



Rule Comments
Proposed Rule on Mutual Fund Disclosure Forms
 (SEC File No. S7-06-04)

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Name: John T Duxbury

Please be aware that all comments we receive will become part of the public record of what we considered in this matter. Please return the comment form to the SEC representative or mail your comments to the following address:

Jonathan G. Katz, Secretary
 U.S. Securities and Exchange Commission
 450 Fifth Street, N.W.
 Washington, D.C. 20549-0609

Comments:

2/24/04

Mr. Katz:

While I did not forward a complaint on the handling of mutual fund fees, I did forward a complaint concerning a conflict of interest regarding the false and misleading information brokerage firms were providing to clients on security issues that they were marketing. I refer to Conseco Preferred and the fact that the financial planner did not disclose that Conseco was in serious financial condition when he recommended the purchase of the stock. My complaint was that **small** investors have no recourse because of the way the SEC allows brokerage firms to operate as they can not reasonably be held accountable for their actions. There should be a more level playing field for the small investor than the current arbitration requirements.

I suggest that the situation I outlined above is much more important to the investing community than the mutual fund fees disclosure. However, I do strongly feel that disclosure of fees should be made available in a simple and straightforward manner to all investors. Reading the prospectus is all well and good, but in many instances, the information is couched in legal ease and only a Philadelphia lawyer can understand the text.

I have reviewed the two confirmation examples and feel that they give a reasonable amount of information concerning mutual fund fees. I would point out that a confirmation statement after the purchase will not be of any real help to the small investor. The information should be required prior to the purchase, not after the purchase, unless the investor waives the right to receive such information up front.

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