



NEWS RELEASE

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Colorado Securities Commissioner Agrees to TD Ameritrade Auction Rate Securities Settlement

Colorado Securities Commissioner Fred Joseph announced today the entry of a Consent Order that finalizes the terms of settlement between the Colorado Division of Securities and TD Ameritrade, Inc. Under the settlement agreement, TD Ameritrade agreed to buy back \$2.9 million worth of auction rate securities from retail Colorado investors who found themselves unable to sell their securities after they had been frozen in the auction rate securities ("ARS") market.

The settlement concludes an investigation led by state securities regulators, including the Colorado Division of Securities, into allegations that TD Ameritrade's agents marketed auction rate securities as liquid and as an alternative to cash and money market funds, and did not provide customers with adequate and complete disclosures regarding the auction rate process and the risks associated with auction rate securities, including the circumstances under which the auction could fail. The ARS markets froze in February of 2008, triggering a flood of complaints from investors who could not withdraw money from their accounts. States received complaints from a wide range of investors who suffered significant financial damage because the money they were told was liquid was tied up in the frozen ARS market.

This settlement is the tenth that the Securities Commissioner has finalized. Previous settlements include Deutsche Bank Securities, Citigroup Global Markets, Bank of America Securities, Credit Suisse Securities, JP Morgan Chase, Merrill Lynch, RBC Capital Markets, Wachovia Securities, UBS Securities LLC and UBS Financial Services, Inc.

This investigation was part of a larger state-led effort to address problems in connection with the offer and sale of auction rate securities. State regulators, including Colorado, are continuing their investigations into possible misconduct by other firms, and have reached agreements to settle with some of these firms.

DORA is dedicated to preserving the integrity of the marketplace and is committed to promoting a fair and competitive business environment in Colorado. Consumer protection is our mission.

