ES106107

S7-10-04 #8

355 Ridge Lane
Mill Neck, N.Y. 11765

March 9, 2004

To The Honorable William H. Donaldson,

As a Registered voter in The State of New York and a member of The New York Stock exchange for 27 years, I am writing to express my concern over the SEC proposal to Alter The Trade Through or "best price" rule. The prospect of "opting out", even a small percentage of the time would mean That institutions would have The right to trade at something other Than The best price. If an institutional giant like Fidelity, or any other supporter of Trade Through change, tells you That speed and anonymity are more important, I suggest you pick six of your constituents at random and ask Them if They agree. I doubt anyone will. It is a bad message to send and The least sophisticated investors will be most Disadvantaged.

If price priority is not respected even professionals would be less willing to enter limit orders if They risk being "Traded Through." This very likely would result in a reduction of liquidity, wider quote spreads, and higher trading costs for all investors. DOT market orders are generally filled in 14 seconds or less and NYSE Auto Execution Facility cuts That down to a second, while still offering price improvement from The crowd. The principal of best price has served our markets well for a long time.

With all That has happened to shake investor confidence, I find it difficult to understand why Washington would want to weaken This important safeguard. Why shouldn't all investors receive anything other Than The best price. Why shouldn't Corporations, seeking to raise capital Through The issuing of common stock, have every confidence That share dilution, in a centralized market, result in The smallest price dislocation possible. I ask you and your fellow committee members to please keep The best price provision of The Trade Through rule intact,

Sincerely,

[signature]

RECEIVED
MAR 18 2004
OFFICE OF THE SECRETARY