

the rule, broker-dealers participating in a securities offering must keep accurate records of persons who have indicated interest in an IPO or requested a prospectus, so that they know to whom they must send a prospectus.

The Commission estimates that broker-dealers will spend a total of 78,800 hours complying with the collection of information required by the rule. The Commission estimates that the total number of responses required by the rule is 7,764. The Commission estimates that the total annualized cost burden (copying and postage costs) is \$157,600,000.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's estimates of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

*Comments should be directed to:* Charles Boucher, Director/Chief Information Officer, Securities and Exchange Commission, c/o Shirley Martinson, 6432 General Green Way, Alexandria, Virginia 22312 or send an e-mail to: [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov). Comments must be submitted within 60 days of this notice.

Dated: February 9, 2009.

**Florence E. Harmon,**  
Deputy Secretary.

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## SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

**The Jockey Club, Inc., Juina Mining Corp., Inc. (n/k/a AC Energy, Inc.), Jumbosports, Inc., Just Like Home, Inc., and Just Toys, Inc. (n/k/a Pachinko, Inc.); Order of Suspension of Trading**

February 11, 2009.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of The Jockey

Club, Inc. because it has not filed any periodic reports since the period ended July 31, 1995.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Juina Mining Corp., Inc. (n/k/a AC Energy, Inc.) because it has not filed any periodic reports since October 1, 1999.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Jumbosports, Inc. because it has not filed any periodic reports since the period ended July 30, 1999.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Just Like Home, Inc. because it has not filed any periodic reports since the period ended June 30, 2001.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Just Toys, Inc. (n/k/a Pachinko, Inc.) because it has not filed any periodic reports since the period ended September 30, 2000.

The Commission is of the opinion that the public interest and the protection of investors require a suspension of trading in the securities of the above-listed companies.

Therefore, it is ordered, pursuant to Section 12(k) of the Securities Exchange Act of 1934, that trading in the securities of the above-listed companies is suspended for the period from 9:30 a.m. EST on February 11, 2009, through 11:59 p.m. EST on February 25, 2009.

By the Commission.

**Florence E. Harmon,**  
Deputy Secretary.

[FR Doc. E9-3252 Filed 2-11-09; 4:15 pm]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-59370; File No. SR-NASDAQ-2008-101]

**Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Order Approving Proposed Rule Change To Adopt a Policy Relating to Its Treatment of Trade Reports That It Determines To Be Inconsistent With the Prevailing Market Retroactive to September 1, 2008**

February 6, 2009.

### I. Introduction

On December 19, 2008, The NASDAQ Stock Market LLC ("Nasdaq") filed with

the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> a proposed rule change to adopt a policy relating to its treatment of trade reports that it determines to be inconsistent with the prevailing market and to make such policy retroactive to September 1, 2008. The proposed rule change was published for comment in the **Federal Register** on January 2, 2009.<sup>3</sup> The Commission received no comments on the proposal. This order approves the proposed rule change.

### II. Description of the Proposal

Trades in listed securities occasionally occur at prices that deviate from prevailing market prices and those trades sometimes establish a high, low or last sale price for a security that does not reflect the true market for the security. Nasdaq seeks to address such instances of "aberrant" trades by adopting a policy that is substantially similar to a policy of the New York Stock Exchange ("NYSE").<sup>4</sup> On December 19, 2008, Nasdaq also filed a proposed rule change, which it designated as eligible for immediate effectiveness pursuant to Rule 19b-4(f)(6) under the Act,<sup>5</sup> to adopt a policy relating to Nasdaq's treatment of trade reports that it determines to be inconsistent with the prevailing market.<sup>6</sup> The policy proposed in the instant rule change is identical to the policy set forth in Release No. 34-59151, except that the instant proposal is retroactive to September 1, 2008.

The Exchange proposes that its policy in this regard shall be to contact the listing exchange (if Nasdaq is not the listing exchange) and other markets (in the case of executions that take place across multiple markets) to determine if any erroneous trade reports were filed. If Nasdaq determines the trade price of a trade through Nasdaq is inconsistent with the prevailing market for the security after considering the factors outlined herein, the Exchange may make the determination to append an indicator (an "Aberrant Report Indicator") to the trade.

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> See Securities Exchange Act Release No. 59149 (December 23, 2008), 74 FR 155.

<sup>4</sup> See Securities Exchange Act Release No. 59064 (December 5, 2008), 73 FR 76082 (December 15, 2008) (order approving SR-NYSE-2008-91).

<sup>5</sup> 17 CFR 240.19b-4(f)(6).

<sup>6</sup> See Securities Exchange Act Release No. 59151 (December 23, 2008), 74 FR 158 (January 2, 2009) (SR-NASDAQ-2008-100) ("Release No. 34-59151").