

## INVESTOR WARNING

(Vienna, August 26, 2009)

Pursuant to section 92 para 11 of the *Wertpapieraufsichtsgesetz* 2007 (WAG; Securities Supervision Act), Austria's Financial Market Authority (FMA) has the right to inform the general public, in individual cases by way of announcement on the Internet, in the official gazette "Amtsblatt zur Wiener Zeitung" or any other official paper with nationwide circulation, that a particular company is not entitled to provide certain financial services (section 3 para 2 nos. 1 to 4 WAG 2007).

By publication in the official gazette "Amtsblatt zur Wiener Zeitung" of 26 August 2009, the FMA is exercising this right and warns against financial service transactions requiring a licence with the following provider:

**James B. Clarke & Co Ltd.**  
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This provider does not possess a licence issued by the FMA to provide investment services in Austria. Therefore, it is neither allowed to provide investment advice regarding financial instruments, nor portfolio management, i.e. managing portfolios for individual customers who authorise a room for manoeuvre, provided that the customer portfolio contains one or several financial instruments. Furthermore, the provider is also not entitled to accept or transmit transactions, provided that such activity involves one or several financial instruments.