

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
OFFICE OF HEARING OFFICERS**

DEPARTMENT OF ENFORCEMENT,

Complainant,

v.

WILLIAM JOSEPH KIELCZEWSKI
(CRD No. 4034356),

Respondent.

Disciplinary Proceeding
No. 2017054405401

Hearing Officer–DRS

ORDER REGARDING FILING TRANSCRIPT OF VOICE MESSAGE

During the hearing, I admitted into evidence JX-46a, which consists of, among other things, a January 31, 2017 email from David Fitzsimmons to Michale Valo. That email forwarded, as an attachment, a January 30, 2017 voice message purportedly left by Douglas Singer for Scott Kleinman.¹ I also instructed the parties to have a transcript prepared of that voice message and to file it as a proposed exhibit once they received it from the court reporting service after the hearing.² To date, neither party has filed that transcript.

I hereby modify the instruction because today I issued an order directing the parties to prepare and file by February 21, 2020, a joint notice withdrawing those exhibits that were admitted but were not used during the hearing or cited in a post-hearing brief.³ Therefore, it is unnecessary to file the voice message transcript unless a party cites to it in a post-hearing brief.

Accordingly, I **ORDER** any party relying upon that voice message in a post-hearing brief to file with the Office of Hearing Officers, and offer into evidence, a transcript of that voice

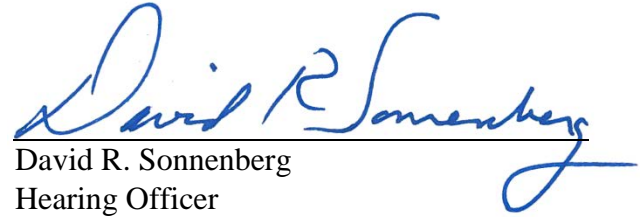
¹ JX-46a, at 79.

² Hearing Transcript (“Tr. ___”) 1402. For the full discussion regarding this issue, see Tr. 1398–1405.

³ Post-hearing briefs are due on February 14, 2020.

message. The offering party shall label the transcript "JX-68." Proposed exhibit JX-68 shall be filed simultaneously with the post-hearing brief citing the voice message.

SO ORDERED.


David R. Sonnenberg
Hearing Officer

Dated: January 21, 2020

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