

Wealth Management

1205

March 31, 2005

Jonathan G. Katz, Secretary
Securities and Exchange Commission
450 Fifth Street, NW
Washington, DC 20549-0609

97-06-04



RE: SEC Proposal on Point of Sale & Confirmation Disclosures

Friends,

I wish to comment on the deleterious effect of the SEC Proposal on the volume, quantity, and quality of services and products available to smaller retail investors.

I am an NASD-registered principal and representative, doing business in a small shop located in a town of 1,000 people. I have been through the curriculums of the American College for the Chartered Financial Consultant designation and the College for Financial Planning's CFP program, and have twenty-five year's experience in virtually all facets of retail financial services.

Most of the industry focuses on affluent investors; practice management consultants are virtually unanimous in encouraging strict account minimum standards for new clients; quality personalized service for smaller investors is already problematic.

In my practice, I have resolved to meet the needs of my community and I bring considerable time and talent to bear on the situation of each person who comes to my office, whether they are investing \$2,000 or \$200,000. Naturally, 70% of revenues come from 20% of the clients—but I derive personal satisfaction from doing what I can for each person.

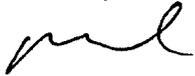
The totality of the existing requirements for opening a new account combined with my own higher standards for determining suitability dictate that the typical small transaction is already an economic loser. Two or three hours of my time plus an hour or two of staff time is needed, whether the transaction revenues are \$20 or \$2,000.

My expertise and sensitivity to clients' needs will be completely eliminated from the equation if I cannot afford to handle their transactions. In a macro sense, fewer citizens will have a decent understanding of the workings of the marketplace and the products and services that can help them meet their financial goals. This cannot be good for the American System of freedom and capitalism.

Additionally, should I opt on a case by case basis to lose money in order to serve a client, that client will suffer from the higher product costs associated with compliance with the proposed regulations.

Whether the proposed rule is adopted or not, my firm will prosper. The question is, what will the outcome be for the working citizenry or retirees with meager assets? There can be no doubt that the quality and availability of competent advice and economically effective products will be sharply curtailed. This is not in keeping with the concept of an "ownership society."

Sincerely,

A handwritten signature in black ink, appearing to read 'ML' or similar initials, written in a cursive style.

Mark Leibman,
Branch Manager and Registered Representative
Linsco/Private Ledger