

# SEC NEWS DIGEST

Issue 2000-171

September 6, 2000

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## COMMISSION ANNOUNCEMENT

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### SEC CONTINUES NATIONWIDE CRACKDOWN AGAINST INTERNET FRAUD

#### Charges 33 Companies and Individuals With Fraud For Manipulating Microcap Stocks

#### Fourth Internet Sweep Brings to More Than 180 the Total Number of Internet Cases Filed

In its fourth nationwide Internet fraud sweep, the Securities and Exchange Commission today announced 15 enforcement actions against 33 companies and individuals who used the Internet to defraud investors by engaging in pump-and-dump stock manipulations. The perpetrators of these market manipulations “pumped” up the total market capitalization of those stocks involved by more than \$1.7 billion. The actions involve the stocks of more than 70 microcap companies and illegal profits of more than \$10 million. The cases include 11 civil actions filed in U.S. District Courts throughout the country and four related administrative proceedings.

SEC Director of Enforcement Richard H. Walker said, “What used to require a network of professional promoters and brokers, banks of telephones and months to accomplish can now be done in minutes by a single person using the Internet and a home computer. Thinly traded microcap stocks are particularly susceptible to online manipulations. That’s why we have made this area one of our highest enforcement priorities. Ultimately, however, the best way for investors to protect themselves against all forms of Internet fraud, including pump-and-dump schemes, is to do their homework and to be highly skeptical of information they receive from strangers on Internet websites, message boards and chat rooms.”

Today the SEC also released an online brochure to warn investors about stock market fraud on the web. “Pump&Dump.Con: Tips for Avoiding Stock Scams on the Internet” advises investors to be skeptical, consider the source, and independently verify web-based claims about stocks. The brochure is available at [www.sec.gov/consumer/iemmtips.htm](http://www.sec.gov/consumer/iemmtips.htm).

The cases brought today involve individuals and small entities that spread false information through electronic newsletters, websites, email messages, and through posts on Internet message boards. Some of the respondents have no securities industry experience; one of them is a bus mechanic, another a college student who is also a driver for a car service. Several of today's actions involve foreign entities and individuals who used the Internet to reach U.S. investors. The sweep also includes a complaint the Commission filed in mid-August alleging a pump-and-dump scheme primarily orchestrated by two recidivists. SEC v. Broadband Wireless International Corp. et al., Civil Action No. 00-1375-R (USDC/W.D. Okl). This case required an emergency action filed by the SEC and state regulators to halt the scheme and freeze the assets of the defendants.

Today's actions are part of the fourth nationwide Internet fraud sweep conducted by the SEC. Previous sweeps filed in October 1998 and February 1999 dealt with the unlawful touting of publicly-traded companies via the Internet, while a sweep in May 1999 targeted the sale of bogus securities over the Internet. The SEC has now brought more than 180 Internet-related enforcement actions. More than one-third of these have been brought in the last year.

For more information about Internet fraud, visit [www.sec.gov/consumer/cyberfr.htm](http://www.sec.gov/consumer/cyberfr.htm). For more advice on saving, investing, and avoiding fraud online, visit [www.sec.gov/consumer/jneton.htm](http://www.sec.gov/consumer/jneton.htm). To report suspicious activity involving possible Internet fraud, visit the SEC's Enforcement Complaint Center at [www.sec.gov/enforce/comctr.htm](http://www.sec.gov/enforce/comctr.htm). (Press Rel. 2000-124)

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## ENFORCEMENT PROCEEDINGS

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### SEC FILES ADMINISTRATIVE PROCEEDING AGAINST ARNOLD TAKEMOTO ET AL. AND CIVIL ACTION AGAINST GEORGE MAFOUZ ET AL.

In actions filed on September 6, the SEC alleges that George E. Mahfouz, Jr. and his investor relations firm, Thor Equity Group, touted securities of CancerOption.com, Inc. based on false financial and stock price projections and then sold large amounts of the stock at inflated prices for illicit profits of more than \$180,000. CancerOption and Mahfouz provided analysts with false information used in reports recommending CancerOption stock to investors. Mahfouz and Thor Equity then posted the reports on CancerOption's website, and hired touters to spread false information over the Internet. The SEC also alleges that Arnold C. Takemoto, then chief executive of CancerOption, reviewed these reports, knew them to be false, but took no steps to remove them from the company's website. Without admitting or denying the SEC's allegations, Mahfouz and Thor Equity consented to the entry of a permanent injunction and Mahfouz consented to the entry of an order requiring him to pay a civil penalty of \$50,000 and to pay disgorgement and prejudgment interest of over \$180,000. Without admitting or denying the SEC's allegations, CancerOption and Takemoto consented to the entry of an

order which requires them to cease and desist from committing or causing any violation or any future violation of Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 under the Exchange Act. [In the Matter of CancerOption.com, Inc. and Arnold C. Takemoto] (Rel. 34-43246, File No. 3-10275) [SEC v. Thor Equity Group, LLC and George E. Mahfouz, Jr., Civ. No. CIV 00-1699-PHX VAM, U.S. District Court, District of Arizona] (LR-16683)

### **ADMINISTRATIVE PROCEEDING INSTITUTED AGAINST JOHN BLACK AND CIVIL CASE FILED AGAINST DONALD RUTLEDGE AND GREGORY SKUFCA**

In actions filed on September 6, the SEC alleges that Donald Rutledge, a Canadian promoter, and Gregory Skufca, an American shell company broker, embarked on a scheme to take public a development-stage company, Plus Solutions, Inc., at \$5.00 per share without registering a public offering. Their plan was to increase Snelling Travel's float through a 29-for-1 stock split, and then merge Plus Solutions into Snelling Travel, an over-the-counter issuer. Rutledge and Skufca intended to create the appearance of demand for the merged company's stock at prices of \$5 or more per share, and then sell large quantities of the stock to the public. The SEC alleges that Rutledge and Skufca began to carry out the scheme, and engaged in some manipulative trading in the latter half of December 1999, which caused the stock to trade at more than \$5 per share, and John Black, an employee of Rutledge, commenced a message "thread" (an area to post messages on a specific topic on an Internet bulletin board) about Snelling and posted two misleading messages on it. The scheme was derailed, however, because Snelling failed to comply with the NASD's notice requirements regarding stock splits. As a consequence of the resulting confusion over the effective date of the split, the proposed merger fell apart, and Snelling's stock price plummeted to pennies per share. The SEC seeks permanent injunctions against Rutledge and Skufca prohibiting violations of Section 17(a) of the Securities Act of 1933, Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 under the Exchange Act. The SEC also seeks disgorgement, plus prejudgment interest, against Skufca, and civil monetary penalties against Rutledge and Skufca. Without admitting or denying the SEC's allegations, Black has consented to the entry of an order requiring Black to cease and desist from committing or causing any violation and any future violation of Section 17(b) of the Securities Act of 1933. [In the Matter of John Black] (Rel. 33-7885, File No. 3-10276) [SEC v. Donald Rutledge and Gregory Skufca, 00-K-1751, U.S. District Court, District of Colorado]

### **SEC FILES ADMINISTRATIVE PROCEEDING CASES IN THE MATTER OF PLATINUM EQUITIES, ET AL., AND IN THE MATTER OF SCOTT ESKEW AND RELATED COURT CASE AGAINST RAJIV VOHRA, ET AL.**

In three related cases filed on September 6, the SEC alleges two schemes to defraud investors in connection with the sale of stock in New Directions Manufacturing, Inc., a small furniture manufacturing company. Two groups that acted both independently and, at times, together, perpetrated the schemes. The first scheme involved Rajiv Vohra and Sean Healey who acquired blocks of free-trading shares of New Directions and then used "wash sales" (they bought and sold shares of New Directions between accounts they

controlled) to create the appearance of active trading in the stock. They then published false and misleading information on the Internet to promote the stock while they were selling their shares at a profit of more than \$500,000. Vohra and Healey attempted to conceal their scheme by conducting much of their activity through Canadian brokerage accounts held in the name of three Bahamian companies they controlled. Scott Eskew permitted Vohra and Healey to use his name and falsely characterize him as an independent analyst who recommended the stock in a research report published over the Internet. Vohra and Healey paid Eskew \$1,500 for his cooperation. The SEC has accepted Eskew's offer of settlement to consent, without admitting or denying the charges, to a cease-and-desist order.

The second scheme involved Platinum Equities, Inc., a registered broker-dealer in New York City, its two principals, John Kenny and Pasquale Forti, and its parent company, Blackheath & Kent Holdings, Inc., who all acquired a large quantity of New Directions shares. Kenny and Forti opened an account at another brokerage firm, in the name of Blackheath & Kent, to park the stock until they could resell it to their customers. When soliciting investments in New Directions stock from customers at Platinum Equities, Kenny and Forti concealed their ownership of the stock. Platinum Equities' customers paid over \$1,000,000 for the stock they purchased from Kenny and Forti.

The SEC seeks a permanent injunction against Vohra, Healey, and the Bahamian companies under their control, restraining them from further violations of the antifraud provisions of the federal securities laws, an accounting, disgorgement plus prejudgment interest and civil monetary penalties. The SEC also has instituted cease-and-desist and administrative proceedings against Platinum Equities, Blackheath & Kent, Kenny and Forti to determine what remedial action should be taken against them, whether an accounting and disgorgement plus reasonable interest should be ordered, whether civil monetary penalties should be imposed against them, whether cease-and-desist orders should be issued, and whether Kenny and Forti should be suspended or barred from participating in an offering of penny stock. [In the Matter of Platinum Equities, Inc., Blackheath & Kent Holdings, Inc., John Kenny and Pasquale Forti] (Rel. 33-7886, 34-43247, File No. 3-10277) [In the Matter of Scott Eskew] (Rel. 33-7887, 34-43248, File No. 3-10278) [SEC v. Rajiv Vohra, Sean T. Healey, Lantern Investments, Ltd., Lipton Holdings, Ltd. and Beaufort Holdings, Ltd., Civil Action No. 00-7286-CIV-SEITZ, U.S. District Court, Southern District of Florida] (LR-16687)

## **COMMISSION FILES CIVIL CASE AGAINST RONALD GOLDBERG**

On September 1, the Commission filed a complaint against Ronald J. Goldberg (Goldberg), an inmate at the United States Penitentiary in Atlanta, Georgia, for attempting to sell securities on the Internet through fraudulent means. From February through May, 2000, Goldberg directed an associate to post at least four false and misleading advertisements for the offer or sale of the stock of GlobeNet Capital Corp. (GlobeNet) on the eBay and Yahoo! auction sites. The auction site postings stated, among other things, that a GlobeNet initial public offering (IPO) was expected in the second or third quarter of 2000, and that following the IPO, GlobeNet stock would begin

trading at between \$22-\$23 per share. Goldberg's postings were false and misleading because Goldberg had no reasonable basis to represent either the timing of an IPO of GlobeNet stock or the price at which the stock might trade following an IPO. Goldberg made the representations in order to sell shares of GlobeNet stock at a profit.

The Commission's complaint charges that Goldberg's scheme violated Section 17(a) of the Securities Act, Section 10(b) of the Exchange Act and Rule 10b-5 thereunder. The Commission is seeking a permanent injunction against future violations as well as civil penalties.

For more information about Internet fraud, visit <http://www.sec.gov/enforce/intrela.htm>. For more advice on saving, investing, and avoiding fraud online, visit <http://www.sec.gov/consumer/jneton.htm>. To report suspicious activity involving possible Internet fraud, visit the SEC's Enforcement Complaint Center at <http://www.sec.gov/enforce/comctr.htm>. [SEC v. Ronald J. Goldberg, Civil Action No. 100-CIV-2297, N.D. Ga.] (LR-16678)

### **THOMAS CARTER SUBJECT OF SEC CIVIL ACTION**

In a complaint filed on September 6, the SEC alleges that Thomas Carter manipulated the prices of four securities that he owned by disseminating false material information about the companies. On each occasion, Carter disseminated a mass email purporting to be from a "momentum trading service" called the "Unity List." Carter's Unity List emails recited purported rumors about the touted companies and urged the email recipients to purchase the stocks at specified times. The emails also stated that the author planned to purchase large quantities of the stocks at the same times, implying that the author did not yet have a position in the securities. Contrary to the implications in his emails, Carter actually had purchased substantial positions in the stocks of the companies he touted prior to the times that he instructed his email recipients to purchase the stocks. After acquiring his stock, Carter sent out the emails to thousands of recipients. Many of the recipients acted upon the emails and purchased the profiled stocks and the stock price and trading volume rose dramatically. The SEC alleges that on each of the four occasions that he attempted to manipulate the price of a stock through this scheme, Carter sold his shares in the rising market for illicit profits of more than \$12,000. The four stocks manipulated experienced the following price increases: one touted stock increased from \$0.06 to \$0.14 after dissemination of false report; another touted stock increased from \$0.048 to \$0.15; another from \$0.04 to \$0.13; and another from \$0.075 to \$0.10. The SEC seeks a permanent injunction against Carter for violations of Section 17(a) of the Securities Act of 1933, Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 under the Exchange Act. The SEC also seeks disgorgement, plus prejudgment interest, and a civil monetary penalty. [SEC v. Thomas Carter, Civil Action No. CV 00-09457 GHK, SHX, C.D.Cal.] (LR-16679)

## **CIVIL CASE SETTLED AGAINST TORSTEN PROCHNOW, ET AL.**

On September 6, the SEC filed a civil complaint in which it alleges that Torsten Prochnow and Dennis C. Hass, residents of Germany, touted the stocks of approximately 64 U.S. public companies under the name Stockreporter.de. The touts have been disseminated through postings on Stockreporter.de's Internet website and numerous press releases. As set forth in the complaint, Prochnow, Hass and WorldofInternet.com AG (a German corporation owned by Prochnow and Hass) targeted U.S. investors and these investors purchased the touted stocks based on the Stockreporter.de recommendations. The Stockreporter.de website contained false statements concerning the purportedly "long-term" trading intentions of Stockreporter.de's principals. The website also contained baseless financial and/or stock price projections concerning one of the touted issuers. The website also falsely stated that Stockreporter.de's principals were not compensated for their touting, and both the website and press releases failed to disclose both the nature and source of the compensation. The touts caused the price and trading volume of the stock of certain issuers to increase significantly in the short term. Baseless recommendations resulted in price and volume for 28 stocks increasing an average of between 28 percent and 390 percent. On at least 15 occasions, the SEC alleges that Prochnow and Hass sold their holdings of the touted stocks into the resulting inflated market, realizing profits of \$111,530. Without admitting or denying the SEC's allegations, Prochnow and Hass have agreed to the entry of an order that enjoins them from future violations of Section 17(b) of the Securities Act of 1933, Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 under the Exchange Act. The order also requires them, jointly and severally, to disgorge \$111,520 plus prejudgment interest, and for each to pay a civil penalty of \$50,000. [SEC v. Torsten Prochnow d/b/a/ Stockreporter.de, Dennis C. Hass and World of Internet.com AG, U.S. District Court, Northern District of California] (LR-16680)

## **CASE FILED AGAINST GURSEL MANDACI**

On September 6, the SEC filed a civil action in which it alleges that from February to April 2000, Gursel Mandaci, a college student and driver for a car service, used the Internet to inflate the price of securities that he had purchased in order to create short-term trading profits. Mandaci's strategy was to purchase penny stocks using a margin account he holds at an online broker, and then make large numbers of Internet postings that touted the issuers. These postings included false information about the issuers and baseless price predictions. Mandaci made more than \$23,000 in six stocks he manipulated, including one stock that increased in price from \$0.01 to \$0.38. The SEC has filed a civil injunctive action against Mandaci alleging violations of Section 17(a) of the Securities Act of 1933, Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 under the Exchange Act. The SEC seeks an order requiring Mandaci to pay disgorgement of \$23,073 plus prejudgment interest, and pay a civil monetary penalty. [SEC v. Gursel Mandaci, Civil Action No. 00-CIV-6635, U.S. District Court, Southern District of New York] (LR-16682)

## **CASE AGAINST CHRISTOPHER HASTINGS SETTLED BY CONSENT**

On September 6, the SEC filed civil charges alleging that Christopher Hastings, using the screen name "Stockpicks1," touted the stock of ten issuers through a free email newsletter (with up to 400 subscribers), on an Internet website he maintained, and in messages he posted on various Internet message boards. Hastings included false and misleading data on his website concerning the track record for his stock picks, which he claimed averaged a 410 percent increase after his touts. Further, Hastings also misrepresented his trading intentions in Internet message board postings and email messages. In two instances, Hastings sold his personal holdings of the touted stocks into the resulting inflated market for total profits of approximately \$70,309. Hastings also coordinated his touting with other touters against whom the SEC obtained a preliminary injunction in April 2000. Hastings has no experience in the securities industry; he is currently employed as a school bus mechanic. Without admitting or denying the SEC's allegations, Hastings has consented to the entry of an order that enjoins him from future violations of Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 under the Exchange Act. The order also requires him to disgorge \$70,309 plus prejudgment interest, but waives payment of disgorgement of all but \$22,312 and does not impose a civil penalty based on his demonstrated inability to pay. [SEC v. Christopher P. Hastings d/b/a/ Stockpicks1, Civ. No. 00-29397-GTV, U.S. District Court, District of Kansas] (LR-16684)

## **HEARTSOFT, INC., BENJAMIN SHELL AND JIMMY BUTLER SUBJECT OF SEC CIVIL ACTION**

In a settled civil action filed on September 6, the SEC alleges that, Benjamin P. Shell and Jimmy Butler, the principals of Heartsoft, Inc. (a developer and marketer of educational software) issued a series of fraudulent press releases that were simultaneously posted on Heartsoft's website. These releases included a myriad of false and misleading statements. During the relevant period, Heartsoft's stock price increased more than 1500 percent from \$.21 to nearly \$6.00 per share as a result of the false and misleading press releases. The SEC alleges that these releases were, in fact, the only public information available to investors, because the company had not filed any of its required quarterly or annual reports with the SEC from May 1, 1997 until November 1999. Further, Shell and Butler profited from their fraudulent conduct by dumping substantial amounts of their Heartsoft stock, from which they made more than \$160,000 in illicit profits. Without admitting or denying the SEC's allegations, Heartsoft, Shell and Butler have consented to the entry of a permanent injunction against future violations of the antifraud and reporting provisions of the federal securities laws, and Shell and Butler have agreed to disgorge all of their trading profits, pay prejudgment interest, and pay civil monetary penalties of \$50,000 each. In addition, Heartsoft has agreed to provide all public disclosures to outside counsel for review prior to release for a period of four years. [SEC v. Heartsoft, Inc., Benjamin Shell and Jimmy Butler, Civil Action No. 00-CV-0766-B, M, U.S. District Court, Northern District of Oklahoma] (LR-16685)

## **SEC SUES STOCK PROMOTER MICHAEL FURR**

In an action filed today the SEC alleges that Michael A. Furr, a paid promoter of penny stocks, orchestrated a manipulation scheme in which he touted at least 26 issuers on his free website, in printed research reports, through emails, and on a national radio show. For at least four of the issuers, Furr included false financial projections and made misrepresentations about an issuer's business ventures and assets. Furr also engaged in a fraudulent pattern of trading in the stock of at least 23 of the issuers, realizing proceeds of more than \$3.4 million. The same day as, or within a few days of, issuing reports and emails with buy recommendations, Furr sold his stock in the recommended securities in a total of at least 751 trades without adequately disclosing his intention to sell. In addition, Furr either failed to disclose or misrepresented the compensation he received for touting the securities he recommended. Several of the stocks Furr touted experienced dramatic price increases: one touted stock increased from \$0.13 to \$3.38 after dissemination of the report; another increased from \$0.18 to \$1.26; another increased from \$0.31 to \$1.00; and another increased from \$2.37 to \$9.13. The SEC seeks a permanent injunction against Furr for violations of Section 17(b) of the Securities Act of 1933, Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 under the Exchange Act. The SEC also seeks disgorgement, plus prejudgment interest, and a civil monetary penalty. [SEC v. Michael A. Furr, Civ. No. CV-00-09456 DT, Manx, U.S. District Court, Central District of California] (LR-16686)

## **LEE GAHR AND CHILL TECH INDUSTRIES, INC. NAMED IN SEC ACTION**

In a civil complaint filed today, the SEC alleges that Chill Tech Industries, Inc., through its chief operating officer Lee E. Gahr (a resident of Vancouver, Canada), made numerous false and misleading statements and failed to disclose material facts through an Internet website, various press releases, phony unsolicited faxes, and a magazine article. These statements concerned, among other things, the "environmentally friendly" nature of Chill Tech's "Arctic Can," allegedly a self-cooling beverage can. The Arctic Can actually used Freon, a banned substance. The SEC alleges that all the fraudulent statements were drafted or reviewed by Gahr, who ran the company pursuant to a management agreement. Certain of these statements caused the price and volume of Chill Tech stock to increase between 15 percent and 94 percent in the short term. While Gahr was disseminating the false press releases, he personally sold 1,056,500 restricted shares of Chill Tech common stock for a profit of \$277,136. The SEC seeks permanent injunctions against Gahr and Chill Tech as well as disgorgement and prejudgment interest, and a civil monetary penalty against Gahr. [SEC v. Lee E. Gahr and Chill Tech Industries, Inc., Civ. No. CV-S-1088-KJD-RJJ, U.S. District Court, District of Nevada] (LR-16688)



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## INVESTMENT COMPANY ACT RELEASES

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### BRAZOS INSURANCE FUNDS, ET AL.

A notice has been issued giving interested persons until September 26 to request a hearing on an application filed by Brazos Insurance Funds and John McStay Investment Counsel, L.P. (collectively, Applicants). Applicants seek an order under Section 6(c) of the Investment Company Act granting exemptions from the provisions of Sections 9(a), 13(a), 15(a) and 15(b) of the Act, and Rules 6e-2(b)(15) and 6e-3(T)(b)(15) thereunder, to the extent necessary to permit shares of any current or future series of Brazos Insurance Funds (Trust) and shares of any other investment company that is designed to fund variable insurance products and for which John McStay Investment Counsel, L.P. (Adviser), or any of its affiliates, may serve now or in the future, as investment adviser, administrator, principal underwriter or sponsor (the Trust 1 and such other investment companies referred to collectively as Insurance Products Funds) to be sold to, and held by, (1) variable annuity and variable life insurance separate accounts of both affiliated and unaffiliated life insurance companies; (2) qualified pension and retirement plans outside of the separate account context; and (3) the Adviser to an Insurance Products Fund and affiliates thereof. (Rel. IC-24632 - September 1)

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## HOLDING COMPANY ACT RELEASES

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### ENERGY EAST CORP.

A notice has been issued giving interested persons until September 26 to request a hearing on a proposal by Energy East Corp., a public-utility holding company exempt from registration under Section 3(a)(1) of the Act, to approve the designation of its wholly owned subsidiary, Energy East Management Corporation, as a subsidiary service company and to approve the proposed services agreements. By order dated August 31, 2000, the Commission authorized Energy East to acquire by merger, CMP Group, Inc., a holding company exempt from registration under Section 3(a)(1) of the Act, CTG Resources, Inc., a holding company exempt from registration under Section 3(a)(1) by Rule 2 under the Act, and Berkshire Energy Resources, a holding company exempt from registration under Section 3(a)(1) by Rule 2 under the Act. Energy East will register with the Commission as a public-utility holding company under Section 5 of the Act, following the mergers. (Rel. 35-27226)

### NISOURCE INC., ET AL.

A notice has been issued giving interested persons until September 26 to request a hearing on a proposal by NiSource Inc. (NiSource), a public utility holding company

exempt from registration under section 3(a)(1) under the Act by order, New NiSource Inc. (New NiSource), a wholly owned subsidiary of NiSource, and Columbia Energy Group (Columbia), a registered gas public utility holding company. Under a proposed merger agreement, New NiSource will acquire all of NiSource's current subsidiaries and Columbia and its subsidiaries. New NiSource will then serve as a holding company for the current subsidiaries of NiSource and Columbia and its subsidiaries. Following the merger, New NiSource will register as a public utility holding company under Section 5 of the Act. New NiSource also proposes to engage in related transactions. (Rel. 35-27226)

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## **SELF-REGULATORY ORGANIZATIONS**

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### **IMMEDIATE EFFECTIVENESS OF PROPOSED RULE CHANGE**

A proposed rule change filed by the Chicago Board Options Exchange, Incorporated (SRCBOE-00-07) to facilitate the conversion to decimal pricing has become immediately 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 September 4. (Rel. 34-43238)

### **NOTICE OF FILING OF PROPOSED FIFTEENTH AMENDMENT TO THE ITS PLAN**

The Intermarket Trading System (ITS) has filed a proposed amendment to the ITS Plan (4-208) under Rule 11Aa3-2 of the Exchange Act relating to Remote Specialists, the National Market System Test System, trade adjustment procedures, and technical revisions. (Rel. 34-43240)

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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.

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>.

S-8 AEGON NV, MARIAHOEVEPLEIN 50, 2591 TV, HAGUE THE NETHERLAND, P7  
(319) 398-8511 - 197,200 (\$7,703,125) FOREIGN COMMON STOCK. (FILE  
333-12448 - AUG. 28) (BR. 1)

S-8 AT HOME CORP, 450 BROADWAY STREET, REDWOOD CITY, CA 94063 (650) 569-  
5000  
- 338,451 (\$4,647,230) COMMON STOCK. (FILE 333-44780 - AUG. 30) (BR.  
3)

S-8 DIGITAL IMPACT INC /DE/, 177 BOVER ROAD SUITE 200, SAN MATEO, CA  
94402  
- (650) 356-3404 - 2,500,000 (\$24,218,750) COMMON STOCK. (FILE 333-44782  
-  
AUG. 30) (BR. 8)

S-8 MICROCID PHARMACEUTICALS INC, 850 MAUDE AVE, MOUNTAIN VIEW, CA  
94043  
(415) 428-1550 - 450,000 (\$5,247,000) COMMON STOCK. (FILE 333-44784 -  
AUG. 30) (BR. 1)

S-8 HOMESEEEKERS COM INC, 6490 SOUTH MCCARRAN BLVD, SUITE 28, RENO, NV  
89509  
- (775) 827-6886 - 6,000,000 (\$16,312,800) COMMON STOCK. (FILE 333-44786  
-  
AUG. 30) (BR. 9)

S-8 FULTON FINANCIAL CORP, ONE PENN SQ, PO BOX 4887, LANCASTER, PA 17604  
(717) 291-2411 - 249,951 (\$2,724,466) COMMON STOCK. (FILE 333-44788 -  
AUG. 30) (BR. 7)

S-8 VICOR CORP, 25 FRONTAGE ROAD, ANDOVER, MA 01810 (978) 470-2900 -  
2,000,000 (\$75,437,500) COMMON STOCK. (FILE 333-44790 - AUG. 30) (BR.  
5)

S-3 COULTER PHARMACEUTICALS INC, 600 GATEWAY BOULEVARD, SOUTH SAN  
FRANCISCO,  
CA 94080 (650) -55-3-20 - 1,655,000 (\$39,488,300) COMMON STOCK. (FILE  
333-44792 - AUG. 30) (BR. 1)

S-8 MAXYGEN INC, 515 GALVESTON DRIVE, REDWOOD CITY, CA 94063 (650) 298-  
5300  
- 1,000,000 (\$51,192,237) COMMON STOCK. (FILE 333-44794 - AUG. 30)  
(BR. 1)

S-8 SPECTRUM ORGANIC PRODUCTS INC, 133 COPELAND ST, PETALUMA, CA 94952  
(707) 778-8900 - 4,500,000 (\$3,021,750) COMMON STOCK. (FILE 333-44796  
-  
AUG. 30) (BR. 9)

S-8 HUMAN GENOME SCIENCES INC, 9410 KEY W AVE, ROCKVILLE, MD 20850  
(301) 309-8504 - 10,054,454 (\$563,948,437) COMMON STOCK. (FILE 333-  
44798 -  
AUG. 30) (BR. 1)

S-8 AMERIRESOURCE TECHNOLOGIES INC, 8815 E. LONG STREET, LENEXA, KS  
66215  
(913) 859-9292 - 100,000 (\$575,000) COMMON STOCK. (FILE 333-44816 -

AUG. 30) (BR. 6)

S-8 NETSILICON INC, 411 WAVERLY OAKS ROAD, SUITE 227, WALTHAM, MA 02154  
(781) 647-1234 - 500,000 (\$12,690,000) COMMON STOCK. (FILE 333-44818 -  
AUG. 30) (BR. 3)

S-8 OLD NATIONAL BANCORP /IN/, 420 MAIN ST, EVANSVILLE, IN 47708  
(812) 464-1434 - 14,782 (\$413,896) COMMON STOCK. (FILE 333-44820 -  
AUG. 30) (BR. 7)

S-8 ONVIA COM INC, 1260 MERCER ST, SEATTLE, WA 98109 (206) 282-5170 -  
209,435 (\$2,207,445) COMMON STOCK. (FILE 333-44822 - AUG. 30) (BR. 8)

S-8 COGNEX CORP, ONE VISION DR, NATICK, MA 01760 (508) 650-3000 -  
250,000  
(\$11,031,250) COMMON STOCK. (FILE 333-44824 - AUG. 30) (BR. 5)

S-8 TELIK INC, 750 GATEWAY BOULEVARD, SOUTH SAN FRANCISCO, CA 94080  
(650) 244-9303 - 4,877,225 (\$23,819,944.60) COMMON STOCK. (FILE 333-  
44826  
- AUG. 30) (BR. 1)

S-8 CORONADO INDUSTRIES INC, 16929 EAST ENTERPRISE DRIVE, SUITE 202,  
FOUNTAIN HILLS, AZ 85268 (602) 837-6810 - 200,000 (\$260,000) COMMON  
STOCK.  
(FILE 333-44828 - AUG. 30) (BR. 1)

S-8 EFUNDS CORP, 400 WEST DELUXE PARKWAY, P O BOX 12536, MILWAUKEE, WI  
53212  
(414) 341-5000 - 9,110,000 (\$93,857,622) COMMON STOCK. (FILE 333-44830  
-  
AUG. 30) (BR. 8)

S-8 ACE CASH EXPRESS INC/TX, 1231 GREENWAY DR STE 800, IRVING, TX 75038  
(214) 550-5000 - 814,635 (\$7,383,037.01) COMMON STOCK. (FILE 333-44832  
-  
AUG. 30) (BR. 7)

S-3 COASTAL CORP, COASTAL TWR, NINE GREENWAY PLZ, HOUSTON, TX 77046  
(713) 877-1400 - 35,000,000 (\$35,000,000) STRAIGHT BONDS. (FILE 333-  
44834  
- AUG. 30) (BR. 2)

S-3 INSCI STATEMENTS COM CORP, TWO WESTBOROUGH BUSINESS PARK,  
WESTBOROUGH,  
MA 01581 (508) 870-4000 - 620,295 (\$2,521,955.80) COMMON STOCK. (FILE  
333-44836 - AUG. 30) (BR. 3)

S-4 MANDALAY RESORT GROUP, 3950 LAS VEGAS BLVD S, LAS VEGAS, NV 89119  
(702) 734-0410 - 200,000,000 (\$200,000,000) STRAIGHT BONDS. (FILE  
333-44838 - AUG. 30) (BR. 5)

S-1 EOTT ENERGY PARTNERS LP, 1330 POST OAK BLVD, SUITE 2700, HOUSTON, TX  
77056 (713) 993-5200 - 1,700,000 (\$25,871,875) COMMON STOCK. (FILE  
333-44840 - AUG. 30) (BR. 4)

S-3 EUNIVERSE INC, 101 NORTH PLAINS INDUSTRIAL ROAD, WALLINGFORD, CT  
06492  
(203) 294-1648 - 910,000 COMMON STOCK. (FILE 333-44842 - AUG. 30) (BR.  
2)

S-8 MICROSTRATEGY INC, 8000 TOWERS CRESCENT DR, VIENNA, VA 22182  
(703) 848-8600 - 11,000,000 (\$473,899,615.32) COMMON STOCK. (FILE  
333-44844 - AUG. 30) (BR. 3)

S-8 MICROSTRATEGY INC, 8000 TOWERS CRESCENT DR, VIENNA, VA 22182  
(703) 848-8600 - 200,000 (\$7,004,390) COMMON STOCK. (FILE 333-44846 -  
AUG. 30) (BR. 3)

S-3 TECH DATA CORP, 5350 TECH DATA DR, CLEARWATER, FL 33760 (727) 539-  
7429  
(FILE 333-44848 - AUG. 30) (BR. 3)

S-8 DISCOVERY PARTNERS INTERNATIONAL INC, 9640 TOWNE CENTRE DRIVE,  
SAN DIEGO, CA 92121 - 3,550,000 (\$68,781,250) COMMON STOCK. (FILE  
333-44850 - AUG. 30) (BR. 1)

S-8 PERFICIENT INC, 7600-B NORTH CAPITAL OF TEXAS HWY,, SUITE 220,  
AUSTIN,  
TX 78731 (512) 531-6000 - 100,000 (\$1,262,500) COMMON STOCK. (FILE  
333-44854 - AUG. 30) (BR. 9)

S-3 CTG RESOURCES INC, 100 COLUMBUS BLVD, HARTFORD, CT 06144 (860) 727-  
3000  
- 75,000 (\$2,948,438) COMMON STOCK. (FILE 333-44856 - AUG. 30) (BR. 4)

S-3 DUKE WEEKS REALTY CORP, 8888 KEYSTONE CROSSING, STE 1200,  
INDIANAPOLIS,  
IN 46240 (317) 808-6000 - 5,000,000 (\$119,687,500) COMMON STOCK. (FILE  
333-44858 - AUG. 30) (BR. 8)

S-1 OPTICAL COMMUNICATION PRODUCTS INC, 20961 KNAPP STREET, CHATSWORTH,  
CA  
91311 (818) 701-164 - \$115,000,000 COMMON STOCK. (FILE 333-44862 -  
AUG. 31) (NEW ISSUE)

S-4 WORLD ACCESS INC /NEW/, 945 EAST PACES FERRY ROAD, SUITE 2200,  
ATLANTA,  
GA 30326 (404) 231-2025 - 19,873,989 (\$154,480,516.50) COMMON STOCK.  
(FILE 333-44864 - AUG. 31) (BR. 7)

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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.
- Item 9. Regulation S Offerings.

The following companies 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. 8-K reports 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>.

NAME OF ISSUER	STATE CODE	8K ITEM NO.									DATE	COMMENT	
		1	2	3	4	5	6	7	8	9			
ADVANTA MORTGAGE LOAN TRUST 1998-4A	NY					X		X				08/31/00	
ADVANTA MORTGAGE LOAN TRUST 1998-4B	NY					X		X				08/31/00	
ADVANTA MORTGAGE LOAN TRUST 1998-4C	DE					X		X				08/31/00	
ADVANTA MORTGAGE LOAN TRUST 2000-1	NV					X		X				08/31/00	
ADVANTA REVOLVING HOME EQUITY LOAN TRUST 2000 A	NV					X		X				08/31/00	
ALANCO ENVIRONMENTAL RESOURCES CORP	AZ		X					X				06/30/00	
AMSURG CORP	TN		X		X		X					08/18/00	
ARROW ELECTRONICS INC	NY		X					X				09/01/00	
ASIA WEB HOLDINGS INC	DE	X	X					X				06/19/00	AMEND
BALANCED LIVING INC	NV		X					X				06/05/00	AMEND
BANCORP RHODE ISLAND INC							X					09/01/00	
BLYTH INC	DE					X		X				08/30/00	
BUSINESS MALL COM INC	NV	X										08/28/00	
CAPTAINS MANAGEMENT CORP			X									08/24/00	
CELERITY SYSTEMS INC	DE				X		X					08/31/00	
CHECKFREE CORP \GA\	DE				X		X					09/05/00	
CIENA CORP	DE				X		X					09/05/00	
CITIZENS FINANCIAL CORP/DE/	DE				X							09/05/00	
CNB FINANCIAL SERVICES INC	WV				X							08/31/00	
CNET NETWORKS INC	DE				X		X					08/31/00	
COMMUNITY FIRST BANKSHARES INC	DE				X		X					08/29/00	
CONAGRA INC /DE/	DE				X							09/05/00	
CONSOLIDATED CAPITAL PROPERTIES V	CA	X						X				08/16/00	
COOPER COMPANIES INC	DE				X		X					08/24/00	
CREDITRISKMONITOR COM INC	NV				X		X					08/30/00	
DETREX CORPORATION	MI				X							09/05/00	
DOW CHEMICAL CO /DE/	DE	X										09/05/00	
DYNAMIC I-T INC	CO				X		X					08/31/00	
E FINANCIAL DEPOT COM	DE	X										06/22/00	AMEND
E PAWN COM INC	NV				X	X						08/09/00	
EARTH PRODUCTS & TECHNOLOGIES INC	NV				X		X					08/04/00	
ELECTRONIC DATA SYSTEMS CORP /DE/	DE				X		X					09/05/00	
ESOFT INC	DE				X							09/05/00	
EZCONNECT INC /UT/	NV				X							08/09/00	
FIRSTBANK CORP	MI				X		X					08/07/00	
FUSION NETWORKS HOLDINGS INC	DE	X					X					08/18/00	
GLOBAL TECHNOLOGIES LTD	DE	X					X					08/18/00	
HIGH SPEED NET SOLUTIONS INC	FL				X		X					09/05/00	
INDIAN VILLAGE BANCORP INC	PA				X		X					09/01/00	
INHALE THERAPEUTIC SYSTEMS INC	DE				X		X					09/05/00	
INTERNAP NETWORK SERVICES CORP/WA	WA	X					X					06/20/00	AMEND

NAME OF ISSUER	STATE CODE	8K ITEM NO.									DATE	COMMENT
		1	2	3	4	5	6	7	8	9		
ITRONICS INC	TX	X									08/28/00	
KAYDON CORP	DE		X					X			08/28/00	
KEY BANK USA NATIONAL ASSOCIATION	OH							X			09/05/00	
KEYSTONE FINANCIAL INC	PA				X						09/05/00	
LARSCOM INC	DE				X						08/28/00	
LIGHTTOUCH VEIN & LASER INC	NV				X	X					08/31/00	AMEND
LONE STAR TECHNOLOGIES INC	DE				X	X					08/29/00	
MAXICARE HEALTH PLANS INC	DE				X	X					09/05/00	
MED EMERG INTERNATIONAL INC		X				X					06/19/00	AMEND
MEDITRUST CORP	DE				X	X					08/31/00	
MEDITRUST OPERATING CO	DE				X	X					08/31/00	
NAVISTAR FINANCIAL DEALER NOTE MAST ER TRUST	DE				X	X					08/25/00	
NAVISTAR FINANCIAL RETAIL RECEIVABL ES CORPORATION	DE				X	X					08/15/00	
NAVISTAR FINANCIAL SECURITIES CORP	DE				X	X					08/25/00	
NCT GROUP INC	DE		X					X			12/31/00	
NET TECH INTERNATIONAL INC	DE	X	X		X	X	X				08/10/00	
NEW CENTURY MORT SEC INC NEW CENT H M EQ LN TR SER 2000-NCA	DE				X	X					07/31/00	
NEW CENTURY MORT SEC INC NEW CENT H M EQ LN TR SER 2000-NCA	DE				X	X					08/31/00	
NEWLANDS OIL & GAS INC	NV		X			X	X				08/18/00	
OLD NIGHT INC	NV	X			X	X					08/31/00	
PEREGRINE REAL ESTATE TRUST	CA				X	X					09/01/00	
PREMIER BRANDS INC/UT	UT					X					06/23/00	AMEND
PRISON REALTY TRUST INC	MD				X	X					08/23/00	
PROVINCE HEALTHCARE CO	DE				X	X					08/31/00	
PSS WORLD MEDICAL INC	FL				X						09/05/00	
PUBLIC SERVICE ELECTRIC & GAS CO	NJ		X			X					09/05/00	
PUBLIC SERVICE ENTERPRISE GROUP INC	NJ		X			X					09/05/00	
REDWOOD EMPIRE BANCORP	CA				X						09/05/00	
RYANS FAMILY STEAKHOUSES INC	SC		X								08/30/00	
SALOMON BROTHERS MORT SEC TRUST VII INC COMMERCIAL - C2	DE				X	X					08/24/00	
SANMINA CORP/DE	DE				X	X					09/05/00	
SCHOLASTIC CORP	DE					X					06/22/00	AMEND
SERENA SOFTWARE INC	DE		X			X					08/18/00	
SILVER KING RESOURCES INC					X	X					08/30/00	
SOLECTRON CORP	DE					X					09/05/00	
ST JOSEPH LIGHT & POWER CO	MO	X									09/05/00	
SYMPHONY TELECOM INTERNATIONAL INC	UT					X	X				08/29/00	AMEND

NAME OF ISSUER	STATE CODE	8K ITEM NO.									DATE	COMMENT
		1	2	3	4	5	6	7	8	9		
TECHSYS INC	NJ				X	X					08/21/00	
TEMPLE SUMMIT FINANCIAL PROJECTS IN C/NV	NV	X									12/12/99	AMEND
TEMPLE SUMMIT FINANCIAL PROJECTS IN C/NV	NV	X									12/12/99	AMEND
TUMBLEWEED COMMUNICATIONS CORP	DE		X			X					09/01/00	
U S ENERGY SYSTEMS INC	DE		X								08/23/99	AMEND

UNITED AMERICAN COMPANIES INC	CO	X X	X	X	09/30/00	
UNITED STATES EXPLORATION INC	CO		X	X	08/25/00	
USA VIDEO INTERACTIVE CORP	WY		X	X	08/11/00	
VENTURES NATIONAL INC	UT		X		04/20/00	AMEND
VINTAGE PETROLEUM INC	DE		X	X	09/05/00	
WALLSTREET RACING STABLES INC	CO			X	06/21/00	AMEND
WASHINGTON HOMES INC	MD		X	X	08/28/00	
WELLPOINT HEALTH NETWORKS INC /DE/	DE		X	X	09/01/00	
WELLS FARGO ASSET SECURITIES CORP	DE		X	X	09/05/00	
WELLS FARGO ASSET SECURITIES CORP M	DE		X	X	07/28/00	
ORT BK SEC 2000-3 TRUST						
WESTSTAR FINANCIAL SERVICES CORP	NC		X		09/05/00	
WESTVACO CORP	DE		X	X	09/05/00	
WHOLE LIVING INC			X	X	08/04/00	
WIRELESS TELECOM GROUP INC	NJ		X		08/30/00	
WOLF INDUSTRIES INC	NV			X	09/06/00	AMEND
WORLDCAST INTERACTIVE INC	FL		X	X	08/31/00	
WPS RESOURCES CORP	WI		X		08/31/00	
WSI INTERACTIVE CORP			X	X	09/01/00	