

Part 515, effective on the corresponding date shown below:

*License Number:* 001912F.

*Name:* Air-Ship Packers, Inc.

*Address:* 530 East Goetz Ave., Santa Ana, CA 92707.

*Date Revoked:* September 27, 2008.

*Reason:* Failed to maintain a valid bond.

*License Number:* 021125N.

*Name:* Ebayanbox.com. Inc.

*Address:* 100 North Brand Blvd., Glendale, CA 91203.

*Date Revoked:* September 26, 2008.

*Reason:* Failed to maintain a valid bond.

*License Number:* 001832NF.

*Name:* Rohde & Liesenfeld Inc. dba Windrose Line.

*Address:* 240 West 35th Street, Ste. 1201, New York, NY 10001.

*Date Revoked:* September 18, 2008.

*Reason:* Surrendered license voluntarily.

*License Number:* 018573F.

*Name:* Joe Souquette dba Souquette Forwarding International.

*Address:* 8531 Farralone Ave., West Hills, CA 91304.

*Date Revoked:* September 27, 2008.

*Reason:* Failed to maintain a valid bond.

*License Number:* 019267N.

*Name:* Seagold (USA), Inc.

*Address:* 262 West 38th Street, Ste 406, New York, NY 10018.

*Date Revoked:* September 26, 2008.

*Reason:* Failed to maintain a valid bond.

**Sandra L. Kusumoto,**

*Director, Bureau of Certification and Licensing.*

[FR Doc. E8-23871 Filed 10-7-08; 8:45 am]

**BILLING CODE 6730-01-P**

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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 applications 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 (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

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 November 3, 2008.

**A. Federal Reserve Bank of Atlanta** (Steve Foley, Vice President) 1000 Peachtree Street, N.E., Atlanta, Georgia 30309:

1. *Piedmont Bancorp, Inc., Norcross, Georgia;* to become a bank holding company by acquiring 100 percent of the voting shares of First Choice Community Bank 1874, Newnan, Georgia.

**B. Federal Reserve Bank of Chicago** (Burl Thornton, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690-1414:

1. *First Merchants Corporation, Muncie, Indiana;* to acquire 100 percent of the voting shares of Lincoln Bancorp, Plainfield, Indiana, and thereby indirectly acquire Lincoln Bank, Plainfield, Indiana.

Board of Governors of the Federal Reserve System, October 3, 2008.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. E8-23802 Filed 10-7-08; 8:45 am]

**BILLING CODE 6210-01-S**

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institute for Occupational Safety and Health; Final Effect of Designation of a Class of Employees for Addition to the Special Exposure Cohort

**AGENCY:** Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

**ACTION:** Notice.

**SUMMARY:** The Department of Health and Human Services (HHS) gives notice concerning the final effect of the HHS decision to designate a class of employees at the Spencer Chemical Company/Jayhawk Works near Pittsburg, Kansas, as an addition to the Special Exposure Cohort (SEC) under the Energy Employees Occupational Illness Compensation Program Act of 2000. On August 15, 2008, as provided for under 42 U.S.C. 7384q(b), the Secretary of HHS designated the following class of employees as an addition to the SEC:

All Atomic Weapons Employer (AWE) employees who worked at Spencer Chemical Company/Jayhawk Works near Pittsburg, Kansas, from January 1, 1956 through December 31, 1961 for a number of work days aggregating at least 250 work days occurring either solely under this employment or in combination with work days within the parameters established for one or more other classes of employees in the Special Exposure Cohort.

This designation became effective on September 14, 2008, as provided for under 42 U.S.C. 7384l(14)(C). Hence, beginning on September 14, 2008, members of this class of employees, defined as reported in this notice, became members of the Special Exposure Cohort.

**FOR FURTHER INFORMATION CONTACT:**

Larry Elliott, Director, Office of Compensation Analysis and Support, National Institute for Occupational Safety and Health (NIOSH), 4676 Columbia Parkway, MS C-46, Cincinnati, OH 45226, Telephone 513-533-6800 (this is not a toll-free number). Information requests can also be submitted by e-mail to [OCAS@CDC.GOV](mailto:OCAS@CDC.GOV).

Dated: September 22, 2008.

**Christine M. Branche,**

*Acting Director, National Institute for Occupational Safety and Health.*

[FR Doc. E8-23892 Filed 10-7-08; 8:45 am]

**BILLING CODE 4163-19-P**

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Institute for Occupational Safety and Health; Final Effect of Designation of a Class of Employees for Addition to the Special Exposure Cohort

**AGENCY:** Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

**ACTION:** Notice.

**SUMMARY:** The Department of Health and Human Services (HHS) gives notice

concerning the final effect of the HHS decision to designate a class of employees at the Y-12 Plant in Oak Ridge, Tennessee, as an addition to the Special Exposure Cohort (SEC) under the Energy Employees Occupational Illness Compensation Program Act of 2000. On August 15, 2008, as provided for under 42 U.S.C. 7384q(b), the Secretary of HHS designated the following class of employees as an addition to the SEC:

All employees of the Department of Energy (DOE), its predecessor agencies, and DOE contractors or subcontractors who worked at the Y-12 Plant in Oak Ridge, Tennessee from March 1, 1943 through December 31, 1947 for a number of work days aggregating at least 250 work days occurring either solely under this employment or in combination with work days within the parameters established for one or more other classes of employees in the Special Exposure Cohort.

This designation became effective on September 14, 2008, as provided for under 42 U.S.C. 7384j(14)(C). Hence, beginning on September 14, 2008, members of this class of employees, defined as reported in this notice, became members of the Special Exposure Cohort.

**FOR FURTHER INFORMATION CONTACT:**

Larry Elliott, Director, Office of Compensation Analysis and Support, National Institute for Occupational Safety and Health (NIOSH), 4676 Columbia Parkway, MS C-46, Cincinnati, OH 45226, Telephone 513-533-6800 (this is not a toll-free number). Information requests can also be submitted by e-mail to [OCAS@CDC.GOV](mailto:OCAS@CDC.GOV).

Dated: September 22, 2008.

**Christine M. Branche,**

*Acting Director, National Institute for Occupational Safety and Health.*

[FR Doc. E8-23894 Filed 10-7-08; 8:45 am]

BILLING CODE 4163-19-P

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Office of the Secretary**

**Findings of Scientific Misconduct**

**AGENCY:** Office of the Secretary, HHS.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the Office of Research Integrity (ORI) and the Assistant Secretary for Health have taken final action in the following case:

*Peili Gu, PhD., Baylor College of Medicine:* Based on the report of an investigation conducted by the Baylor College of Medicine (BCM) and an

initial review conducted by the Office of Research Integrity (ORI), the U.S. Public Health Service (PHS) found that Dr. Peili Gu, former postdoctoral researcher, Department of Molecular and Cellular Biology, BCM, engaged in scientific misconduct in research supported by National Institute of Diabetes and Kidney Diseases (NIDDK), National Institutes of Health (NIH), grant R01 DK073524, National Institute of Child Health and Human Development (NICHD), NIH, grants T32 HD07165 and U54 HD07495, and National Institute of General Medical Sciences (NIGMS), NIH, grant R01 GM066099. ORI acknowledges Dr. Gu's full cooperation with the BCM misconduct proceedings.

Specifically, PHS found that the Respondent committed misconduct in science with respect to reporting falsified data in the following three papers:

1. Gu, P., LeMenuet, D., Chung, A., & Cooney, A.J. "Differential Recruitment of Methylated CpG Binding Domains [MBDs] by the Orphan Receptor GCNF Initiates the Repression and Silencing of Oct4 Expression." *Mol. Cell. Biology* 26(24):9471-9483, December 2006 (hereafter referred to as the "MBD paper"):

- Respondent falsified the relative expression level of Oct4 in differentiated P19 cells and embryonic stem cells treated with MBD2 and MBD3 small interfering RNA presented in Figures 5E and 6E, respectively.
- Respondent falsified Figure 6A depicting wild type and GCNF-/- embryonic stem cells to compare the binding of GCNF, MBD2, and MBD3 to the Oct4 gene and the measurement of expression at the RNA and protein levels by deleting in photoshop the GCNF Western blot data in the GCNF-/-cells (to match the lack of expression at the RNA level), and falsified the MBD 2 Western blot data in the GCNF-/-cells (or that depicted in Figure 7C, which shows the exact same data but reportedly from DNA methylation-deficient embryonic stem cells [Dnmt3A/Dnmt3B/ES cells]).
- Respondent falsified the MBD2 wild type and GCNF-/-chromatin Immunoprecipitation (ChIP) data in Figure 6B.

2. Gu, P., Morgan, D.H., Sattar, M, Xu, X., Wagner, R., Raviscioni, M., Lichtarge, O., & Cooney, A.J. "Evolutionary Trace-Based Peptides Identify a Novel Asymmetric Interaction that Mediates Oligomerization in Nuclear Receptors." *Journal of Biological Chemistry* 280(36):31818-31829, September 2005:

- In Figures 3C and 3D, depicting transfected wild-type and mutated HA-GCNF expression levels in undifferentiated and differentiated P19 cells, Respondent planned not to show the data for the Asp307 mutant (the data for the Asp307 mutant were deleted in panel D); however, she falsified Figure 3C by deleting the least intensive band instead of the Asp307 mutant in order to make the overall data appear more consistent and support the claim that there were no significant differences in the expression levels between the GCNF mutants and the wild type HA-GCNF in P19 cells.
- In Figure 4A, where Respondent intended not to show the data for the Asp307 mutant, she falsified the reported results by deleting the least intensive band instead of the Asp307 mutant in order to make the overall data appear more consistent in support of the claim that all mutants were expressed at similar levels in COS1 cells and that the various point mutations had not altered the stability of the protein.
- Respondent falsified Figures 4C and 4D depicting supershift of HA-GCNF homodimers expressed in COS1 cells using anti-GCNF and anti-HA antibodies, respectively, by inserting non-specific bands in each of three lanes of each figure where non-specific bands were not visible in the original data.
- Respondent falsified Figure 5A, which reported the detection of HA-GCNF point mutant expression in retinoic acid-differentiated P19 cells by Western blot with anti-HA antibody, by duplicating a series of lanes in the published figure: Lane 2 is the same as lane 4; lane 3 is the same as lanes 5, 7, and 9, and lane 6 is the same as lanes 8, 10, and 11.
- Respondent falsified Figure 6C, which reported on the dimerization abilities of various GCNF mutants, by cutting and pasting (in photoshop) bands into original lanes 7 and 8 to demonstrate the homodimer; certain of the comparisons reported in the text describing this figure do not appear to be confirmed in a repeat experiment.

3. Gu, P., LeMenuet, D., Chung, A., Mancini, M., Wheeler, D., & Cooney, A.J. Orphan Nuclear Receptor GCNF Is Required for the Repression of Pluripotency Genes during Retinoic Acid-Induced Embryonic Stem Cell Differentiation." *Mol. Cell. Biology* 25(19):8507-8519, October 2005: