

Respondents violated sections 10(b)(1), (5), (6), (10), (12), and (14) and 10(d) of the Shipping Act of 1984, 46 U.S.C. app. §§ 1709(b)(1), (5), (6), (10), (12), and (14) and (d)(1), by providing a quote under one name for the shipment of tire recycling equipment from San Antonio, Texas to Dubai, U.A.E., demonstrating authority to act as a non-vessel operating common carrier by producing the title page of a tariff filed in another name, making threats to Complainant and one of Complainant's employees for Complainant's decision not to use Respondents for the shipment, then trying to sell tire-recycling machinery directly to Complainant's client, threatening to sue Complainant's colleagues and customers and acting as an unlicensed NVOCC or freight forwarder.

This proceeding has been assigned to the office of Administrative Law Judges. Hearing in this matter, if any is held, shall commence within the time limitations prescribed in 46 CFR 502.61, and only after consideration has been given by the parties and the presiding officer to the use of alternative forms of dispute resolution. The hearing shall include oral testimony and cross-examination in the discretion of the presiding officer only upon proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statement, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record. Pursuant to the further terms of 46 CFR 502.61, the initial decision of the presiding officer in this proceeding shall be issued by July 19, 1999, and the final decision of the Commission shall be issued by November 16, 1999.

Ronald D. Murphy,

Assistant Secretary.

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FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than August 6, 1998.

A. Federal Reserve Bank of Kansas City (D. Michael Manies, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198-0001:

1. *Swarts Family Investment Company, LLC*, Oklahoma City, Oklahoma; to acquire voting shares of Guaranty Bancshares, Inc., Oklahoma City, Oklahoma, and thereby indirectly acquire voting shares of Guaranty Bank & Trust Company, Oklahoma City, Oklahoma.

Board of Governors of the Federal Reserve System, July 17, 1998.

Robert deV. Frierson,

Associate Secretary of the Board.

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FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act. Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than August 17, 1998.

A. Federal Reserve Bank of Minneapolis (Karen L. Grandstrand, Vice President) 90 Hennepin Avenue, P.O. Box 291, Minneapolis, Minnesota 55480-0291:

1. *Norwest Corporation*, Minneapolis, Minnesota (Norwest); to acquire and merge with Wells Fargo & Company, San Francisco, California (Wells Fargo), and thereby acquire all of the bank subsidiaries of Wells Fargo, which include Wells Fargo Bank, N.A., San Francisco, California; Wells Fargo Bank (Texas), N.A., Houston, Texas; Wells Fargo Bank (Arizona), N.A., Phoenix, Arizona; Wells Fargo Bank, Ltd., Los Angeles, California; Wells Fargo Central Bank, Calabasas, California; and Wells Fargo HSBC Trade Bank, N.A., San Francisco, California. On consummation of the proposed transaction, Norwest Corporation would be renamed Wells Fargo & Company. Norwest would continue to control all of its existing bank and nonbank subsidiaries.

In connection with the proposed transaction, Norwest also proposes to acquire all of the nonbank subsidiaries of Wells Fargo and to engage, directly or indirectly through such nonbank subsidiaries, in a variety of nonbanking activities that previously have been determined to be permissible for bank holding companies. The nonbanking companies that Norwest proposes to acquire are listed in the notice filed with the Board and include Crocker Life Insurance Company, Concord, California, and Wells Fargo Equity Capital, Inc., San Francisco, California. The nonbanking activities of the companies to be acquired also are listed in the notice and include extending credit and servicing loans, pursuant to 12 CFR 225.28(b)(1); and acting as principal, agent, or broker in connection with the sale of credit-related insurance, pursuant to 12 CFR 225.28(b)(11); and engaging in all activities that Wells Fargo currently is authorized to conduct.

In connection with the proposed transaction, Norwest also has provided notice under 12 C.F.R. 211.5(c)(3) to acquire FIL Holding Company, and First Interstate Services Co. (UK), London, United Kingdom.

Norwest also has applied to acquire an option to purchase up to 19.9 percent of the outstanding shares of Wells Fargo's common stock. The option would expire upon consummation of the merger. **Comments regarding this**