

*Section 213.3367 Federal Maritime Commission*

MCGS60006 Counsel to the Commissioner to a Member. Effective October 31, 2003.

*Section 213.3382 National Endowment for the Humanities*

NHGS60076 Director, We the People Office to the Deputy Chairman. Effective October 31, 2003.

*Section 213.3384 Department of Housing and Urban Development*

DUGS60534 Deputy Director to the Director, Center for Faith-Based and Community Initiatives. Effective October 22, 2003.

DUGS60337 Director of Media Development to the Assistant Secretary for Public Affairs. Effective October 24, 2003.

DUGS60317 Special Assistant to the Regional Director. Effective October 30, 2003.

*Section 213.3391 Office of Personnel Management*

PMGS00044 Executive Director to the Director. Effective October 10, 2003.

PMGS00045 Special Assistant to the Chief of Staff. Effective October 29, 2003.

*Section 213.3394 Department of Transportation*

DTGS60159 Special Assistant to the Associate Administrator for Policy. Effective October 10, 2003.

DTGS60292 Associate Director for Intergovernmental Affairs to the Deputy Assistant Secretary for Governmental Affairs. Effective October 10, 2003.

*Section 213.3397 Federal Housing Finance Board*

FBOT00005 Staff Assistant to the Chairman. Effective October 15, 2003.

**Authority:** 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR 1954–1958 Comp., P. 218.

Office of Personnel Management.

**Kay Coles James,**  
Director.

[FR Doc. 03–31575 Filed 12–22–03; 8:45 am]

**BILLING CODE 6325–38–P**

**SECURITIES AND EXCHANGE COMMISSION**

**Issuer Delisting; Notice of Application To Withdraw From Listing and Registration on the American Stock Exchange LLC (Vasogen Inc., Common Stock, No Par Value) File No. 0–29350**

December 17, 2003.

Vasogen Inc., a Canada corporation (“Issuer”), has filed an application with the Securities and Exchange Commission (“Commission”), pursuant to section 12(d) of the Securities Exchange Act of 1934 (“Act”)<sup>1</sup> and Rule 12d2–2(d) thereunder,<sup>2</sup> to withdraw its common stock, no par value (“Security”), from listing and registration on the American Stock Exchange LLC (“Amex” or “Exchange”).

The Board of Directors (“Board”) of the Issuer approved a resolution on December 9, 2003 to withdraw the Issuer’s Security from listing on the Amex and to list such Security on the Nasdaq National Market System (“Nasdaq NMS”). The Board states that it considered the following reason in its decision to withdraw the Security from listing and registration on the Amex: listing on the Nasdaq NMS represents a logical next step to support of the Issuer’s growth while offering shareholders increased liquidity.

The Issuer stated in its application that it has met the requirements of Amex Rule 18 by complying with all applicable laws in Canada, in which it is incorporated, and with the Amex’s rules governing an issuer’s voluntary withdrawal of a security from listing and registration.

The Issuer’s application relates solely to the withdrawal of the Securities from listing on the Amex and from registration under section 12(b) of the Act<sup>3</sup> and shall not affect its obligation to be registered under section 12(g) of the Act.<sup>4</sup>

Any interested person may, on or before January 9, 2004, submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609, facts bearing upon whether the application has been made in accordance with the rules of the Amex and what terms, if any, should be imposed by the Commission for the protection of investors. The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless

the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>5</sup>

**Jonathan G. Katz,**  
Secretary.

[FR Doc. 03–31546 Filed 12–22–03; 8:45 am]

**BILLING CODE 8010–01–P**

**SECURITIES AND EXCHANGE COMMISSION**

**Issuer Delisting; Notice of Application of Bio-Imaging Technologies, Inc. To Withdraw Its Common Stock, \$.00025 Par Value, From Listing and Registration on the American Stock Exchange LLC File No. 1–11182**

December 17, 2003.

Bio-Imaging Technologies, Inc., a Delaware corporation (“Issuer”), has filed an application with the Securities and Exchange Commission (“Commission”), pursuant to section 12(d) of the Securities Exchange Act of 1934 (“Act”)<sup>1</sup> and Rule 12d2–2(d) thereunder,<sup>2</sup> to withdraw its common stock, \$.00025 par value (“Security”), from listing and registration on the American Stock Exchange LLC (“Amex” or “Exchange”).

The Board of Directors (“Board”) of the Issuer unanimously approved a resolution on November 5, 2003 to withdraw the Issuer’s Security from listing on the Amex and to list the Security on the Nasdaq National Market System (“Nasdaq NMS”). The Board states that it is taking such action because the Board believes that listing on the Nasdaq NMS will provide additional liquidity to the Issuer’s stockholders and provide additional benefits to the Issuer and its stockholders such as, among other things, greater coverage by analysts and greater interest by institutional investors.

The Issuer stated in its application that it has met the requirements of Amex Rule 18 by complying with all applicable laws in Delaware, in which it is incorporated, and with the Amex’s rules governing an issuer’s voluntary withdrawal of a security from listing and registration.

The Issuer’s application relates solely to the withdrawal of the Securities from listing on the Amex and from registration under section 12(b) of the Act<sup>3</sup> and shall not affect its obligation

<sup>1</sup> 15 U.S.C. 78l(d).

<sup>2</sup> 17 CFR 240.12d2–2(d).

<sup>3</sup> 15 U.S.C. 78l(b).

<sup>4</sup> 15 U.S.C. 78l(g).

<sup>5</sup> 17 CFR 200.30–3(a)(1).

<sup>1</sup> 15 U.S.C. 78l(d).

<sup>2</sup> 17 CFR 240.12d2–2(d).

<sup>3</sup> 15 U.S.C. 78l(b).

to be registered under section 12(g) of the Act.<sup>4</sup>

Any interested person may, on or before January 9, 2004, submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609, facts bearing upon whether the application has been made in accordance with the rules of the Amex and what terms, if any, should be imposed by the Commission for the protection of investors. The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>5</sup>

**Jonathan G. Katz,**  
Secretary.

[FR Doc. 03-31547 Filed 12-22-03; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

### Issuer Delisting; Notice of Application of DepoMed, Inc., To Withdraw its Common Stock, No Par Value From Listing and Registration on the American Stock Exchange LLC File No. 1-13111

December 17, 2003.

DepoMed, Inc., a California corporation ("Issuer"), has filed an application with the Securities and Exchange Commission ("Commission"), pursuant to section 12(d) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 12d2-2(d) thereunder,<sup>2</sup> to withdraw its common stock, no par value ("Security"), from listing and registration on the American Stock Exchange LLC ("Amex" or "Exchange").

The Board of Directors ("Board") of the Issuer unanimously approved a resolution on December 5, 2003 to withdraw the Issuer's Security from listing on the Amex and list to list the Security on the Nasdaq National Market System ("Nasdaq NMS"). The Board states that it considered the following reasons in its decision to withdraw the Security from listing and registration on the Amex: (i) the Board believes that it would be in the best interest of the Issuer and its shareholders that the Security be listed for trading on the

Nasdaq NMS in order to improve the trading volume and liquidity of the Security that may be obtained through increased investor awareness afforded by the Nasdaq NMS; and (ii) the Board believes that there is no advantage to listing the Security on both Amex and the Nasdaq NMS and that it is, therefore, in the best interests of the Issuer and its shareholders to delist the Security from the Amex.

The Issuer stated in its application that it has met the requirements of Amex Rule 18 by complying with all applicable laws in California, in which it is incorporated, and with the Amex's rules governing an issuer's voluntary withdrawal of a security from listing and registration.

The Issuer's application relates solely to the withdrawal of the Securities from listing on the Amex and from registration under section 12(b) of the Act<sup>3</sup> and shall not affect its obligation to be registered under section 12(g) of the Act.<sup>4</sup>

Any interested person may, on or before January 9, 2004, submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609, facts bearing upon whether the application has been made in accordance with the rules of the Amex and what terms, if any, should be imposed by the Commission for the protection of investors. The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>5</sup>

**Jonathan G. Katz,**  
Secretary.

[FR Doc. 03-31548 Filed 12-22-03; 8:45 am]

BILLING CODE 8010-01-P

## SECURITIES AND EXCHANGE COMMISSION

### Issuer Delisting; Notice of Application of GB Holdings, Inc. and its Wholly-Owned Subsidiaries Grete Bay Hotel and Casino, Inc. and GB Property Funding Corp., To Withdraw its 11% Notes (Due 2005) From Listing and Registration on the American Stock Exchange LLC File No. 1-15064

December 17, 2003.

GB Holdings, Inc., ("Holdings"), and its wholly-owned subsidiaries Grete Bay Hotel and Casino, Inc. ("Operating") and GB Property Funding Corp. ("Funding"), incorporated in the States of Delaware and New Jersey (together the "Issuer"), have filed an application with the Securities and Exchange Commission ("Commission"), pursuant to section 12(d) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 12d2-2(d) thereunder,<sup>2</sup> to withdraw the 11% Notes (due 2005) issued by Funding and guaranteed by Operating and Holdings ("Security"), from listing and registration on the American Stock Exchange LLC ("Amex" or "Exchange").

The Board of Directors ("Board") of the Issuer, by unanimous written consent, dated November 11, 2003, determined to withdraw the Issuer's Security from listing on the Amex. The Board states that it reached its decision to withdraw the Security from listing and registration on the Amex after concluding that the existing listing has not resulted in an active trading market, which, the Board believes, results from several factors, including the fact that: (i) There are only 44 noteholders of record; (ii) an affiliate of the Issuer owns approximately 58% of the aggregate principal amount of the Security and six record holders own approximately 95.3% of the aggregate principal amount of the Security; and (iii) in the past 60 days only \$3,717,000 of the Security has been traded on the Amex. Accordingly, the continued listing of the Security does not serve either the Issuer's interest or the interests of the holders of the Security because an active trading market on the Amex has not developed.

The Issuer stated in its application that it has met the requirements of Amex Rule 18 by complying with all applicable laws in the States of Delaware and New Jersey, in which it is incorporated, and with the Amex's rules governing an issuer's voluntary withdrawal of a security from listing and registration.

<sup>4</sup> 15 U.S.C. 78j(g).

<sup>5</sup> 17 CFR 200.30-3(a)(1).

<sup>1</sup> 15 U.S.C. 78j(d).

<sup>2</sup> 17 CFR 240.12d2-2(d).

<sup>3</sup> 15 U.S.C. 781(b).

<sup>4</sup> 15 U.S.C. 781(g).

<sup>5</sup> 17 CFR 200.30-3(a)(1).

<sup>1</sup> 15 U.S.C. 78j(d).

<sup>2</sup> 17 CFR 240.12d2-2(d).