

# sec news digest

Issue 95-31

February 15, 1995

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## COMMISSION ANNOUNCEMENTS

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### CHANGE IN THE MEETING: CANCELLATION

The closed meeting scheduled for Friday, February 10, 1995, at 2:00 p.m., was cancelled.

### LITIGATION ANALYSIS UNIT ESTABLISHED

Simon M. Lorne, the General Counsel of the Commission, has issued a statement in connection with the establishment of a Litigation Analysis Unit within the Office of the General Counsel.

The new Litigation Analysis Unit will expand the Commission's amicus curiae participation at the trial court level in selected cases. The Commission believes that it is important to participate at the trial court level because many of the current concerns regarding abuses in securities litigation relate to the dynamics of the trial court process. Greater participation at the trial court level will place the Commission in a better position to assist courts in striking an appropriate balance between competing concerns.

The Commission will consider filing briefs at the trial court level in private securities actions on, among other things, motions to dismiss or for summary judgment on complaints or defenses and motions for sanctions. The Commission will also consider filing briefs in securities class actions on such issues as class certification, notices to the class, settlements, attorney fee awards and other issues under Rule 23 of the Federal Rules of Civil Procedure. It will generally not be feasible for the Commission to participate on issues that require a resolution of factual disputes or involve the review of an extensive factual record.

Parties, class members and courts seeking to bring to the Commission's attention cases in which Commission involvement might be appropriate should contact the Commission's General Counsel. (LR-14411; Rel. 34-35374)

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## **RULES AND RELATED MATTERS**

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The Commission has issued a release proposing for public comment a new rule and form under the Investment Advisers Act of 1940 that would require certain investment advisers to provide clients with an annual report regarding their use of client brokerage, including their receipt of research and other services in exchange for that brokerage. For further information please contact Robert Plaze at (202) 942-0721. (Rel. 34-35375; IA-1469; S7-5-95)

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## **ENFORCEMENT PROCEEDINGS**

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### **ORDER INSTITUTED**

The Commission today announced the issuance of an Order Instituting Public Proceedings, Making Findings and Imposing Sanctions (Order) against Edward J. Barter pursuant to an Offer of Settlement. The Order bars Barter from association with any broker, dealer, investment adviser, investment company or municipal securities dealer for a period of one year from the date of the Order.

On December 1, 1994, without admitting or denying the allegations of a Complaint the Commission had filed in the United States District Court for the Southern District of New York, Barter consented to the entry of a Final Judgment of Permanent Injunction. The Commission's Complaint alleged that from in or about August 1987 through in or about October 1987, Barter and others engaged in a fraudulent scheme to manipulate the prices of the common stock of Big O Tires, Inc., Cliff Engle, Ltd., Flores de New Mexico, Inc., Fountain Powerboat Industries, Inc. and TS Industries, Inc. (Rel. 34-35346)

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## **SELF-REGULATORY ORGANIZATIONS**

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### **DELISTINGS GRANTED**

An order has been issued granting the application of the Boston Stock Exchange to strike from listing and registration Entourage International, Inc., Common Stock, \$.001 Par Value. (Rel. 34-35366)

An order has been issued granting the application of the Boston Stock Exchange to strike from listing and registration Boston Pacific Medical, Inc., Common Stock, \$.01 Par Value, Warrants expiring 4/8/95, Class C Redeemable Common Stock Purchase Warrants, and Units consisting of three shares of Common Stock and two Class C Warrants. (Rel. 34-35367)

#### PROPOSED RULE CHANGES

The National Association of Securities Dealers filed a proposed rule change (SR-NASD-95-08) to extend the Interim SOES Rules (except the reduction of the maximum order size from 1,000 shares to 500 shares) through October 2, 1995. Currently, the Interim SOES Rules are scheduled to expire on March 27, 1995. Publication of the proposal is expected in the Federal Register during the week of February 20. (Rel. 34-35364)

The Commission received a proposed rule change filing (SR-CBOE-95-04) by the Chicago Board Options Exchange that would grant two Floor Officials the authority to call for a trading rotation and to delay the commencement of an opening rotation if the Floor Officials believe this will aid in producing a fair and orderly market. In addition, Order Book Officials would be authorized to deviate from the rotation order and manner which the Floor Procedures Committee may have established, as long as two Floor Officials first approve such a deviation. Further, if the appropriate Floor Procedures Committee has not established the rotation order and manner for the options under its purview in a particular situation, then the Order Book Official may determine the order and manner of rotation. Publication of the notice is expected in the Federal Register during the week of February 20. (Rel. 34-35369)

The National Association of Securities Dealers filed a proposed rule change (SR-NASD-95-06) to amend Part III, Section 32 of the Code of Arbitration Procedure. The amendment would amend Section 32(c) of the Code to increase the amount of time before a hearing where the parties are required to exchange documents from 10 to 20 days. Publication of the proposal is expected in the Federal Register during the week of February 20. (Rel. 34-35370)

#### APPROVAL OF PROPOSED RULE CHANGE

The Commission approved a proposed rule change (SR-NASD-94-51) filed by the National Association of Securities Dealers that amends Parts VI and X of Schedule C of the NASD By-Laws relating to foreign finders and foreign associates. (Rel. 34-35361)

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## SECURITIES ACT REGISTRATIONS

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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.

S-8 MINIMATIC IMPLANT TECHNOLOGY INC, 1225 BROKEN SOUND PARKWAY NW,  
BOCA RATON, FL 33487 (407) 997-7777 - 300,000 (\$3,000) COMMON STOCK.  
(FILE 33-88584 - JAN. 17) (BR. 8)

N-1A VINTAGE FUNDS, 429 NORTH OENNSYLVANIA ST, INDIANAPOLIS, IN 46204  
(800) 862-7283 - INDEFINITE SHARES. (FILE 33-89078 - FEB. 03) (BR. 18  
- NEW ISSUE)

S-8 WASHINGTON FEDERAL INC, 425 PIKE STREET, SEATTLE, WA 98101 - 3,099,742  
(\$54,591,256) COMMON STOCK. (FILE 33-89082 - FEB. 03) (BR. 1)

S-6 MIDCAP SPDR TRUST SERIES 1, 86 TRINITY PL C/O AMERICAN STOCK EXCH,  
PDR SERVICES CORP, NEW YORK, NY 10086 - INDEFINITE SHARES. (FILE 33-89088  
- FEB. 03) (BR. 18 - NEW ISSUE)

N-1A FOCUS TRUST INC, TWO PENN CENTER PLAZA, STE 1810, PHILADELPHIA, PA 19102  
(215) 665-9644 - INDEFINITE SHARES. (FILE 33-89090 - FEB. 03) (BR. 17  
- NEW ISSUE)

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### RECENT 8K FILINGS

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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. Resignations of Registrant's Directors.
- Item 7. Financial Statements and Exhibits.
- Item 8. Change in Fiscal Year.

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 Room (when ordering, please give the date of the report). An invoice will be included with the requested material when mailed.

NAME OF ISSUER	STATE CODE	8K ITEM NO.								DATE	COMMENT
		1	2	3	4	5	6	7	8		
AGWAY INC	DE				X					10/10/94	
AMSCO INTERNATIONAL INC	DE				X					01/26/95	
BRUSH CREEK MINING & DEVELOPMENT CO INC	NV				X	X				01/20/95	
CALIFORNIA ENERGY CO INC	DE				X	X				01/27/95	
CALIFORNIA MICRO DEVICES CORP	CA				X					01/06/95	AMEND
CAMBRIDGE NEUROSCIENCE INC	DE				X	X				01/24/95	
CENTRAL MAINE POWER CO	ME				X					01/27/95	
CHASE MANHATTAN CREDIT CARD MASTER TRUST	DE				X	X				01/17/95	
CHASE MANHATTAN CREDIT CARD MASTER TRUST	DE				X	X				01/17/95	
CHASE MANHATTAN CREDIT CARD MASTER TRUST	DE				X	X				01/17/95	
CHASE MANHATTAN CREDIT CARD TRUST 1990-A	DE				X	X				01/17/95	
CHASE MANHATTAN CREDIT CARD TRUST 1991-A	DE				X	X				01/17/95	
CLARK EQUIPMENT CO /DE/	DE				X	X				01/26/95	
CLEAN X PRESS INC/ CO/	CO				X	X				01/25/95	AMEND
COMMERCIAL METALS CO	DE		X		X	X				01/27/95	
CRAY COMPUTER CORP	DE				X					01/24/95	
DATA BROADCASTING CORPORATION	DE				X	X				01/25/95	
DATAFLEX CORP	NJ		X			X				01/19/90	
DDL ELECTRONICS INC	DE				X					01/03/95	
DELTA PETROLEUM CORP/CO	CO				X	X				01/23/95	
DETROIT EDISON CO	MI				X	X				01/27/95	
DOW CHEMICAL CO /DE/	DE		X							01/27/95	
DYCAM INC	DE				X					01/25/95	
EUTRO GROUP HOLDING INC	FL				X	X				01/25/95	
FIRST CONNECTICUT CAPITAL CORP	CT			X		X				01/24/96	
FORT BEND HOLDING CORP	DE				X	X				01/26/95	
GREENWICH CAPITAL ACC IN SUB MOR SEC TRU					X	X				12/28/94	
HIBERNIA CORP	LA				X					01/25/95	
KEENE CORP /DE/	DE				X	X				01/17/95	
LA Z BOY CHAIR CO	MI		X							01/27/95	
M MORTGAGE INC 1992-D-II							X			03/15/94	
MAYNARD OIL CO	DE		X			X				12/22/94	AMEND
MEREDITH CORP	IA				X					01/24/95	
MICROPROBE CORP /DE/	DE				X	X				01/23/95	
MODINE MANUFACTURING CO	WI				X					01/18/95	
MONEY STORE							X			10/17/94	
MONEY STORE CALIFORNIA INC 1992-D-II							X			03/15/94	
MONEY STORE CALIFORNIA INC 1993-A-I							X			10/17/94	
MONEY STORE CONNECTICUT INC 1992-D-II							X			03/15/94	
MONEY STORE CONNECTICUT INC 1993-A-1							X			10/17/94	
MONEY STORE D C INC 1992-D-II							X			03/15/94	
MONEY STORE D C INC 1993-A-1							X			10/17/94	
MONEY STORE DELAWARE INC 1992-D-II							X			03/15/94	
MONEY STORE DELAWARE INC 1993-A-1							X			10/17/94	
MONEY STORE EMPIRE STATE INC 1992-D-II							X			03/15/94	
MONEY STORE EMPIRE STATE INC 1993-A-1							X			10/17/94	
MONEY STORE FINANCIAL CO INC 1992-D-II							X			03/15/94	
MONEY STORE FINANCIAL CO INC 1993-A-1							X			10/17/94	
MONEY STORE FLORIDA INC 1992-D-II							X			03/15/94	
MONEY STORE FLORIDA INC 1993-A-1							X			10/17/94	
MONEY STORE GEORGIA INC 1993-A-1							X			10/17/94	

8K REPORTS CONT.

NAME OF ISSUER	STATE CODE	8K ITEM NO.								DATE	COMMENT
		1	2	3	4	5	6	7	8		
MONEY STORE GEORGIA INC 1992-D-II									X	03/15/94	
MONEY STORE HOME EQUITY CORP 1992-D-II									X	03/15/94	
MONEY STORE HOME EQUITY CORP 1993-A-I									X	10/17/94	
MONEY STORE ILLINOIS INC 1992-D-II									X	03/15/94	
MONEY STORE ILLINOIS INC 1993-A-I									X	10/17/94	
MONEY STORE INDIANA INC 1992-D-II									X	03/15/94	
MONEY STORE INDIANA INC 1993-A-I									X	10/17/94	
MONEY STORE KENTUCKY INC 1992-D-II									X	03/15/94	
MONEY STORE KENTUCKY INC 1993-A-I									X	10/17/94	
MONEY STORE MAINE INC 1992-D-II									X	03/15/94	
MONEY STORE MAINE INC 1993-A-I									X	10/17/94	
MONEY STORE MARYLAND INC 1992-D-II									X	03/15/94	
MONEY STORE MARYLAND INC 1993-A-I									X	10/17/94	
MONEY STORE MASSACHUSETTS INC 1992-D-II									X	03/15/94	
MONEY STORE MASSACHUSETTS INC 1993-A-I									X	10/17/94	
MONEY STORE MICHIGAN INC 1992-D-II									X	03/15/94	
MONEY STORE MICHIGAN INC 1993-A-I									X	10/17/94	
MONEY STORE MINNESOTA INC 1992-D-II									X	03/15/94	
MONEY STORE MINNESOTA INC 1993-A-I									X	10/17/94	
MONEY STORE MISSOURI INC 1992-D-II									X	03/15/94	
MONEY STORE MISSOURI INC 1993-A-I									X	10/17/94	
MONEY STORE NEVADA INC 1993-A-I									X	10/17/94	
MONEY STORE NEW HAMPSHIRE INC 1992-D-II									X	03/15/94	
MONEY STORE NEW HAMPSHIRE INC 1993-A-I									X	10/17/94	
MONEY STORE NORTH CAROLINA INC 1992-D-II									X	03/15/94	
MONEY STORE NORTH CAROLINA INC 1993-A-I									X	10/17/94	
MONEY STORE OHIO INC 1992-D-II									X	03/15/94	
MONEY STORE OHIO INC 1993-A-I									X	10/17/94	
MONEY STORE OREGON INC 1992-D-II									X	03/15/94	
MONEY STORE OREGON INC 1993-A-I									X	10/17/94	
MONEY STORE RHODE ISLAND INC 1992-D-II									X	03/15/94	
MONEY STORE RHODE ISLAND INC 1993-A-I									X	10/17/94	
MONEY STORE TENNESSEE INC 1992-D-II									X	03/15/94	
MONEY STORE TENNESSEE INC 1993-A-I									X	10/17/94	
MONEY STORE VERMONT INC 1992-D-II									X	03/15/94	
MONEY STORE VERMONT INC 1993-A-I									X	10/17/94	
MONEY STORE WASHINGTON INC 1992-D-II									X	03/15/94	
MONEY STORE WASHINGTON INC 1993-A-I									X	10/17/94	
MONEY STORE 1992-D-II									X	03/15/94	
MORTGAGE BARON ALABAMA INC 1992-D-II									X	03/15/94	
MORTGAGE BARON ALABAMA INC 1993-A-I									X	10/17/94	
NETWORK SYSTEMS CORP	DE					X	X			01/26/95	
NORWEST CORP	DE					X				01/27/95	
OFFSHORE PIPELINES INC	DE					X	X			01/26/95	
POTOMAC ELECTRIC POWER CO	VA					X				01/27/95	
PUBLIC SERVICE CO OF NEW MEXICO	NM					X				01/27/95	
RAILAMERICA INC /DE	DE						X			02/03/94AMEND	
RAILAMERICA INC /DE	DE						X			08/31/94AMEND	
SENSORMATIC ELECTRONICS CORP	DE						X			12/29/94AMEND	
SILVERADO MINES LTD						X	X			01/25/95	
SOUTHERN CO	DE					X	X			01/25/95	
SOUTHWESTERN LIFE CORP	DE						X			01/27/95	

8K REPORTS CONT.

NAME OF ISSUER	STATE CODE	8K ITEM NO.								DATE	COMMENT
		1	2	3	4	5	6	7	8		
TEXAS INSTRUMENTS INC	DE				X					01/27/95	
THOMPSON PBE INC	DE	X					X			01/11/95	
TRINET CORPORATE REALTY TRUST INC							X			01/26/95	
TWAR INC /	UT				X	X				01/24/95	
U S DIAGNOSTIC LABS INC		X								01/11/95	
USAIR INC /NEW/	DE				X	X				12/31/94	
VAN KAMPEN/AMERICAN CAPITAL INC	DE	X				X				12/20/94	
WEIS MARKETS INC	PA				X					01/27/95	
WINLAND ELECTRONICS INC	MN				X	X				01/19/95	
ZEIGLER COAL HOLDING CO	DE				X	X				01/25/95	
ALLEN ETHAN INC	DE				X	X				10/24/94	AMEND
ALLEN ETHAN INTERIORS INC	DE				X	X				10/24/94	AMEND
ASSOCIATED NATURAL GAS CORP	DE	X				X				12/15/94	
AVONDALE FINANCIAL CORP	DE				X		X			01/24/95	AMEND
BELLSOUTH CORP	GA				X	X				01/23/95	
BF ENTERPRISES INC	DE				X	X				01/30/95	
BLACK HILLS CORP	SD		X							02/03/95	
CABLEVISION INVESTMENT OF DETROIT INC	MI	X		X						12/22/94	
CHECKMATE ELECTRONICS INC	GA						X			01/14/94	
CHECKMATE ELECTRONICS INC	GA						X			01/17/94	
CHECKMATE ELECTRONICS INC	GA						X			02/01/94	
CHECKMATE ELECTRONICS INC	GA						X			05/25/94	
CHECKMATE ELECTRONICS INC	GA						X			07/22/94	
CHECKMATE ELECTRONICS INC	GA						X			08/25/94	
CLARK EQUIPMENT CO /DE/	DE				X	X				02/03/95	
CONTIMORTGAGE HOME EQUITY LOAN TRUST 199	NY				X	X				01/17/95	
CONTIMORTGAGE HOME EQUITY LOAN TRUST 199	NY				X	X				01/17/95	
CONTIMORTGAGE HOME EQUITY LOAN TRUST 199	DE				X	X				01/17/95	
CPAC INC	NY		X				X			01/16/95	
DIAPULSE CORP OF AMERICA	DE				X		X			12/29/94	
DIASENSE INC /PA/	PA				X		X			01/25/95	
FIRST FINANCIAL HOLDINGS INC /DE/	DE	X								01/27/95	
FIRST FINANCIAL HOLDINGS INC /DE/	DE	X								01/30/95	
FRANKLIN ELECTRIC CO INC	IN						X			11/28/94	AMEND
GE CAPITAL MOR SER INC REMIC MUL CL PA T							X			08/30/93	
GTS DURATEK INC	DE	X					X			01/24/95	
IMPERIAL HOLLY CORP	TX				X	X				01/27/95	
INTILE DESIGNS INC	DE		X				X			11/02/94	AMEND
INVESTORS FIRST STAGED EQUITY L P	DE				X					01/25/95	AMEND
ITT FLOORPLAN RECEIVABLES LP	DE					X				01/15/95	
LDB CORP /TX/	TX	X					X			01/30/95	
LDDS COMMUNICATIONS INC /GA/	GA						X			12/15/94	AMEND
M MORTGAGE INC 1994-B							X			01/16/95	
MERRIMAC INDUSTRIES INC	NY				X	X				01/30/95	
MID AMERICA APARTMENT COMMUNITIES INC	TN				X					01/25/95	
MONEY STORE CALIFORNIA INC 1994-B							X			01/16/95	
MONEY STORE CONNECTICUT INC 1994-B							X			01/16/95	
MONEY STORE D C INC 1994-B							X			01/16/95	
MONEY STORE DELAWARE INC 1994-B							X			01/16/95	
MONEY STORE EMPIRE STATE INC 1994-B							X			01/16/95	
MONEY STORE FINANCIAL CO INC 1994-B							X			01/16/95	
MONEY STORE FLORIDA INC 1994-B							X			01/16/95	
MONEY STORE GEORGIA INC 1994-B							X			01/16/95	
MONEY STORE HOME EQUITY CORP 1994-B							X			01/16/95	

8K REPORTS CONT.

NAME OF ISSUER	STATE CODE	8K ITEM NO.								DATE	COMMENT
		1	2	3	4	5	6	7	8		
MONEY STORE ILLINOIS INC 1994-B									X	01/16/95	
MONEY STORE INC TMS HOME EQ LOAN ASSET B									X	01/16/95	
MONEY STORE INDIANA INC 1994-B									X	01/16/95	
MONEY STORE KENTUCKY INC 1994-B									X	01/16/95	
MONEY STORE MAINE INC 1994-B									X	01/16/95	
MONEY STORE MARYLAND INC 1994-B									X	01/16/95	
MONEY STORE MASSACHUSETTS INC 1994-B									X	01/16/95	
MONEY STORE MICHIGAN INC 1994-B									X	01/16/95	
MONEY STORE MINNESOTA INC 1994-B									X	01/16/95	
MONEY STORE MISSOURI INC 1994-B									X	01/16/95	
MONEY STORE NEW HAMPSHIRE INC 1994-B									X	01/16/95	
MONEY STORE NORTH CAROLINA INC 1994-B									X	01/16/95	
MONEY STORE OHIO INC 1994-B									X	01/16/95	
MONEY STORE RHODE ISLAND INC 1994-B									X	01/16/95	
MONEY STORE TENNESSEE INC 1994-B									X	01/16/95	
MONEY STORE VERMONT INC 1994-B									X	01/16/95	
MONEY STORE WASHINGTON INC 1994-B									X	01/16/95	
MONEY STORE 1994-B									X	01/16/95	
NEXTEL COMMUNICATIONS INC/DE/	DE							X	X	01/31/95	
NIKE INC	OR	X								01/31/95	
OWENS CORNING FIBERGLAS CORP	DE				X					12/31/94	
RESOLUTION TRUST CORP COMM MOR PASS THRO										NO ITEMS	01/25/95
RESOLUTION TRUST CORP COMM MORT PASS THR										NO ITEMS	01/25/95
ROWE FURNITURE CORP	NV					X				01/12/95	
RYKA INC	DE					X	X			01/29/95	
SHARON ENERGY LTD			X				X			01/13/95	
SMART & FINAL INC/DE	DE						X			11/08/94AMEND	
TAMBRANDS INC	DE				X	X				02/01/95	
TANDY RECEIVABLES CORP	DE				X	X				01/17/95	
TCI COMMUNICATIONS INC	DE	X		X	X					02/03/95	
TELE COMMUNICATIONS INC /CO/	DE	X		X	X					02/03/95	
TMS MORTGAGE INC 1994-B								X		01/16/95	
TRACOR INC /DE	DE						X			12/31/94AMEND	
TRANS WORLD ENTERTAINMENT CORP	NY					X				02/03/95	
TRANSCONTINENTAL REALTY INVESTORS INC	NV						X			12/13/94AMEND	
UJB FINANCIAL CORP /NJ/	NJ					X	X			01/19/95	
UNITED INNS INC	DE	X					X			01/20/95	
UNITED RESTAURANTS INC	DE									NO ITEMS	01/30/95
USA HEALTH TECHNOLOGIES INC	CO				X					12/29/94	
VAN KAMPEN/AMERICAN CAPITAL INC	DE						X			12/20/94AMEND	
VK/AC HOLDING INC	DE						X			12/20/94AMEND	
WASHINGTON GAS LIGHT CO	DC				X	X				01/31/95	
WEDGESTONE FINANCIAL INC	MA						X			01/09/95AMEND	
WEST COAST BANCORP /CA/	CA	X								01/30/95	
WESTAMERICA BANCORPORATION	CA					X				02/03/95	