

United States Securities and Exchange Commission

Securities Act of 1933

Release No. 8727 / July 31, 2006

Securities Exchange Act of 1934

Release No. 54247 / July 31, 2006

Investment Advisers Act of 1940

Release No. 2540 / July 31, 2006

Investment Company Act of 1940

Release No. 27443 / July 31, 2006

Administrative Proceeding

File No. 3-12386

In the Matter of Warren Lammert, Lars Soderberg, and Lance Newcomb

On July 31, 2006, the United States Securities and Exchange Commission (Commission) issued an Order Instituting Administrative and Cease-and-Desist Proceedings Pursuant to Section 8A of the Securities Act of 1933 (Securities Act), Sections 15(b) and 21C of the Securities Exchange Act of 1934 (Exchange Act), Sections 203(f) and 203(k) of the Investment Advisers Act of 1940 (Advisers Act), and Sections 9(b) and 9(f) of the Investment Company Act of 1940 (Investment Company Act) (Order) against Warren Lammert (Lammert), Lars Soderberg (Soderberg), and Lance Newcomb (Newcomb) (collectively, the Respondents).

In the Order, the Division of Enforcement (Division) alleges that Lammert, Soderberg and Newcomb violated certain provisions of the federal securities laws by allowing or facilitating improper undisclosed frequent trading arrangements at Janus Capital Management LLC (JCM), a registered investment adviser based in Denver, Colorado. The Division alleges that the frequent trading arrangements were contrary to the prospectuses governing the funds in which frequent trading was permitted. In addition, the Division alleges that Newcomb entered into an improper arrangement with at least one investor whereby the investor was allowed to frequently trade a JCM fund in return for making a long term investment in another JCM fund.

The Division alleges that Lammert, Soderberg, and Newcomb willfully violated, or, in the alternative, willfully aided and abetted and caused violations of, Section 17(a) of the Securities Act and Section 10(b) of the Exchange Act and Rule 10b-5 thereunder, and willfully aided and abetted and caused violations of Sections 206(1) and 206(2) of the Advisers Act; Lammert and Soderberg willfully aided and abetted and caused violations of Section 34(b) of the Investment Company Act; and Newcomb willfully aided and abetted and caused violations of Section 17(d) of the Investment Company Act and Rule

17d-1 thereunder. The Division seeks a cease-and-desist order, remedial sanctions, and civil money penalties.

A hearing will be scheduled before an administrative law judge to determine whether the allegations contained in the Order are true, to provide the Respondents an opportunity to dispute these allegations, and to determine what sanctions, if any, are appropriate and in the public interest.

The Commission directed that an Administrative Law Judge shall issue an initial decision no later than 300 days from the date of service of the Order, pursuant to Rule 360(a)(2) of the Commission's Rules of Practice.