

DETERMINED TO BE AN
ADMINISTRATIVE MARKING
E.O. 12065, Section 6-102
By JMV NARS, Date 5/2/2012

MINUTES OF THE SECURITIES AND EXCHANGE COMMISSION

SERIATIM AND DUTY OFFICER DISPOSITIONS
PURSUANT TO 17 C.F.R. 200.42 AND .43

Friday, January 18, 2002

COMMISSIONERS VOTING:

Harvey L. Pitt, Chairman
Laura S. Unger

The Commission considered a memorandum from the Office of the Chief Accountant, dated January 16, 2002, concerning a Commission statement regarding Management's Discussion and Analysis ("MD&A") Financial Condition and Results of Operations.

Staff recommended that the Commission publish a statement to suggest steps that issuers should consider in meeting their disclosure obligations with respect to MD&A while preparing year-end and interim financial reports and disclosures in other filings made after the issuance of this release, and to ask for comment on future possible rulemaking.

The Commission approved (2-0) the final draft of the proposed statement, as edited.

(See Release 33-8056, dated January 22, 2002.)

In the matter of New Energy Corp. (LA-2553), the Commission considered a memorandum, dated January 17, 2002, from the Pacific Regional Office.

Staff recommended that the Commission issue an order suspending trading in the securities of New Energy Corp. for a 10-day period commencing at 9:30 a.m. EST on January 18, 2002, and terminating at 11:59 p.m. EST on February 1, 2002, pursuant to Section 12(k) of the Securities Exchange Act of 1934.

Staff also recommended that the Commission issue a formal order of private investigation to determine whether there have been violations of Sections 17(a) and 17(b) of the Securities Act of 1933 and Section 10(b) of the Securities Exchange Act of 1934, and Rule 10b-5 thereunder.

The Commission affirmed (2-0) the action taken on January 17, 2002 by Commissioner Unger, as duty officer, approving the staff recommendation.

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(See Release 34-45306, dated January 18, 2002.)

The Commission considered a memorandum from the Midwest Regional Office, dated January 17, 2002, in the matter of J.T. Wallenbrock & Associates (C-3570).

Staff recommended that the Commission issue a formal order of private investigation to determine whether there have been violations of Sections 5(a), 5(c) and 17(a) of the Securities Act of 1933, Section 10(b) of the Securities Exchange Act of 1934, and Rule 10b-5 thereunder, in the offer and sale of the securities of J.T. Wallenbrock & Associates.

The Commission affirmed (2-0) the action taken on January 18, 2002 by Commissioner Unger, as duty officer, approving the staff recommendation.

Margaret H. McFarland
Deputy Secretary

By: Ida Williams
Program Information Specialist