

Hi Kristine,

I apologize for my late reply, as I've been traveling and tied up on work matters.

Below, in **bold**, are comments I have regarding several of the questions:

COMMITTEE COMMENTS

How effective is FINRA's advisory and ad hoc committee structure (e.g., the number and type of committees) in providing input to FINRA on industry developments, rule proposals, regulatory initiatives and programs?

I believe the structure is appropriate, as FINRA appears to cover the waterfront from many angles.

Do the existing committees enable appropriate engagement by FINRA with its members and other relevant stakeholders? Are there additional steps that FINRA can consider implementing to maximize the potential for obtaining new views and fresh perspectives on existing committees? Do the current committees enable sufficient engagement by FINRA with all of its different types of members, including members with different business models and challenges? Should FINRA re-visit to what extent there is industry versus non-industry participation on the various advisory and ad hoc committees?

My membership on the NAMC provided for significant and meaningful engagement between and among FINRA and the various parties exposed to FINRA Dispute Resolution. While the largest broker-dealers arguably have a greater financial stake at issue, FINRA has done a good job of including smaller broker-dealers and those from the independent broker-dealer network as well, which provides for different perspectives. FINRA also has done a commendable job of choosing non-industry NAMC members who largely provide useful and thoughtful insight into issues. Similar to the industry choices, FINRA has done a good job of finding diverse non-industry NAMC members, *i.e.*, those from both small and large markets, those with high-volume caseloads and those with smaller caseloads who may not regularly handle the large-scale product-failure cases. Lastly, FINRA has been careful in choosing NAMC members who largely can articulately and strongly provide their viewpoints, while doing so in an amicable and conciliatory fashion.

I do not believe that the industry versus non-industry participation should be changed on the NAMC. With an eye toward maintaining the public perception of the integrity of the system I believe that it is very important to have a majority of non-industry members.

Of the advisory and ad hoc committees, only the SFAB has elected members. Should FINRA consider including elected members on any other of its advisory or ad hoc committees? If so, which ones? What would be the advantages and disadvantages of a more formalized selection process for advisory and ad hoc committee membership?

Without knowing a concrete election method, procedure, and who get to vote, I believe the appointment method should be maintained with the NAMC. FINRA routinely interfaces with potential NAMC members and is best able to discern both the demeanor and substantive merit of various potential members. If members are voting on to the committee, again without knowing how the voting would work, I am concerned that the voters may not have sufficient insight into the potential committee members.

The District Committee, SFAB and NAMC rosters are available on FINRA's website. Should FINRA make publicly available all advisory and ad hoc committee rosters? Would the usefulness of this information outweigh concerns regarding inappropriate communication with or public disparagement of committee members?

While I do not personally have a problem with public disclosure of committee membership, there is a greater concern for inappropriate communication. I do not believe the usefulness of disclosure outweighs the problems that could come with such disclosure.

Other than posting committee rosters, what other information should FINRA make available to create additional transparency around FINRA's committees?

FINRA may want to consider making the general topics/agenda public. While that could open the door to too many public inquiries regarding in-progress discussions, such transparency could give greater comfort to constituents that FINRA is addressing various issues.

In addition to providing a means for FINRA to obtain the views of committee members, FINRA understands that many members find the committees to be a useful way to learn about FINRA initiatives and to speak with FINRA management. Is this a useful purpose for the committees? Are there other steps that FINRA should consider, in addition to or in lieu of specific committees, to make information and FINRA personnel available to its stakeholders?

The committees certainly are useful for the committee members to learn of FINRA's initiatives. Publishing initiatives publicly could give constituents greater comfort that FINRA is addressing certain areas of concern or interest.

FINRA's committees typically meet between two and five times per year. Is the current number of meetings sufficient? Should some committees meet fewer or more times per year? If so, which ones and why?

I would recommend adding one or two more NAMC meetings per year. The initiatives, rules writing, FINRA feedback, etc. can take quite a long time and it can be difficult to maintain momentum and accomplish some of the goals in a reasonable period of time, especially as many of the members rotate off the NAMC during the middle of the process.

Is it preferable to hold committee meetings in-person or via teleconference, or a combination of both? Are there particular committee meetings that should

be held in-person or via teleconference only?

Telephonic attendance can be useful/helpful for members who cannot attend a certain meeting, but in-person meeting provide a much greater opportunity for meaningful dialogue.

If you have been a member of any of FINRA's committees, what has been your experience serving on that committee? Is appropriate information provided to the committee to facilitate meaningful discussion and input into FINRA's operations and programs? What changes to the operation of that committee might enable it to have more meaningful discussion and input into FINRA's operations and programs?

I previously served on the NAMC and would enjoy the opportunity to serve on the committee again if FINRA believes I am a worthy candidate. I found the committee to be extremely rewarding and enjoyable. First, the ability to have direct input into the drafting of rules and policies is very meaningful and provides a much greater opportunity than merely submitting a comment to a rule proposal. Second, the ability to directly communicate with industry representatives in a non-adversarial setting is very effective and productive. Finally, having a direct line of communication with FINRA has been empowering and helpful.

I would not change the way in which the NAMC operates.

DISPUTE RESOLUTION COMMENTS

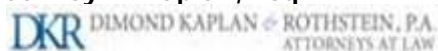
How helpful are the tools and resources currently available on FINRA's dispute resolution web page? What additional tools and resources regarding FINRA's arbitration and mediation processes would be helpful?

The resources have bene helpful, although I rarely refer to them.

If you have accessed the Awards Online database, how user-friendly did you find the database? Should FINRA consider making any changes to the accessibility of the database, or the information available through the database?

The awards database is invaluable. We routinely search it and utilize it. It certainly beats the old days of requesting certain awards by facsimile.

Jeffrey B. Kaplan, Esq.



(888) 578-6255