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HARVEY L. MASSEY
*Chairman and
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August 06, 2009

Ms. Elizabeth M. Murphy
Secretary
U.S. Securities and Exchange Commission
100 F Street NE
Washington, DC 20549-1090

Re: File No. S7-10-09, Release No. 34-60089
Facilitating Shareholder Director Nominations

Dear Ms. Murphy:

I appreciate this opportunity to address the SEC's proposed rule regarding proxy access for shareholder nominations to Board of Directors. I understand that the current systems and procedures may not be perfect, but I'm concerned that the proposed solution will only create other problems that would be detrimental to the over-all success of a corporation.

The Management and Board of Directors of a publicly-owned company have a responsibility to serve the best interest of their shareholders. The Management and Board of Directors have the best insight into the strengths, weaknesses and needs of the corporation more so than that of shareholders. I believe this proposed rule could politicize the process and lead to proxy fights and elections that could culminate with people with inadequate experience and talent being selected for the job. This type of potential disruption could be detrimental by having Directors serve their own self interest that could eventually harm all shareholders.

In the global economy of today, it's more important than ever before that Management be given the full responsibility and be held accountable for the selection of Executives and Directors who will enhance the strengths, shore up the weaknesses and take full advantage of the opportunities in the marketplace. Opening up the selection of Directors to a political process is not the answer. Proper Management, Executive and Director selection and accountability is the answer.

I appreciate the role of the SEC in providing oversight and needed regulations, but I am very concerned this proposed rule will only create larger problems that the SEC will have to address in the future.

Sincerely,

Harvey L. Massey