

This Information Bulletin will set forth the requirements relating to NYSE Arca Equities Rule 9.2(a)(2). Specifically, the Information Bulletin will remind ETP Holders of their obligations in recommending transactions in the Fund Shares so that members have a reasonable basis to believe that (1) the recommendation is suitable for a customer given reasonable inquiry concerning the customer's investment objectives, financial situation, needs, and any other information known by such member, and (2) the customer can evaluate the special characteristics, and is able to bear the financial risks, of such investment. In connection with the suitability obligation, the Information Circular will also provide that members make reasonable efforts to obtain the following information: (1) The customer's financial status; (2) the customer's tax status; (3) the customer's investment objectives; and (4) such other information used or considered to be reasonable by such member or registered representative in making recommendations to the customer.

## 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b)<sup>20</sup> of the Act, in general, and furthers the objectives of Section 6(b)(5),<sup>21</sup> in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanisms of a free and open market and a national market system, and, in general, to protect investors and the public interest. The Exchange believes that the proposed rule change will facilitate the listing and trading of additional types of exchange-traded products that will enhance competition among market participants, to the benefit of investors and the marketplace. In addition, the listing and trading criteria set forth in Rule 5.2(j)(3) as proposed to be amended are intended to protect investors and the public interest.

### *B. Self-Regulatory Organization's Statement on Burden on Competition*

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

### *C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

No written comments were solicited or received with respect to the proposed rule change.

### **III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission will:

(A) By order approve the proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

### **IV. Solicitation of Comments**

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

#### *Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File No. SR-NYSEArca-2008-89 on the subject line.

#### *Paper Comments*

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, Station Place, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-NYSEArca-2008-89. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the

public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSEArca-2008-89 and should be submitted on or before October 7, 2008.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>22</sup>

**Florence E. Harmon,**

*Acting Secretary.*

[FR Doc. E8-21526 Filed 9-15-08; 8:45 am]

**BILLING CODE 8010-01-P**

## **SECURITIES AND EXCHANGE COMMISSION**

[File No. 500-1]

**American Environmental Corp.; (n/k/a TrackBets International, Inc.), BAM! Entertainment, Inc., Entertainment Technologies & Programs, Inc., Inter Con PC, Inc., Rudy Nutrition, Trans Global Services, Inc., XCL Ltd., and ZymeTx, Inc.; Order of Suspension of Trading**

September 12, 2008.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of American Environmental Corp. (n/k/a TrackBets International, Inc.) because it has not filed any periodic reports since it filed a Form 10-SB-12G with the Commission on June 24, 1999.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of BAM! Entertainment, Inc. because it has not filed any periodic reports since the period ended March 31, 2004.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Entertainment Technologies & Programs, Inc. because it has not filed any periodic reports since the period ended June 30, 2003.

It appears to the Securities and Exchange Commission that there is a

<sup>20</sup> 15 U.S.C. 78f(b).

<sup>21</sup> 15 U.S.C. 78f(b)(5).

<sup>22</sup> 17 CFR 200.30-3(a)(12).

lack of current and accurate information concerning the securities of Inter Con PC, Inc. because it has not filed any periodic reports since the period ended March 31, 2001.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Rudy Nutrition because it has not filed any periodic reports since the period ended September 30, 2005, except for the periodic report filed for the period ended March 31, 2008.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Trans Global Services, Inc. because it has not filed any periodic reports since the period ended December 31, 2002.

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

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of ZymeTx, Inc. because it has not filed any periodic reports since the period ended December 31, 2001.

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. EDT on September 12, 2008, through 11:59 p.m. EDT on September 25, 2008.

By the Commission.

**J. Lynn Taylor,**

*Assistant Secretary.*

[FR Doc. E8-21649 Filed 9-12-08; 11:15 am]

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## SMALL BUSINESS ADMINISTRATION

### Export Express Pilot Program

**AGENCY:** U.S. Small Business Administration (SBA).

**ACTION:** Notice of Pilot Program extension.

**SUMMARY:** This notice announces the extension of SBA's Export Express Pilot Program until December 31, 2009. This extension will allow time for the

Agency to continue its evaluation of this loan program for exporters, including the possible delivery of export express loans by lenders in SBA's Preferred Lenders-Export Working Capital Program (PLP-EWCP), consultation with lenders to solicit feedback on future program enhancements, and analysis of the Program's performance over the next 15 months.

**DATES:** The Export Express Pilot Program is extended under this notice until December 31, 2009.

**FOR FURTHER INFORMATION CONTACT:** Patrick Tunison, Office of International Trade, U.S. Small Business Administration, 409 Third Street, SW., Washington, DC 20416; Telephone (202) 205-7429; *Patrick.Tunison@sba.gov*.

**SUPPLEMENTARY INFORMATION:** The Export Express Pilot Program was established in 1998 to assist current and prospective small exporters, particularly those needing revolving lines of credit. Export Express is an SBA Pilot Program under the agency's 7(a) lending program that extends streamlined program requirements to small business exporters and lenders. The maximum loan amount under this Program is currently limited to \$250,000. The pilot was scheduled to end on September 30, 2008.

This notice announces the extension of SBA's Export Express Pilot Program until December 31, 2009.

Exports attributed to small businesses have grown from \$300 billion in 2002 to \$477 billion in 2007. During this time period, the number of small business exporters grew from 215,000 to 237,000, representing 97% of all U.S. exporters. In order for the Export Express loan product to reach maximum potential and serve the special capital needs of U.S. small business exporters, SBA is refocusing its efforts on Export Express and developing a strategic marketing plan to the U.S. small business community and to the Agency's lending partners, including its Preferred Lenders for both the domestic 7(a) loan programs as well as the Export Working Capital Loan Program (PLP-EWCP).

The further extension of this pilot program through December 31, 2009 will enable the Agency to analyze the program's existing performance and to obtain input from international lenders regarding the current structure of the Export Express Program, so that any future changes to the program are based on lender input and performance analysis.

**Authority:** 13 CFR 120.3.

**Grady B. Hedgespeth,**

*Director, Office of Financial Assistance.*

[FR Doc. E8-21553 Filed 9-15-08; 8:45 am]

BILLING CODE 8025-01-P

## SMALL BUSINESS ADMINISTRATION

### National Small Business Development Center Advisory Board; Notice of Meeting

**AGENCY:** U.S. Small Business Administration (SBA).

**ACTION:** Notice of open Federal advisory committee meeting.

**SUMMARY:** The SBA is issuing this notice to announce the location, date, time and agenda for the next meeting of the National Small Business Development Center (SBDC) Advisory Board.

**DATES:** The meeting will be held on Tuesday, October 21, 2008 at 1 p.m. EST.

**ADDRESSES:** This meeting will be held via conference call.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 10(a) of the Federal Advisory Committee Act (5 U.S.C. Appendix 2), SBA announces the meeting of the National SBDC Advisory Board. This Board provides advice and counsel to the SBA Administrator and Associate Administrator for Small Business Development Centers.

The purpose of this meeting is to discuss following issues pertaining to the SBDC Advisory Board:

- Follow-up on ASBDC Conference.
- SBA Update from AA/OSBDC.
- Board Planning.

**FOR FURTHER INFORMATION CONTACT:** The meeting is open to the public however advance notice of attendance is requested. Anyone wishing to attend and/or make a presentation to the Board must contact Alanna Falcone by Friday, October 17, 2008, by fax or e-mail in order to be placed on the agenda. Alanna Falcone, Program Analyst, 409 Third Street, SW., Washington, DC 20416, Phone, 202-619-1612, Fax, 202-481-0134, e-mail, *alanna.falcone@sba.gov*.

Additionally, if you need accommodations because of a disability or require additional information, please contact Alanna Falcone at the information above.

**Cheryllyn H. Lebon,**

*Committee Management Officer.*

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