John Thomas Financial 14 Wall Street, 5th Floor New York, New York 10005 wskaufman@johnthomasbd.com www.kaufmanreport.com

The Kaufman Report

Trade what you see, not what you think.

Wayne S. Kaufman, CMT Chief Market Analyst (800) 257-1537 Toll Free (212) 299-7838 Direct

Wednesday August 26, 2009

The following opinion expresses the views of the editor and not those of John Thomas Financial

Monday's papers were filled with glowing accounts of an historic event in the world of sports. In the ninth inning of the Phillies versus Mets baseball game Sunday afternoon second baseman Eric Bruntlett gave the Phillies a victory by ending the game with an unassisted triple play. Unassisted triple plays are very rare, with only fifteen ever recorded in major league play. Even rarer is a game ending triple play, with that having occurred only twice, the last time on May 31, 1927 by the Detroit Tigers first baseman Johnny Neun.

Amidst the glowing accounts was little mention that had Bruntlett not misplayed two ground balls during that fateful inning the game would have ended without Bruntlett having the chance to make a play for the ages. Still, even though his feckless attempts to field ground balls resembled a three-year old with a fork trying to stab a noodle, a fortuitous line drive hit directly at him allowed Bruntlett to go down in history as a defensive hero.

Wednesday's papers will be filled with glowing accounts of an historic event in the world of finance. Ben Bernanke was nominated by Barack Obama to a second term as chairman of the Federal Reserve. Like Eric Bruntlett, Bernanke is being feted for saving the day and keeping the financial system from a collapse unlike any the world has seen since the years just after Johnny Neun's famous play. President Obama acclaimed Bernanke's success and said "Ben approached a financial system on the verge of collapse with calm and wisdom, with bold action and out-of-the-box thinking that has helped put the brakes on our economic free fall."

Amid the glowing accounts was little mention that like Bruntlett, Bernanke's own ineptitude helped create the situation that allowed him to become a hero. In 2007 Mr. Bernanke testified before a Senate committee that the then inverted yield curve "does not necessarily predict slowing in the economy or a recession." Mr. Bernanke said he believed "the yield curve can be inverted for a considerable period without significant implications for the economy as a whole."

Along with his completely incorrect interpretation of the yield curve, as recently as August and September of 2008 the FOMC statements showed strong concerns about the threat of inflation. That one didn't work out so well either. Finally, during the entire housing bubble/derivatives/securitization/credit ratings/etc. debacle where was Mr. Bernanke? Strike three, you're out!

So, like Eric Bruntlett, Ben Bernanke set the table for his own game saving play. Now, having done the obvious and flooded the system with liquidity, Mr. Bernanke is being hailed as a hero. President Obama nominated him for two possible reasons. One, if he got rid of Bernanke and the economy suffered another rout in 2010 Obama would be excoriated. Two, Obama may be an adherent of the time honored wisdom that "the devil you know is better than the devil you don't know."

Either way, let's all hope that history doesn't repeat itself and the economy does not go into the long-term trend that followed the first unassisted triple play in 1927. That would certainly be damaging to the reputations of Bernanke, Summers, Romer, Geithner, Bernstein, and Obama. Or maybe not. After all, they can always blame it on Bush.

IMPORTANT DISCLOSURES

I, Wayne S. Kaufman, hereby certify that all of the views expressed in this research report accurately reflect my personal views about any and all of the subject issuer(s) or securities. I also certify that no part of my compensation was, is, or will be directly or indirectly related to the specific recommendation(s) or view(s) in this report.

THE INFORMATION PROVIDED IN THIS PUBLICATION IS FOR INFORMATIONAL PURPOSES ONLY. INVESTORS SHOULD CONSIDER THIS REPORT AS ONLY A SINGLE FACTOR IN MAKING THEIR INVESTMENT DECISION. THIS INFORMATIONAL REPORT IS NOT AN OFFER TO SELL OR A SOLICITATION TO BUY ANY SECURITY IN ANY JURISDICTION WHERE SUCH AN OFFER OR SOLICITATION WOULD BE ILLEGAL. THIS REPORT HAS BEEN PREPARED AS A MATTER OF GENERAL INFORMATION. IT IS NOT INTENDED TO BE A COMPLETE DESCRIPTION OF ANY SECURITY OR COMPANY MENTIONED, AND IS NOT AN OFFER TO BUY OR SELL ANY SECURITY. ALL FACTS AND STATISTICS ARE FROM SOURCES BELIEVED TO BE RELIABLE, BUT ARE NOT GUARANTEED AS TO ADDITIONAL INFORMATION ON THESE SECURITIES AND COMPANIES IS AVAILABLE UPON ACCURACY. **REQUEST. SECURITIES, FINANCIAL INSTRUMENTS OR STRATEGIES MENTIONED HEREIN MAY NOT BE SUITABLE** FOR ALL INVESTORS. THIS MATERIAL DOES NOT TAKE INTO ACCOUNT YOUR PARTICULAR INVESTMENT **OBJECTIVES, FINANCIAL SITUATIONS OR STRATEGIES. BEFORE ACTING ON THE MATERIALS HEREIN, YOU** SHOULD CONSIDER WHETHER IT IS SUITABLE FOR YOUR PARTICULAR CIRCUMSTANCES AND, IF NECESSARY SEEK PROFESSIONAL ADVICE. INVESTMENTS INVOLVE RISK AND AN INVESTOR MAY INCUR EITHER PROFITS OR LOSSES. PAST PERFORMANCE IS NO GUARANTEE OF FUTURE PERFORMANCE. TRADING AND INVESTMENT DECISIONS ARE THE SOLE RESPONSIBILITY OF THE READER.

John Thomas Financial 14 Wall Street, 5th Floor New York, New York 10005 wskaufman@johnthomasbd.com www.kaufmanreport.com

The Kaufman Report

Trade what you see, not what you think.

Wayne S. Kaufman, CMT Chief Market Analyst (800) 257-1537 Toll Free (212) 299-7838 Direct

Wednesday August 26, 2009

Closing prices of August 25, 2009

Stocks were mixed Tuesday as they rallied on news of better than expected home prices and President Obama's appointment of Ben Bernanke to another term as chairman of the FOMC. Unfortunately they sold off in the afternoon as an overbought condition began to take its toll. Bearish candles were printed on the daily charts of both the S&P 500 and the Nasdaq 100.

With September's well-known reputation as the weakest month of the year and October being famous for market crashes there are many market forecasters who are predicting another plummet in equities during this time period. While we are expecting a big increase in volatility, unless the recent reluctance on the part of investors to part with their stocks changes, we do not expect pullbacks to be too deep. Still, with stocks overbought and sellers coming in at these levels investors need to be cautious in the near-term.

<u>Caution is advised regarding entry points and we repeat our advice that investors use stop losses to make sure losses remain</u> manageable. Very aggressive traders can enter short keeping in mind shorting is counter trend at this time and they may need to cover quickly.

Based on the S&P 500 the short-term, intermediate-term and long-term trends are up. Traders should not hesitate to rotate out of lagging sectors and stocks and into leaders.

The S&P 1500 (234.66) was up 0.261% Tuesday. Average price per share was up 0.47%. Volume was 100% of its 10-day average and 91% of its 30-day average. 60.20% of the S&P 1500 stocks were up, with up volume at 51.31% and up points at 66.94%. Up Dollars was 75.39% of total dollars, and was 65% of its 10-day moving average. Down Dollars was 35% of its 10-day moving average.

Percent over 10-sma: 80.73%. 13-Week Closing Highs: 43. 13-Week Closing Lows: 12. *Put/Call Ratio: 0.808. Kaufman Options Indicator: 0.98.*

P/E Ratios: 107.69 (before charges), 19.01 (continuing operations), 17.61 (analyst estimates). P/E Yield 10-year Bond Yield Spreads: -73% (earnings bef. charges), 52% (earnings continuing ops), and 65% (projected earnings).

489 of the S&P 500 have reported 2^{nd} quarter earnings. According to Bloomberg, 72.3% had positive surprises, 8.6% were in line, and 19.1% have been negative. The year-over-year change has been -28.9% on a share-weighted basis, -21.3% market cap-weighted and - 25.4% non-weighted. Ex-financial stocks these numbers are -27.8%, -23.0%, and -27.3%, respectively.

IMPORTANT DISCLOSURES

I, Wayne S. Kaufman, hereby certify that all of the views expressed in this research report accurately reflect my personal views about any and all of the subject issuer(s) or securities. I also certify that no part of my compensation was, is, or will be directly or indirectly related to the specific recommendation(s) or view(s) in this report.

THE INFORMATION PROVIDED IN THIS PUBLICATION IS FOR INFORMATIONAL PURPOSES ONLY. INVESTORS SHOULD CONSIDER THIS REPORT AS ONLY A SINGLE FACTOR IN MAKING THEIR INVESTMENT DECISION. THIS INFORMATIONAL REPORT IS NOT AN OFFER TO SELL OR A SOLICITATION TO BUY ANY SECURITY IN ANY JURISDICTION WHERE SUCH AN OFFER OR SOLICITATION WOULD BE ILLEGAL. THIS REPORT HAS BEEN PREPARED AS A MATTER OF GENERAL INFORMATION. IT IS NOT INTENDED TO BE A COMPLETE DESCRIPTION OF ANY SECURITY OR COMPANY MENTIONED, AND IS NOT AN OFFER TO BUY OR SELL ANY SECURITY. ALL FACTS AND STATISTICS ARE FROM SOURCES BELIEVED TO BE RELIABLE, BUT ARE NOT GUARANTEED AS TO ACCURACY. ADDITIONAL INFORMATION ON THESE SECURITIES AND COMPANIES IS AVAILABLE UPON REQUEST. SECURITIES, FINANCIAL INSTRUMENTS OR STRATEGIES MENTIONED HEREIN MAY NOT BE SUITABLE FOR ALL INVESTORS. THIS MATERIAL DOES NOT TAKE INTO ACCOUNT YOUR PARTICULAR INVESTMENT OBJECTIVES, FINANCIAL SITUATIONS OR STRATEGIES. BEFORE ACTING ON THE MATERIALS HEREIN, YOU SHOULD CONSIDER WHETHER IT IS SUITABLE FOR YOUR PARTICULAR CIRCUMSTANCES AND, IF NECESSARY SEEK PROFESSIONAL ADVICE. INVESTMENTS INVOLVE RISK AND AN INVESTOR MAY INCUR EITHER PROFITS OR LOSSES. PAST PERFORMANCE IS NO GUARANTEE OF FUTURE PERFORMANCE. TRADING AND INVESTMENT DECISIONS ARE THE SOLE RESPONSIBILITY OF THE READER.

	Daily	WTD	5-Days	MTD	QTD	YTD
Bank of New York Mellon ADR	0.54%	0.39%	3.97%	3.75%	14.43%	23.23%
S&P Midcap 400	0.49%	0.09%	3.80%	5.11%	14.19%	22.64%
S&P Smallcap 600	0.41%	0.25%	4.58%	4.31%	14.96%	14.79%
NYSE Composite	0.39%	0.31%	4.04%	4.25%	13.41%	16.33%
Dow Jones Industrials	0.32%	0.35%	3.49%	4.01%	12.93%	8.69%
Nasdaq 100	0.31%	0.13%	3.37%	2.28%	11.01%	35.34%
Nasdaq Composite	0.31%	0.16%	3.49%	2.31%	10.31%	28.36%
S&P 1500	0.26%	0.18%	3.89%	4.19%	12.12%	14.51%
S&P 500	0.24%	0.18%	3.87%	4.10%	11.82%	13.81%

	Daily	WTD	5-Days	MTD	QTD	YTD
Consumer Discretionary	1.21%	0.26%	4.08%	4.35%	14.13%	22.71%
Financials	1.12%	0.19%	4.93%	12.17%	22.03%	16.22%
Industrials	0.65%	0.77%	4.52%	5.95%	15.75%	6.85%
Health Care	0.35%	0.73%	3.76%	3.28%	9.23%	8.19%
Consumer Staples	0.15%	0.01%	2.31%	0.85%	7.06%	3.38%
Information Technology	0.11%	0.03%	3.04%	2.53%	11.90%	38.84%
Telecom Services	0.08%	0.27%	3.55%	-1.45%	2.10%	-4.77%
Materials	-0.37%	-1.20%	2.81%	2.69%	16.36%	30.64%
Utilities	-0.48%	-0.31%	3.00%	1.65%	5.40%	1.10%
Energy	-1.36%	-0.07%	5.49%	2.44%	6.84%	3.38%

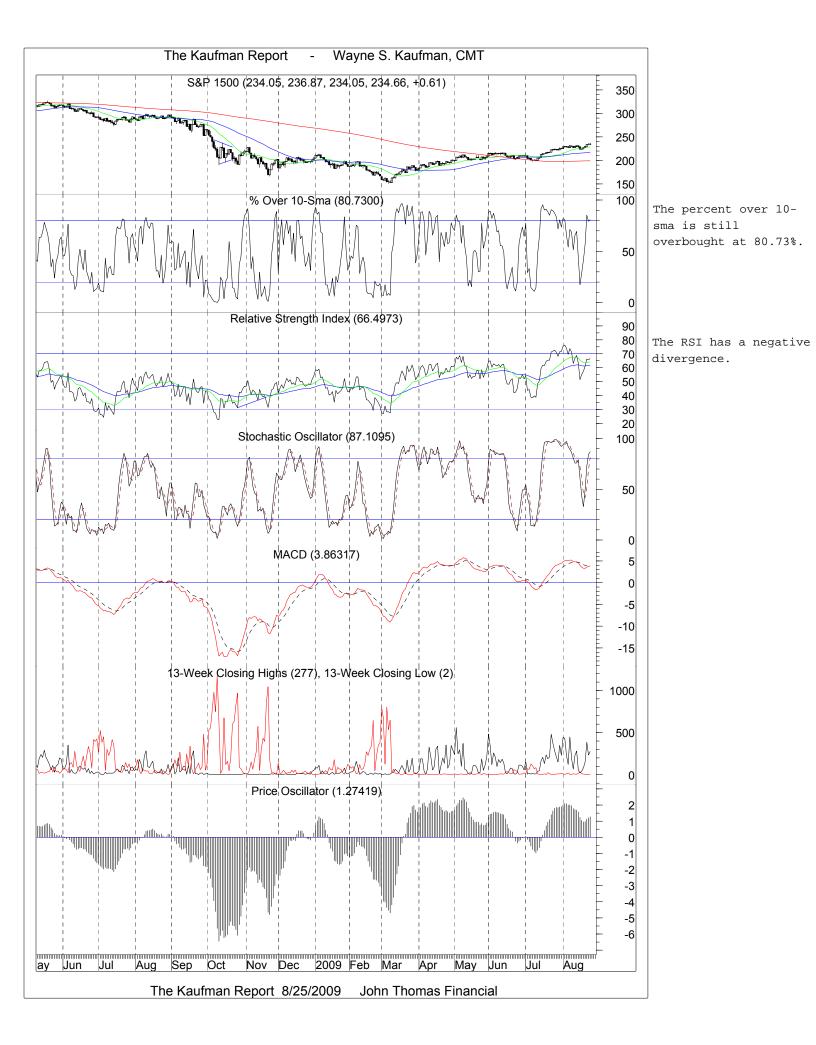
	Daily	WTD	5-Days	MTD	QTD	YTD
Automobiles & Components	2.30%	-1.76%	-0.51%	-3.57%	25.07%	81.98%
Retailing	1.78%	0.20%	3.51%	3.51%	13.81%	31.45%
Insurance	1.62%	1.41%	7.23%	14.72%	27.78%	12.17%
Consumer Durables & Apparel	1.51%	0.93%	4.06%	5.32%	21.59%	20.20%
Food & Staples Retailing	1.40%	1.45%	3.23%	4.74%	8.88%	2.86%
Diversified Financials	1.20%	0.63%	4.80%	11.89%	22.01%	34.34%
Real Estate	1.18%	0.19%	5.62%	10.62%	22.25%	2.04%
Consumer Services	1.08%	-0.02%	3.37%	5.37%	8.51%	9.62%
Semiconductors & Equipment	0.85%	-0.14%	1.98%	-0.14%	15.54%	38.90%
Capital Goods	0.78%	1.15%	5.03%	6.31%	16.43%	6.84%
Banks	0.43%	-2.06%	3.08%	11.25%	17.17%	-8.85%
Transportation	0.43%	-0.21%	2.98%	4.56%	15.83%	8.34%
Health Care Equip & Services	0.38%	1.09%	4.14%	5.68%	11.68%	19.43%
Pharmaceuticals, Biotech & Life Sciences	0.34%	0.57%	3.60%	2.24%	8.18%	3.63%
Household & Personal Products	0.32%	-0.19%	2.11%	-2.23%	6.40%	-5.75%
Media	0.27%	0.68%	6.32%	6.17%	13.60%	15.74%
Software & Services	0.12%	0.64%	3.95%	4.20%	8.08%	31.69%
Telecom Services	0.08%	0.27%	3.55%	-1.45%	2.10%	-4.77%
Commercial & Professional Services	-0.11%	-0.23%	3.84%	6.42%	8.67%	2.89%
Technology Hardware & Equipment	-0.12%	-0.40%	2.64%	2.03%	13.96%	44.87%
Materials	-0.37%	-1.20%	2.81%	2.69%	16.36%	30.64%
Utilities	-0.48%	-0.31%	3.00%	1.65%	5.40%	1.10%
Food, Beverage & Tobacco	-0.56%	-0.62%	1.93%	0.41%	6.45%	8.66%
Energy	-1.36%	-0.07%	5.49%	2.44%	6.84%	3.38%

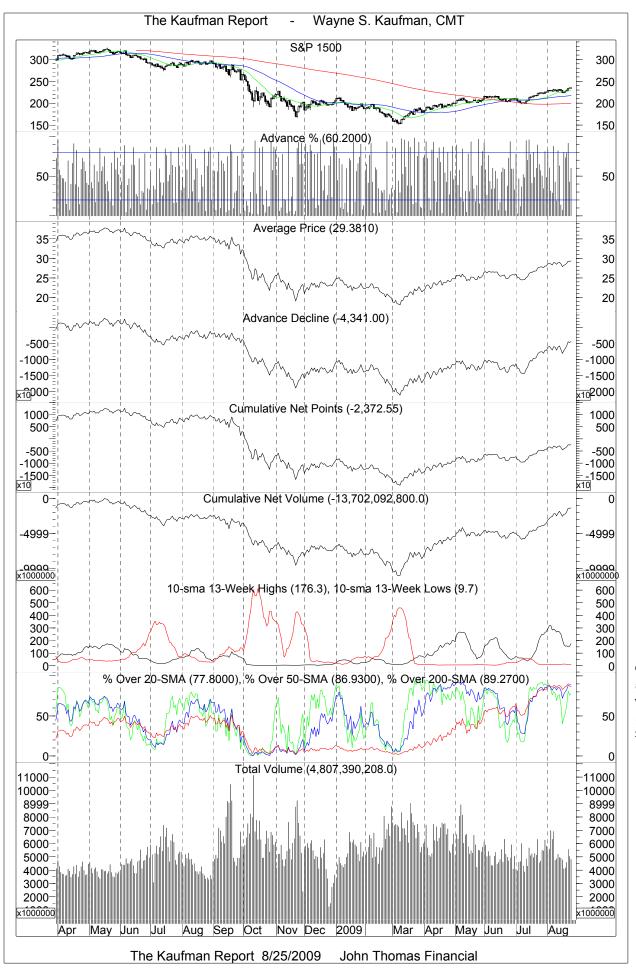


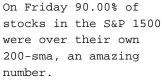
The S&P 500 printed its second bearish candle in a row Tuesday after making another post-March rally high. Tuesday's shooting star shows buyers being met by sellers and should be viewed by investors a a sign to be cautious.

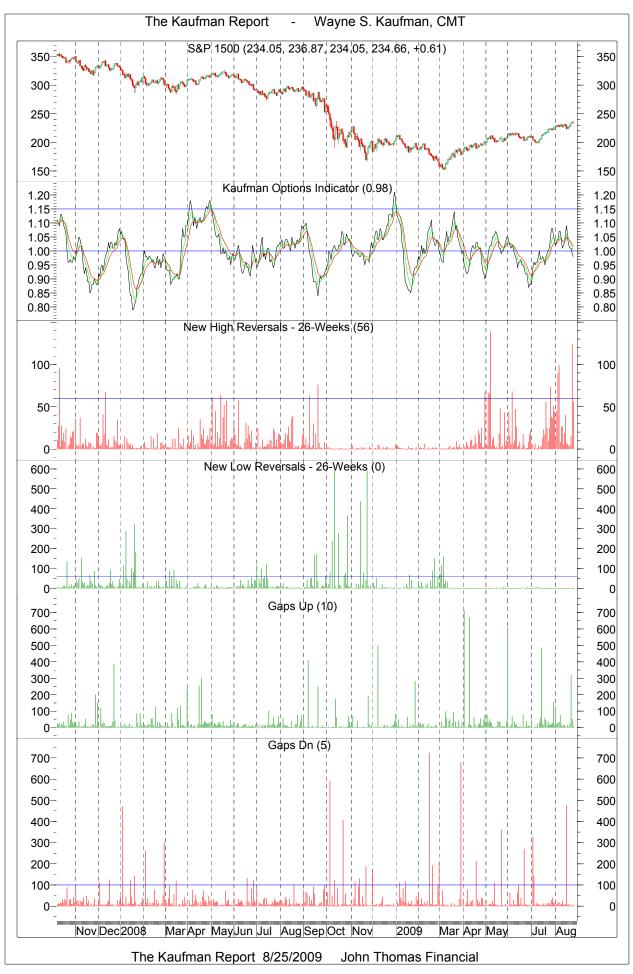


After making another post-March rally high, the Nasdaq 100 sold off and Tuesday and printed a doji candle on the daily chart. Doji are signs of indecision that frequently mark the end of trends. This doji resembles a bearish shooting star and a gravestone doji, both of which mark the ends of up moves.









Our proprietary options indicator is beginning to show pessimism on the part of options buyers. Pessimism is actually good for the market. Still, this indicator can go much lower.

The big increase in new high reversals Monday (124) and Tuesday (56) shows an increased desire to take profits on the part of investors.