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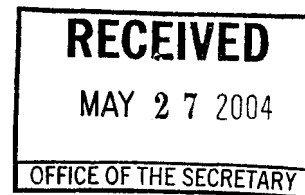
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232

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S7-10-04

Hon. William H. Donaldson
U.S. Securities and Exchange Commission
450 First Street NW
Washington DC 20549
RE: File #S7-10-04



Dear Chairman Donaldson:

As former Dean of the Jones School of Law, and as a six term State Senator, I am keenly aware of public policy. The trade through policy of the SEC was and is an outdated public policy that should be changed.

The free market system that the United States prides itself on and is the cornerstone of the securities markets is being stifled by this out dated rule. It simply hinders free choice for the investor.

If an investor chooses to have a quick transaction, over a low price, it is the investor's choice. I urge the approval of the rule.

Sincerely yours,

A handwritten signature in cursive script that reads "Wendell Mitchell".

Senator Wendell Mitchell

CC: Commissioner Paul Atkins
CC: Commissioner Roel C. Campos
CC: Commissioner Cynthia A. Glassman
CC: Commissioner Harvey J. Goldschmid
CC: Congressman Spencer Bachus
CC: Senator Richard Shelby