



Notice, Pursuant to Exchange By-law 18-2, of Disciplinary Action Against J.A.K. Securities, Inc., Member Organization

To: Members, Member Organizations, Participants and Participant Organizations
From: Mark Schepps, Chief Enforcement Counsel, NASDAQ OMX PHLXSM
DATE: March 20, 2009

NASDAQ OMX PHLX No. 09-05 Enforcement No. 2009-04

On March 18, 2009, the Business Conduct Committee (the "Committee") issued a disciplinary decision against J.A.K. Securities, Inc. ("JAK"), a member organization of the Exchange. In response to a Statement of Charges issued in this action, JAK submitted an Offer of Settlement, Stipulation of Facts and Consent to Sanctions ("Offer"). Solely to settle this proceeding, and without either admitting or denying the charges, JAK consented to findings that it violated Exchange Rules 119, 120, 707, 1014 and 1067 by failing to allocate trades to parties with established price and/or time priority on twenty-eight occasions. JAK's Offer was accepted by the Committee and was the basis of its Decision.

The Committee found that JAK violated Exchange Rules 119, 120, 707, 1014 and 1067, concurred in the sanctions consented to by it, and ordered the imposition of the following sanctions: (i) a censure and (ii) a fine of \$5,000.

For more information, contact:

- [Mark Schepps](#), Chief Enforcement Counsel, NASDAQ OMX PHLX, at +1 215 496 5153