

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
March 9, 1971

In the Matter of	:	
	:	
INTERMARK INVESTING, INC.	:	
	:	
Prospect Center Building	:	ORDER DECLARING THAT APPLICANT
1020 Prospect Street	:	HAS CEASED TO BE AN INVESTMENT
LaJolla, California 92037	:	COMPANY
	:	
(811-1041)	:	
	:	
<u>Investment Company Act of 1940:</u>	:	>

Intermark Investing, Inc. ("Intermark") (formerly known as Southwestern Capital Corporation), a closed-end, non-diversified investment company registered under the Investment Company Act of 1940 ("Act"), filed an application pursuant to Section 8(f) of the Act for an order declaring that it has ceased to be an investment company.

A Public Hearing was held after appropriate notice, and the Hearing Examiner in his initial decision (April 30, 1970) denied Intermark's application on the grounds that Intermark had issued "earn-outs" in violation of Section 18 of the Act and had used a proxy statement defective in certain respects invalidating the vote of stockholders for the purposes of Section 13(a)(4) of the Act. While Petitions for Review from the Hearing Examiner's initial decision were pending before the Commission, the Commission accepted Intermark's offer of settlement which, in pertinent part, provided that Intermark would present to its stockholders an alternative plan for operating as an investment company and that if the plan were rejected by a majority of the outstanding vote securities, upon appropriate application, an order granting deregistration would be entered (Investment Company Act Release No. 6243).

Intermark transmitted to its stockholders proxy statement setting forth the terms of the plan and at a Special Meeting of Stockholders on March 4, 1971, the plan was rejected by a vote of a majority of the outstanding voting securities of Intermark pursuant to the requirements of Section 2(a)(40) of the Act.

Accordingly, it is ordered that Intermark Investing Inc. be and it hereby is, declared to have ceased to be an investment company and that its registration under the Investment Company Act of 1940 shall forthwith cease to be in effect.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

Rosalie F. Schneider
Recording Secretary