From: Jeffrey Liautaud [mailto:loquate@sbcglobal.net] Sent: Sunday, March 28, 2010 1:04 PM To: EBSA, E-ORI - EBSA Subject: EBSA comments

You asked:

Is a fund's past performance relative to the average for its asset class an appropriate criterion for allocating assets to the fund?

According to Cerulli research report "Retirement Markets 2009" the top 2 plan sponsor considerations for 92% of plan sponsors were investment expenses and for 87% of plan sponsors were historical investment performance.

Thus historical performance is an appropriate criterion for allocating assets to the fund.

Also anecdotally based on my own practical experience at obtaining superior investemtn results in my firm Tree Fort Financial since 2003, see "returns" at <u>www.treefortfinancial.com</u> historical performance is a main criteria.

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