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NOLA MADDOX FALCONE

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April 8, 2009

Chairman Mary L. Schapiro
Securities and Exchange Commission
100 F Street, NE
Washington, DC 20549

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APR 14 2009
OFFICE OF THE SECRETARY

RE: Reinstating the "Uptick Rule"

Dear Ms. Schapiro:

I understand you are meeting today to discuss further potential restrictions on short selling. I would like to encourage you to reinstate the "uptick rule" and address other issues on derivatives which can fuel sharp drops in stocks.

I have been a professional investment manager for over 35 years. My observation is if the amount of short selling by hedge funds and others, which has taken place in recent months continues, the capital formation of this country could be hurt for years to come.

Years ago short selling served a valuable function in helping to keep the markets efficient. Now hedge funds, which sell short, have become so large a force in the marketplace that they are causing inefficiencies in the marketplace, I believe.

Recently I have attended several investment conferences and have talked with managers whose stocks have been hammered by the short selling of hedge funds. These are good companies which I believe are grossly undervalued. Frankly, many managements of small companies, who have worked hard for decades and have a great deal of their net worth in their company, are shell shocked by the recent market actions. I have been hearing from CEO's of small companies that it possibly might not be in their best interest to run a public company.

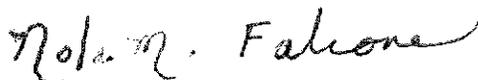
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I see in The Wall Street Journal that regulators in Hong Kong are using the "uptick rule". I would encourage your support of reinstating the "uptick rule" as a slowing effect on the short selling done by the hedge funds. I believe it will serve to reduce the volatility in the market place and reduce the negative effects on capital formation.

Sincerely,



Nola M. Falcone

cc: Representative Barney Frank
Senator Christopher J. Dodd

NMF:mc