

02

SEC NEWS DIGEST

Issue 2001-115

June 14, 2001

RULES AND RELATED MATTERS

COMMISSION PUBLISHES TECHNICAL AMENDMENTS TO INTERNATIONAL DISCLOSURE STANDARDS

On June 11, the Commission issued a release adopting technical amendments to Form 20-F under the Securities Exchange Act of 1934 and to Forms F-2 and F-3 under the Securities Act of 1933. The amendments to the forms clarify the requirements regarding the age of financial statements, codify the long-standing practice of accepting two years audited income statement and statement of cash flows information if the financial statements are presented in accordance with U.S. Generally Accepted Accounting Principles, and correct cross-references in Form 20-F and Forms F-2 and F-3. The changes clarify language that could create confusion and do not alter the current requirements for companies filing on the forms. (Releases 33-7983; 34-44406)

ENFORCEMENT PROCEEDINGS

COMMISSION INSTITUTES ADMINISTRATIVE PROCEEDING AGAINST CHARLES HAGEMANN

On June 13, the Commission instituted a public administrative proceeding against Charles F. Hagemann (Hagemann) pursuant to Section 15(b) of the Securities Exchange Act of 1934. Simultaneously with the institution of this proceeding, Hagemann submitted an Offer of Settlement in which, while neither admitting nor denying the Commission's findings, Hagemann consented to the entry of an Order barring him from association with any broker or dealer, with a right to apply after one year. The Order was based on the entry of a permanent injunction in a civil action against Hagemann. The Commission's complaint alleged that Hagemann violated the registration and antifraud provisions by, among other things, omitting to disclose the actual commissions paid to him in connection with the offer and sale of the unregistered securities of two restaurant subsidiaries of Papa Holdings, Inc., a company based in Los Angeles, California. (Release 34-44421; File No. 3-10508)

INVESTMENT COMPANY ACT RELEASE

AETNA LIFE INSURANCE AND ANNUITY COMPANY, ET AL.

A notice has been issued giving interested persons until July 9, 2001 to request a hearing on an application filed by Aetna Life Insurance and Annuity Company (ALIAC) and its Variable Annuity Account B (VAB), Aetna Insurance Company of America (AICA), Golden American Life Insurance Company (Golden) and its Separate Account B (Account B), First Golden American Life Insurance Company of New York (First Golden), Reliastar Life Insurance of New York (Reliastar), Directed Services, Inc. (DSI), and Washington Square Securities, Inc. (WSS). Applicants seek an order under Section 6(c), of the Investment Company Act to amend an existing order (Rel. IC-24649, dated September 20, 2000, File No. 812-12098) to add Golden, Account B, First Golden, Reliastar, DSI and WSS as parties to the existing order. In addition, applicants request that the order extend to any National Association of Securities Dealers, Inc. member broker-dealer controlling or controlled by, or under common control with any applicant, whether existing or created in the future, that serves as a distributor or principal underwriter of such contracts. (Rel. IC-25002 – June 13)

SELF-REGULATORY ORGANIZATIONS

IMMEDIATE EFFECTIVENESS OF PROPOSED RULE CHANGE

A proposed rule change (SR-CBOE-2001-23) by the Chicago Board Options Exchange to make its brokers' blanket bond requirements similar to those of other self-regulatory organizations has become effective under Section 19(b)(3)(A) of the Securities Exchange Act of 1934. Publication of the proposal is expected in the Federal Register during the week of June 11. (Rel. 34-44401)

PROPOSED RULE CHANGE

The National Association of Securities Dealers filed with the Commission a proposed rule change under Rule 19b-4 (SR-NASD-2001-36) to eliminate the ACT Service Desk feature. Publication of the notice in the Federal Register is expected during the week of June 11. (Rel. 34-44411)

WITHDRAWAL

An order has been issued granting the application of CollegeLink.com to withdraw its Common Stock, par value \$.001 per share, from listing and registration on the American Stock Exchange, effective at the opening of business on June 14. (Rel 34-44422)

SECURITIES ACT REGISTRATIONS

The following registration statements have been filed with the SEC under the Securities Act of 1933. The reported information appears as follows: Form, Name, Address and Phone Number (if available) of the issuer of the security; Title and the number and/or face amount of the securities being offered; Name of the managing underwriter, or depositor (if applicable); File number and date filed; Assigned Branch; and a designation if the statement is a New Issue.

Registration statements may be obtained in person or by writing to the Commission's Public Reference Branch at 450 Fifth Street, N.W., Washington, D.C. 20549 or at the following e-mail box address: <publicinfo@sec.gov>. In most cases, this information is also available on the Commission's website: <www.sec.gov>.

- F-3 UBS AG, BAHNHOFSTRASSE 45, ZURICH SWITZERLAND, V8 00000 -
750,000,000
(\$750,000,000) FOREIGN PREFERRED STOCK. (FILE 333-62448 - JUN. 07)
(BR. 7)
- S-8 KIEWIT MATERIALS CO, KIEWIT PLAZA, OMAHA, NE 68131 (402) 342-2052 -
31,171 (\$245,004) COMMON STOCK. (FILE 333-62450 - JUN. 07) (BR. 4)
- S-8 KIEWIT MATERIALS CO, KIEWIT PLAZA, OMAHA, NE 68131 (402) 342-2052 -
108,785 (\$855,050.10) COMMON STOCK. 7,660,000 (\$7,660,000)
CONVERTIBLE DEBENTURES AND NOTES. (FILE 333-62452 - JUN. 07) (BR. 4)
- S-8 GOURMETMARKET COM INC/CA, 507 HOWARD STREET 200, SAN FRANCISCO, CA
94105
- 1,600,000 (\$176,000) COMMON STOCK. (FILE 333-62454 - JUN. 07) (BR.
8)
- S-8 GREAT LAKES REIT, 823 COMMERCE DRIVE, STE 300, OAK BROOK, IL 60521
(630) 368-2900 - 1,000,000 (\$17,280,000) COMMON STOCK. (FILE 333-62458
-
JUN. 07) (BR. 8)
- S-4 LANDMARK MERGER CO, 800 POYNTZ AVENUE, MANHATTAN, KS 66502
(708) 565-2000 - 2,155,004 (\$38,607,347.50) COMMON STOCK. (FILE 333-
62466
- JUN. 07) (BR. 7 - NEW ISSUE)
- S-8 AMERINET GROUP COM INC, CRYSTAL CORPORATE CNTR,
2500 N MILITARY TRAIL - STE 225C, BOCA RATON, FL 33431 (561) 998-3435 -
635,575 (\$273,297) COMMON STOCK. (FILE 333-62468 - JUN. 07) (BR. 3)
- S-8 WINMAX TRADING GROUP INC, 429 SEABREEZE BLVD STE 227, FT LAUDERDALE,
FL
33316 (954) 523-4500 - 855,000 (\$855,000) COMMON STOCK. (FILE 333-
62470 -
JUN. 07) (BR. 9)

S-8 AXIA GROUP INC/UT, 268 W 400 S STE 300, RICHARD SURBER/ SALT LAKE CITY, UT 84101 (801) 575-8073 - 420,000 (\$193,200) COMMON STOCK. (FILE 333-62472 - JUN. 07) (BR. 8)

S-8 SEMITool INC, 655 WEST RESERVE DR, KALISPELL, MT 59901 (406) 752-2107 - 1,500,000 (\$18,532,500) COMMON STOCK. (FILE 333-62474 - JUN. 07) (BR. 5)

S-3 OFFICE DEPOT INC, 2200 OLD GERMANTOWN RD, DELRAY BEACH, FL 33445 (561) 266-4800 - 6,000,000 (\$53,490,000) COMMON STOCK. (FILE 333-62478 - JUN. 07) (BR. 2)

S-8 OCULAR SCIENCES INC /DE/, 475 ECCLES AVE, S SAN FRANCISCO, CA 94080 - 100,000 (\$2,226,500) COMMON STOCK. (FILE 333-62480 - JUN. 07) (BR. 5)

S-8 COMCAST CORP, 1500 MARKET STREET, PHILADELPHIA, PA 19102 (215) 665-1700 - 4,250,000 (\$172,656,250) COMMON STOCK. (FILE 333-62482 - JUN. 07) (BR. 7)

S-8 J BIRD MUSIC GROUP LTD, 396 DASSBURY ROAD, SUITE 301, WILTON, CT 06897 (203) 761-9393 - 300,000 (\$204,000) COMMON STOCK. (FILE 333-62486 - JUN. 07) (BR. 9)

S-8 TIDALWAVE HOLDINGS INC, 1831 NORTHEAST 45TH ST, FORT LAUDERDALE, FL 33308 (954) 255-6753 - 1,000,000 (\$54,000) COMMON STOCK. (FILE 333-62490 - JUN. 07) (BR. 7)

S-8 GOLD CHAIN MINING CO, 44 WEST BROADWAY, SUITE 704-S, SALT LAKE CITY, UT 84101 (801) 265-2170 - 1,500,000 (\$15,000) COMMON STOCK. (FILE 333-62494 - JUN. 07) (BR. 4)

S-8 TYCO INTERNATIONAL LTD /BER/, 90 PITTS BAY ROAD, THE ZURICH CENTRE SECOND FLOOR, PEMROKE HARBOR, BERMUDA, DM 08 (441) 292-8674 - 1,000,000 (\$56,630,000) COMMON STOCK. (FILE 333-62496 - JUN. 07) (BR. 5)

S-2 UCI MEDICAL AFFILIATES INC, 1901 MAIN ST MAIL CODE 1105, STE 1200, COLUMBIA, SC 29201 (803) 252-3661 - 2,901,396 (\$1,088,024) COMMON STOCK. (FILE 333-62498 - JUN. 07) (BR. 1)

S-8 THQ INC, 27001 AGOURA ROAD, SUITE # 325, CALABASAS HILLS, CA 91301 (818) 871-5000 - 928,000 (\$44,144,960) COMMON STOCK. (FILE 333-62502 - JUN. 07) (BR. 3)

S-8 LIBERTY PROPERTY TRUST, 65 VALLEY STREAM PKWY, STE 100, MALVERN, PA 19355 (610) 648-1700 - 3,426,256 (\$98,761,829.20) COMMON STOCK. (FILE 333-62504 - JUN. 07) (BR. 8)

S-8 LIBERTY PROPERTY TRUST, 65 VALLEY STREAM PKWY, STE 100, MALVERN, PA 19355 (610) 648-1700 - 750,000 (\$21,618,750) COMMON STOCK. (FILE 333-62506 - JUN. 07) (BR. 8)

S-4 PARK PLACE ENTERTAINMENT CORP, 3930 HOWARD HUGHES PKWY, LAS VEGAS, NV 89109 (702) 699-5000 - 350,000,000 (\$350,000,000) STRAIGHT BONDS. (FILE 333-62508 - JUN. 07) (BR. 8)

S-8 BRUSH ENGINEERED MATERIALS INC, 1786 ST. CLAIR AVE., CLEVELAND, OH 44110 (216) 383-4062 - 100,000 (\$2,163,000) COMMON STOCK. (FILE 333-62512 - JUN. 07) (BR. 6)

S-8 BRAUN CONSULTING INC, 30 WEST MONROE STREET, SUITE 300, CHICAGO, IL 60603 (312) 984-7000 - 800,000 (\$6,456,000) COMMON STOCK. (FILE 333-62514 - JUN. 07) (BR. 8)

S-8 BEECHPORT CAPITAL CORP, 132 S THIRD ST, OAKDALE, CA 95361 (209) 3900 - 1,000,000 (\$1,200,000) COMMON STOCK. (FILE 333-62520 - JUN. 07) (BR. 9)

S-8 SECURITY ASSOCIATES INTERNATIONAL INC, 2101 S ARLINGTON EIGHTS RD, STE 100, ARLINGTON HEIGHTS, IL 60005 (847) 956-8650 - 50,000 (\$116,500) COMMON STOCK. (FILE 333-62524 - JUN. 07) (BR. 8)

S-1 COMMONWEALTH INCOME & GROWTH FUND IV, 1160 W. SWEDSFORD ROAD, SUITE 340, BERWYN, PA 19312 (610) 647-6800 - 750,000 (\$15,000,000) LIMITED PARTNERSHIP CERTIFICATE. (FILE 333-62526 - JUN. 07) (NEW ISSUE)

S-8 OTG SOFTWARE INC, 6701 DEMOCRACY BLVD 8TH FLOOR, BETHESDA, MD 20817 (301) 897-1400 - 1,968,325 (\$12,400,448) COMMON STOCK. (FILE 333-62530 - JUN. 07) (BR. 3)

S-8 PRAXIS PHARMACEUTICALS INC/CN, 856 HOMER STREET SUITE 100, VANCOUVER BRITISH COLUMBIA, CANADA V6B 2W5, A1 00000 (604) 646-5614 - 600,000 (\$60,000) COMMON STOCK. (FILE 333-62534 - JUN. 07) (BR. 1)

S-8 CUMULUS MEDIA INC, 111 KILBOURNE AVE, SUITE 2700, MILWAUKEE, WI 53202 (414) 615-2800 - 2,750,000 (\$21,939,162) COMMON STOCK. (FILE 333-62538 - JUN. 07) (BR. 7)

S-8 CUMULUS MEDIA INC, 111 KILBOURNE AVE, SUITE 2700, MILWAUKEE, WI
53202
(414) 615-2800 - 1,900,000 (\$46,270,203) COMMON STOCK. (FILE 333-62542
-
JUN. 07) (BR. 7)

S-4 DAVITA INC, 21250 HAWTHORNE BLVD, SIE 800, TORRANCE, CA 90503
(310) 792-2600 - 225,000,000 (\$225,000,000) STRAIGHT BONDS. (FILE
333-62552 - JUN. 08) (BR. 1)