



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
STATION PLACE
100 F STREET, NE
WASHINGTON, DC 20549

OFFICE OF FILINGS AND
INFORMATION SERVICES

Mail Stop 5100

August 30, 2006

Mr. David E. Patch

RE: Freedom of Information Act (FOIA), 5 U.S.C. § 552
Request No. 06-07003-FOIA

Dear Mr. Patch:

This letter is our final response to your request for the Aggregate Continuous Net Settlement (CNS) Failure Data for the combined **NASDAQ** Listed Securities for the periods of January 1, 2005 through May 31, 2006.

We have completed our consultation with other Commission staff. Access is granted to the requested information (copy enclosed). Please note, the attached spreadsheet contains data regarding both NASDAQ and OTCBB/Pink Sheets. We were informed that this information is only submitted to the Commission with NASDAQ data integrated with OTCBB/Pink Sheets. Consequently, our staff is unable to separate the information.

The total cost incurred for our search and review is \$28.00, as indicated on the enclosed invoice. Please send your payment directly to the Office of Financial Management at the address on the invoice.

Mr. David E. Patch
August 30, 2006
Page 2

If you have any questions, please contact Frank Mandic
of this office at (202) 551-7510.

Sincerely,



Felecia Taylor
Lead Research Specialist
FOIA/Privacy Act Office

Enclosures

BILLING STATEMENT

TO: David Patch

FOIA REQ #: 06-07003-FOIADATE: August 30, 2006

FOR:	CERTIFICATION CHARGES	\$	<u> </u>	
	PRODUCTION CHARGES	\$	<u> </u>	
	RESEARCH CHARGES	\$	<u>28.00</u>	(\$28.00 X 1 hr.)
	REVIEW CHARGES	\$	<u> </u>	
	TOTAL	\$	<u>28.00</u>	

PLEASE SEND YOUR CHECK PAYABLE TO THE SECURITIES AND EXCHANGE COMMISSION FOR THE TOTAL AMOUNT SHOWN ABOVE

Mail To: **SECURITIES AND EXCHANGE COMMISSION**
Office of Financial Management
6432 General Green Way, Mail Stop O-3
Alexandria, VA 22312-2413

SEC 91 (4-02)

Cut along this line

Nasdaq-OTCBB/Pink Sheets Daily Summary of Fails Jan 1 2005 to May 31 2005

Transaction Date	Ticker Symbol	Count	Failed Amount In Shares
1/3/2005	1886		585978970
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1/6/2005	1861		497143614
1/7/2005	1844		483967836
1/10/2005	1886		537346065
1/11/2005	1840		506358117
1/12/2005	1926		527262400
1/13/2005	1888		463154407
1/14/2005	1902		470304547
1/18/2005	1820		530456202
1/19/2005	1775		579861746
1/20/2005	1793		603920760
1/21/2005	1861		552595598
1/24/2005	1819		707290095
1/25/2005	1779		641157654
1/26/2005	1774		740086998
1/27/2005	1774		610107703
1/28/2005	1845		690562198
1/31/2005	1784		726367536
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* Spreadsheet reflects data from both Nasdaq and OTCBB/Pink Sheets.

Source: NSCC