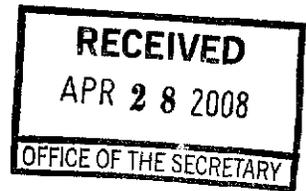


Lawrence J Blum
1000 Skokie Boulevard #200
Wilmette IL, 60091



April 28, 2008

Re: File SR-CBOE-2008-40

Ms. Nancy M. Morris, Secretary
Securities and Exchange Commission
100 F Street NE
Washington D.C. 20549-1090

Dear Ms. Morris,

We respectfully request that the commission hold hearings on the above CBOE rule filing number SR-CBOE-2008-40, which pertains to the exchange issuing fifty access permits with the exchange retaining the income from such permits.

There are now nine hundred thirty regular CBOE memberships, which carry trading rights. The exchange proposes to issue fifty access permits to itself and, therefore, subject to certain limitations, put itself in competition with seat owners and potentially reduce overall seat lease income to said owners. We consider this to be a "taking" without compensation to owners. This is contrary to public policy.

We acknowledge and agree that there is a current need for more access to the exchange, but without a doubt, their plan will reduce the value of memberships by creating more available access.

The CBOE is an association of member owners who have made significant investments in ownership and the rights to access and/or income from that ownership. The exchange, with a printing press, is seeking those rights and income to the detriment to those who paid hard dollars and whose efforts built the exchange to be the respected institution that exists today. To allow such an unwarranted "taking" would be unfair and lead to such bad results as we have seen take place in the experiences of the Pacific and Philadelphia Exchanges.

This access permit program, while filling a need for access, appears to us to be a "corporate money grab" in the clearest sense of the term. The exchange is currently very profitable. It does not need the money. The additional access is needed but can be accomplished without diluting the income stream to current owners.

Currently there is a petition being circulated among seat owners which requests that the CBOE board of directors consider a one-fourth seat split which could potentially provide 232 new seats without diluting ownership.

More time is needed to put forth our plan, or some other plan that would provide access without dilution and with the income flowing to the owners.

We request that the commission hold hearings on File SR-CBOE-2008-40. We appreciate the fairness that the commission has always exhibited in the past.

Respectfully submitted by,

A handwritten signature in black ink, appearing to read "Lawrence J Blum".

Lawrence J Blum
Founding CBOE member since 1973

A handwritten signature in black ink, appearing to read "Michael Mondrus".

Michael Mondrus
CBOE member since 1975