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# sec news digest

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Issue 79-202

OCT 19 1979

October 18, 1979

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## COMMISSION ANNOUNCEMENTS

## U.S. SECURITIES AND EXCHANGE COMMISSION

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### NO-ACTION POSITION RESPECTING PUBLIC OFFERINGS OF DEBT SECURITIES REGISTERED ON FORM S-18

The Commission announced that it will not take enforcement action against any issuer that offers \$1,500,000 or less of debt securities during any consecutive twelve-month period in a public offering registered on Form S-18 pursuant to the Securities Act of 1933 without qualifying the trust indenture covering such securities under the Trust Indenture Act of 1939. (Rel. 33-6136)

FOR FURTHER INFORMATION CONTACT: Robert Rupp at (202) 272-2644 or  
Norman Schou at (202) 272-2573

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## ADMINISTRATIVE PROCEEDINGS

### PROCEEDINGS INSTITUTED AGAINST LOWE MANAGEMENT CORPORATION, CHRIS L. LOWE

The Commission has instituted public administrative proceedings against Lowe Management Corporation (LMC), a registered investment adviser located in New York City, and Chris L. Lowe, LMC's president, treasurer, director and majority shareholder. The proceedings are based upon allegations that: (1) Lowe was convicted of crimes involving, among other things, his conduct as an investment adviser and grand larceny; (2) Lowe aided and abetted LMC's violation of the antifraud provisions of the Investment Advisers Act of 1940; and (3) Lowe aided and abetted LMC's failure to amend LMC's Form ADV investment adviser registration to reflect the fact of Lowe's convictions. A hearing will be scheduled to take evidence on the allegations to determine whether or not such allegations are true, to afford the respondents an opportunity to establish any defenses to such allegations, and to determine what, if any, remedial action shall be ordered by the Commission. (Rel. IA-703)

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## CIVIL PROCEEDINGS

### LUDWIG J. CSERHAT ENJOINED

The New York Regional Office announced that the Honorable Morris E. Lasker, U.S. District Judge for the Southern District of New York, has signed a final judgment of permanent injunction enjoining Ludwig J. Cserhat of New York, New York, from further violations of the antimanipulative and antifraud provisions of the securities laws. Cserhat consented to the entry of the injunction without admitting or denying the allegations contained in the complaint. (SEC v. Gilbert, et al., S.D.N.Y., 76 Civil 366, MEL). (LR-8895)

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## TRUST INDENTURE ACT RELEASES

### WARNER-LAMBERT COMPANY

An order has been issued under the Trust Indenture Act of 1939 on an application of Warner-Lambert Company that the Trusteeship of Irving Trust Company under various specified indentures is not so likely to involve a material conflict of interest as to make it necessary to disqualify Irving Trust Company from acting as trustee. (Rel. TI-543)

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## LISTING, DELISTING AND UNLISTED TRADING ACTIONS

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### WITHDRAWAL SOUGHT

A notice has been issued giving interested persons until November 15 to comment on Huffy Corporation's application requesting its common stock (par value \$1) to be withdrawn from listing and registration on the American Stock Exchange, Inc. (Rel. 34-16281)

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## SELF-REGULATORY ORGANIZATIONS

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### APPROVAL OF PROPOSED RULE CHANGES

The Commission has approved, on an accelerated basis, proposed rule changes filed by the following: American Stock Exchange, Inc. (SR-Amex-79-13) which amends Amex Rule 114 governing Registered Equity Market Makers (REMMs) to: (1) prohibit an REMM from effecting proprietary trades in his registered securities in any capacity other than as an REMM; (2) require REMMs to mark orders given to another member for execution, to indicate that Rule 114 applies to such order and whether the transaction involves a liquidation at a loss; (3) provide that appropriate execution of a properly marked REMM order is the responsibility of the executing member; and (4) clarify that a member holding a REMM order cannot be held to the market at a particular price if execution of such order at that price would contravene Rule 114. (Rel. 34-16276); and New York Stock Exchange, Inc. (SR-NYSE-79-42) which would amend NYSE Rule 107 governing Registered Competitive Market Makers (RCMMs) to: (1) require floor brokers and floor officials to report instances where RCMMs refused to answer a request to participate in a particular security; (2) require RCMMs to report to the exchange the contra party to each transaction effected under Rule 107; (3) clarify that an individual registered as both an RCMM and a competitive trader may not refuse to answer a request to participate as a market maker in a particular security by virtue of having placed a limit order on the specialist's book in that security as a competitive trader; (4) require an individual registered as both an RCMM and a competitive trader to announce the capacity in which he is trading in a particular security immediately before effecting a transaction; (5) prohibit RCMMs from effecting off-floor market maker transactions; (6) require RCMMs to mark orders, given to another member for execution, to indicate that Rule 107 applies to such order and whether the transaction involves a liquidation at a loss; (7) provide that the appropriate execution of a properly marked RCMM order is the responsibility of the executing member; and (8) clarify that a member holding a RCMM order cannot be held to the market at a particular price if execution of such order at that price would contravene Rule 107. (Rel. 34-16277)

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## SECURITIES ACT REGISTRATIONS

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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-18) STANDARD-BRED PACERS AND TROTTERS INCORPORATED, 888 Seventh Ave., New York, N.Y. 10019 - 3,000,000 shares of common stock. Underwriter: Ladenburg, Thalman & Co., Inc. The company will engage in purchasing, owning, breeding and selling standard-bred horses. (File 2-65528 - Sept. 26)
- (S-8) SEAFIRST CORPORATION, 1001 Fourth Ave., Seattle, Wash. 98154 (206) 583-3190 - 300,000 shares of common stock. (File 2-65551 - Sept. 24)
- (S-16) INTERNATIONAL BUSINESS MACHINES CORPORATION, Armonk, N.Y. 10504 (914) 765-1900 - \$50 million of notes, due 1986 and \$500 million of debentures, due 2004. (File 2-65563 - Sept. 25)
- (S-11) REALTY AND MORTGAGE INVESTORS OF THE PACIFIC, 7700 Edgewater Dr., Suite 150, Oakland, Cal. 94621 - 687,500 shares of beneficial interest. (File 2-65579 - Sept. 26)

- (S-14) ESTACADO, INC., P.O. Box 920, Hobbs, N.J. 88240 (505) 393-5156 - 2,000,000 shares of common stock. (File 2-65580 - Sept. 26)
- (S-1) PLAZA INCOME PARTNERSHIP 90 Broad St., New York, N.Y. 10004 - 257,238 units of limited partnership interest. (File 2-65744 - Oct. 16)
- (S-14) THE STANDARD OIL COMPANY, Midland Bldg., Cleveland, Ohio 44115 (216) 575-4141 - 368,800 shares of common stock. (File 2-65745 - Oct. 17)
- (S-6) NUVEEN TAX-EXEMPT BOND FUND, SERIES 135, 209 South LaSalle St., Chicago, Ill. 60604 - an indefinite number of units. Depositor: John Nuveen & Co., Inc. (File 2-65746 - Oct. 17)
- (S-16) THE MARINE CORPORATION, 111 East Wisconsin Ave., P.O. Box 481, Milwaukee, Wis. 53202 (414) 765-3000 - 100,000 shares of common stock. (File 2-65747 - Oct. 17)
- (S-8) FEDERAL EXPRESS CORPORATION, Memphis International Airport, Memphis, Tenn. 38194 (901) 525-2431 - 120,000 shares of common stock. The company provides door-to-door delivery of packages. (File 2-65748 - Oct. 17)

REGISTRATIONS EFFECTIVE

Oct. 12: Southern California Gas Co., 2-65546.

Oct. 16: Bailard, Binel & Kaiser International Fund, Inc., 2-63270; Haemonetics Corp., 2-65477 (90 days); Home State Financial Services, Inc. and Warner National Corp., 2-63963; Kevex Corp., 2-65492 (1-14-80); Third Generation Tax Exempt Bond Trust, Series 1, 2-65206.

NOTE TO DEALERS. When applicable the 90-day period of time dealers are required to use the prospectus is noted above in parentheses after the name of the issuer. As to the other issuers, there may be no such requirement to use a prospectus, or the requirement may be for a period of only 40 days; see Section 4(3) of the Securities Act of 1933 and Rule 174 (17 CFR 230.174) thereunder.

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