in the News Digest)

Tuesday, February 2

- * Chairman Shad will give opening remarks at the SEC Self-Regulatory Conference at 1:30 p.m., Hall of States, Room 265, 400 North Capitol Street, Washington, DC.

Friday, February 5

- * Commissioner Evans will be the luncheon speaker at the Securities Institute, sponsored by the Florida Bar Association, in Key Biscayne, Florida. The subject of his remarks will be The Glass-Steagall Act in a changing financial environment.

CIVIL PROCEEDINGS

FRED ROVEN, OTHERS ENJOINED

The Commission announced that on January 26 it filed a civil action in the U.S. District Court for the Southern District of New York against Fred Roven, Joseph DeMeo, A. John Marcoux and European American Bank (EAB) alleging violations of the antifraud, short tender and margin provisions of the Securities Exchange Act of 1934 (Exchange Act). Simultaneously, without admitting or denying any of the allegations of the complaint, each defendant consented to the entry of Final Judgments of Permanent Injunction restraining and enjoining Roven and DeMeo from violations of the antifraud and short tender provisions of the Exchange Act, Marcoux from violations of the antifraud and margin provisions of the Exchange Act and EAB from violations of the margin provisions of the Exchange Act.

The Commission's complaint alleged that, beginning in March 1978, Roven and DeMeo initiated a scheme through which he created funds for the purchase of securities by kiting checks between a New York and a Los Angeles bank. The complaint alleges that in September 1978, Roven and DeMeo utilized the scheme to finance the purchase of over \$1 million worth of securities of certain speculative gambling issues. However, when the value of the purchases declined between the purchase and settlement dates, the transactions were not honored, causing various brokers to incur losses in excess of \$300,000.

The complaint further alleges that, in early 1979, Roven revived the scheme. During the period from March through May 1979, Devonshire, Inc., the entity through which Roven traded securities, wrote checks totaling between \$600,000 and \$2.7 million per week as part of the scheme. In early June 1979, the scheme failed, and over \$2 million in checks were returned due to insufficient funds. Thereafter, when it had little or no assets, Devonshire placed orders to purchase \$13.7 million worth of securities, in the securities of rumored acquisition candidates, honoring only those transactions which increased in price. When certain issues declined, Devonshire failed to honor its purchases, causing certain brokers to incur in excess of \$700,000 in losses.

The complaint also alleged that Roven and DeMeo violated the short tendering rules in connection with certain exchange and tender offers. (SEC v. Fred Roven, et al., U.S.D.C. S.D.N.Y., Civil Action No. 82-0470). (LR-9562)

ALLISON, AUSTIN, WEINER, OTHERS ENJOINED

The Commission today announced that the U.S. District Court for the District of Oregon permanently enjoined 11 defendants in an action by the Commission for injunctive and other equitable relief from participating in the purchase or sale of Pabagold, Inc. securities and ordered them to disgorge proceeds from sales of the securities not already disgorged. The Court found that the defendants participated in a scheme to purchase an entire offering of Pabagold securities, made in April 1981

pursuant to a Regulation A exemption from registration, while concealing the fact that the entire offering was controlled by one person and that the defendants, except Weiner, manipulated the market to secure an increase in the price of the stock. The Court found that the individual defendants omitted to disclose material facts while under a duty to disclose. While finding that the defendants violated the antifraud provisions, the Court found that the defendants did not violate the registration provisions of the Securities Act of 1933. The defendants are Ian T. Allison and Fred K. Austin of Santa Rosa, California, Abe M. Weiner of Portland, Oregon, an unincorporated business, five Panamanian corporations, a Cayman Islands corporation and a Panamanian religious society. (SEC v. Ian T. Allison, et al., U.S.D.C., District of Oregon, Civ. No. 81-435-BE). (LR-9567)

INVESTMENT COMPANY ACT RELEASES

ALLISON-WILLIAMS ACCESSFUND, INC.

A notice has been issued giving interested persons until February 16 to request a hearing on an application of Allison-Williams AccessFund, Inc., for an order of exemption from Rules 2a-4 and 22c-1 under the Investment Company Act of 1940 to permit it to compute its net asset value per share to the nearest one cent on a share value of one dollar. (Rel. IC-12182 - Jan. 25)

UNITED SERVICES GROUP OF FUNDS, INC.

A notice has been issued giving interested persons until February 16 to request a hearing on an application by United Services Group of Funds, Inc., a registered, open-end, diversified, management company, for an order pursuant to Section 6(c) of the Investment Company Act of 1940, exempting it 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 one of its three series, the U.S. Treasury Securities Fund, to use the amortized cost valuation method for the purpose of pricing its shares for sale, repurchase and redemption. (Rel. IC-12183 - Jan. 25)

ANPLAN VARIABLE ACCOUNT

A notice has been issued giving interested persons until February 22 to request a hearing on an application of Anchor National Life Insurance Company and Anplan Variable Account, registered as a unit investment trust, for an order pursuant to Section 8(f) of the Investment Company Act of 1940 declaring that Anplan Variable Account has ceased to be an investment company. (Rel. IC-12184 - Jan. 26)

CHESTNUT STREET CASH FUND, INC.

A notice has been issued giving interested persons until February 22 to request a hearing on an application filed by Chestnut Street Cash Fund, Inc., registered under the Investment Company Act of 1940 as an open-end, diversified, management investment company, for an order, pursuant to Section 6(c) of the Act, exempting it 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 it to use the amortized cost valuation method for the purpose of pricing its shares for sale, redemption and repurchase, subject to specific conditions. (Rel. IC-12185 - Jan. 26)

HOLDING COMPANY ACT RELEASES

OHIO POWER COMPANY

A notice has been issued giving interested persons until February 18 to request a hearing on a proposal by Ohio Power Company, subsidiary of American Electric Power Company, Inc., and Southern Ohio Coal Company (SOCCO), subsidiary of Ohio Power, to finance \$14,019,000 for additional coal preparation facilities at SOCCO's Raccoon Mine. (Rel. 35-22368 - Jan. 26)

SELF-REGULATORY ORGANIZATIONS

NOTICE OF IMMEDIATE EFFECTIVENESS OF PROPOSED RULE CHANGE

The Midwest Stock Exchange, Inc. has filed a proposed rule change (SR-MSE-81-7) which became effective under Section 19(b)(3)(A) of the Securities Exchange Act of 1934 to revise the duties and responsibilities of its Chairman, Vice Chairman and President. Publication of the proposal is expected to be made in the Federal Register during the week of January 25. (Rel. 34-18443)

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-14) OLD CAPITAL FINANCIAL CORPORATION, 109 North Capitol Ave., Corydon, IN 47112 (812) 738-3111 - 200,000 shares of common stock. (File 2-75801 - Jan. 25) (Br. 2 - New Issue)
- (S-1) QUNIOCO 1982 OIL AND GAS INCOME PROGRAM, 645 Fifth Ave., New York, NY 10022 - \$60 million of pre-formation limited partnership interests. (File 2-75803 - Jan. 25) (Br. 4 - New Issue)
- (S-14) SANTA BARBARA BANCORP, 200 East Carrillo St., Santa Barbara, CA (805) 966-9111 - 506,075 shares of common stock. (File 2-75808 - Jan. 26) (Br. 1 - New Issue)
- (S-6) NUVEEN TAX-EXEMPT BOND FUND - MULTI-STATE, SERIES 36, 209 South La Salle St., Chicago, IL 60604 - an indefinite number of units. Depositor: John Nuveen & Co. Incorporated. (File 2-75809 - Jan. 25) (Br. 16 - New Issue)
- (S-1) LIBERTY PETROLEUM OIL INCOME PROGRAM, Suite 1425, 500 Fifth Ave., New York, NY 10110 - \$20 million of pre-formation interests in limited partnerships. General Partner: Liberty Petroleum Corporation. (File 2-75810 - Jan. 26) (Br. 3)
- (S-16) SOUTHWEST BANCSHARES, INC., 20th Floor, Southwest Tower, 707 McKinney, Houston, TX 77002 (713) 751-7800 - 215,000 shares of common stock. (File 2-75811 - Jan. 26) (Br. 1)
- (S-14) SMITHKLINE CORPORATION, One Franklin Plaza, Philadelphia, PA 19101 (215) 751-4000 - 16,200,250 shares of common stock. (File 2-75813 - Jan. 26) (Br. 4)
- (S-16) UNITED BANCORP OF ARIZONA, 3300 North Central Ave., Phoenix, AZ 85012 (602) 248-2200 - 200,000 shares of common stock. (File 2-75814 - Jan. 25) (Br. 2)

REGISTRATIONS EFFECTIVE

- Jan. 14: The Corporate Income Fund, One Hundred Sixty-Ninth Short Term Series, 2-75400; Municipal Investment Trust Fund, Fortieth New York Series, 2-75213.
- Jan. 18: F & M National Corporation, 2-74525.
- Jan. 19: Arkansas Power & Light Co., 2-74768; Jefferson Bancshares, Inc., 2-75453; Provident National Corporation, 2-75569.
- Jan. 20: Connecticut Natural Gas Corp., 2-75457.
- Jan. 21: Newpark Resources, Inc., 2-75743; Texas American Bancshares Inc., 2-75480.
- Jan. 22: Aristar, Inc., 2-75666; California Quality Tax-Exempt Trust, Series 1, 2-74540; Carolina Bancorp, Inc., 2-75089; Old Second Bancorp, Inc., 2-75588.

REGISTRATIONS WITHDRAWN

- Jan. 18: Diva, Inc., 2-71830.
- Jan. 19: Flint Silver Inc., 2-71340.
- Jan. 20: Nord Resources Corporation, 2-73381; Polaris Gold Corporation, 2-73725.
- Jan. 21: Forest Fuels, Inc., 2-71539; Fulcrum Computer Group, Inc., 2-73325; Republic Drilling and Service, Inc., 2-73908.