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From: Jamie Diamandopoulos [<mailto:jdiamandopoulos@yahoo.com>]

Sent: Thursday, February 07, 2008 2:49 PM

To: EBSA, E-ORI - EBSA

Subject: 401k comments

Dear Department of Labor:

For my 401k, I pay a fee to each individual fund (currently six) in which I invest, a fee to the local manager of the account, and a large quarterly "asset fee," which is figured as a ratio of my account balance to the corporate account balance!! In other words, if my 401k balance is 20% of the corporate 401k balance, I pay 20% of what the manager charges the company as a whole. In just a single quarter in 2007, I paid \$365 (!! ) on an account balance of about \$122,000. The bottom line is that the more that I invest, the more I am penalized, even though it requires no more effort to manage a 6-fund \$100,000 account than it does to manage a 6-fund \$10,000 account. This policy is PUNITIVE!! I am considering moving most of my 401k funds elsewhere.

Are portfolio management fees are tax deductible?

Thanks,

Jamie Diamandopoulos