

## COMMENT FINRA Form 211

FINRA's "Form 211" requestor asks who would be interested in Form 211 information. FINRA, same bullet point, asks what the level of interest in Form 211 information would be.

Question. In a world of Algorithms, no privacy, file sharing, hacking, piracy- how the hell has FINRA managed to keep negative information about their members private and offline and coming up so low in keyword Searches? A question to have answered under Oath under the penalty of perjury in a court of law is to ask if FINRA and its members and league been removing information, bad and good, from the Internet and off of sites other than FINRA's broker-check. Answering this question is FINRA's first step towards Transparency.

Questioning benefits of making FINRA Form 211 information publicly available is not only a Red Alert to enforcement agencies but also a no brainer retort. There is information withheld by FINRA from investors. How has this non-profit business league got away, for so long, without asking this question before. In crime and such, usually, when one starts copping to "truths" and broadcasting moves disguised as Q&A's, then someone or someones are sensing an informational time bomb is ticking, reacting by dribbling info out one test leak at a time.

FINRA asks for guesstimates on the number of investors anticipated to access and used Form 211. Brain simple. Back-tabulate each and every published, make that notated on FINRA Broker-history check, arbitration and mediation held against Financial Entities, Broker-Dealers and Investment advisors, add in each and every, triple that or times it times ten (a guesstimate) for each and every arbitration and mediation FINRA case managers do not confirm and add to the Industry person's published issues posted to FINRA Broker-history check; guesstimate the number of Investment Advisors that FINRA, correctly sent to the correct overseeing regulatory Authority, guesstimate the number of Industry Arbitrations and Mediations conducted by other entities such as JAMS, AAA, ABA and local Law authorities ie the DC Bar and then? You still wont have an authoritative guesstimate. How does one count in the legitimate claims lawyers turned away because the dollar and sense amount of the claim did not make business sense to the attorney. Lawyers run businesses too.

The next poll to run is one FINRA cannot dodge answering, the I.O.T. being what it is. I.O.T.? Internet of Thieves. Data. Investors want data dumps of stats FINRA has been hoarding on Investors and their habits.

FINRA's Comment solicitations are conducted through Internet solicitations which means every page touch, every click, every print down, every you name it is recorded. And reported to The Google, the other search engines, and ISPs. Congress doesn't have to worry about a Lois-Lerner-look-a-like situation happening here. FINRA is not a government agency although it alleges to be on its website "About FINRA - FINRA

[www.finra.org/AboutFINRA/](http://www.finra.org/AboutFINRA/)

We're an independent, not-for-profit organization authorized by Congress to protect America's investors by making sure the securities industry operates fairly ...

What We Do - Contact Us - Firms We Regulate - Leadership"

FINRA can't avoid FOIA's alleging FOIA's protection from evidence production. FINRA is just another one of us, like you and me, accountable to even higher Authorities, the DOJ and the IRS. Whatever FINRA does, FINRA should never mess with the IRS, by claiming Investor protection and risking being perceived and/or found to be doing something different.

Data is available. FINRA members share Users online data with sites like Markit On Demand.

Form 211 data is a boon to law enforcement, to profilers, to crime analysts, investors seeking to learn more about these Market Actors, lawyers seeking to evaluate and build cases against FINRA members and others party to FINRA overseen arbitrations and Mediations. Data must be made available, such as scans, cited resources, citations, quotations, footnotes, resources.

Client data must be kept no less than 6 years, as per SEC rules and infinitely, in the cloud, or other digital storage locations and provided along with all internal documents including but not limited to emails between all the Actors/participants, in that, this data too often contains Intent of the Crime, proof of a crime and unknown Actors who will provide valuable insight in the even issue arises mitigating the length and Discovery wasted in the back and forth of Investor claims against FINRA members and others overseen by FINRA Case Managers, in the event of issue resolution.

Let's be honest between us girls here. If a lawyer is competent and thinks outside of the FINRA box in to social media and networking, it is better for FINRA to voluntarily 'give' up the goods at the get go rather than play games under the alleged oversight of FINRA Case Managers under FINRA's alleged umbrellas of Investor Protection and Market Integrity. MoreSo, Investors should receive Encrypted CD's of all the data sent through the USPS mails, in that the USPS is an agent of the US Government. sending anything of question through the US Mails is criminal. The goal is to step up as many stepping stones to Investor Protection that can be administered legally. By Law enforcement.

The honest concern,with FINRA being the disseminator of data, is that FINRA, to date, has not been 100% upfront and detailed in honesty to Investors, to date, since July 2007 nor was it while in its incubation period as the NYSE and the NASD. That FINRA and its predecessors have kept this conversation active as a bouncing ball all these years, as far back as the '90's is mind blowing Moreso that FINRA has not been forced accountable, yet. The concern for FINRA Form 211 is that, to be effective, it must be 100% complete, raw, honest and revealing of data FINRA has withheld from investors or failed to vet, representing to investors, the U4, U5's and other such historical and anecdotal data resources on FINRA league members, and others, submitting to FINRA issue resolution, is factual, correct and provided sworn under Oath and under the penalty of perjury. Fact is when talk is talk without action, there is little resilience in believing this leopard will lose its spots.

The question asking should all information be redacted or omitted is mis-asked. The question to push into action is how quickly will FiNRA be forced to disgorge all data purged from each and every FINRA members history along with being forced to disgorge all data from each and every arbitration and/or mediation overseen by FiNRA Case Managers in domestic and international arbitrations and Mediations overseen by FINRA along with divulging each matter FINRA Case

Managers have participated in, not posted to Bad, and other Actors, broker histories.

To assure the authenticity of this data, FINRA, in the vein of complete transparency, will have to reveal their HR employees data, arbitrators and mediators data, decisions, payments, etc., decisions, quantity and types of decisions and awards issued and if FINRA decisions went against Investors, a complete detailed list of all courts and judges FINRA award collections we're sought in, judges records of decisions, too, along with lawyers, PIABA and other attorneys appearing on behalf of Respondents and claimants, definition of if the arbitrations and Mediations were inter-FINRA's member league or between FINRA members and Investors. This data, along with others, which will require an aggregation of receipts between FINRA and vendors, banking records, cheques issued and cashed, are the a tarding point to get FINRA to real accountability not just, well, alleging to be real. Heck, you watch one reality TV show, there is nothing you haven't seen about what is real and what is SHOWTIME, intended for audience applause. There is nothing to stand and cheer for when it comes to investors being robbed. That is what a financial industry white collar crime is, after all, robbery, albeit it glorified in the books of Wolf Of Wall Street and Flash Boys.

Links, in this day and time of the Internet, are roads to nowhere. Read one online T.O.S., you've read them all. The catch phrase is User must return to the site T.O.S. page to catch all T.O.S. changes throughout the site. Really. Attachments, al and updates labelled amendments, current and historic, to FINRA's Form 211 must not only be sent as PDF's that will signal the download of the PDF has been done along with sending Alert reminders to the Investor to download the Alert, along with the advice to save the data out of the Cloud, on a PC or PDA and on a flash or other drive, in the event the data is needed. All data must bear a large rubber and/or time stamp of creation, submission, date and time must be on each page of the data, upper right corner where it is easily and prominently visible by researchers. Each submission, current and historic, must be notarized and sworn submitted under Oath and Penalty of Perjury.

The Library of Congress is the Repository of literature. Considering much of the data is marked with a caution 'be prepared you may lose your money', tongue in cheek and in all seriousness, a respected repository for these fictions, might be the Library of a Congress, that houses the Register of copyrights, government agency that provides a safety net for Investors, in that lying to a federal agency is a crime, working towards accountability, investor protection and eliminating FINRA completely.

FINRA Form 211 must kept forever. Aggregated historic data is what effective trends are built from. Besides, whatever happened to preserving history Nd the past,unless..... Someone has something to hide. Criminology 101- If FINRA and its league members and industry participants in FINRA arbitrations and Mediations, have nothing to fear then why hide the data.

FINRA Form 211 must be updated quarterly before earnings are reported. FINRA Form 211 must be reviewed and signed off on by the accountant, to bring in an extra set of accountability towards the end goal of Investor protection. There should be an IRS reporting component in this process, too, towards the end goal of creating as many safe gates for Investor protection. Lying on IRS forms comes with severe and multiple penalties moreso when filing is done online and via the USPS mails, the point of the exercise being that transparency could have been

implemented by FINRA and its predecessor the NASD and the NYSE without going through this farce of asking for Investor Comment. Just do it, as Nike says.

The original filing firm will remain on the hook for the data they filed. Selling a firm, retiring, even dying will not get a firm party absolved. Profits from their misdeeds will have to be disgorged, clawed back, from family and others enjoying the fruit of the crime. All principles of the firm and ancillary participants to the filing will, forever, be on the hook for whatever misdeeds they were participatory to in this filing, along with all parties who touched this matter from inception through deception through conviction as there are criminal tangentials to this matter. Selling a company, changing jobs will not get one off the hook.

Quite frankly, there will always be seven degrees of deception. As do things live in the Cloud, as in the internet, so too here. Firms do not disclose damaging data to investors. Firms sit on data exposing crimes in the Investor's accounts then taunt investors there is nothing the Investor can do about as in here case of RBC providing an investor, unexpectedly, post coerced settlement with data on an Encrypted CD, exposing RBC for not telling the Investor that RBC had known for years the Investor's accounts had been compromised by a named employee at another firm, JP Morgan. The RBC clients had never been a JP Morgan client. The JP Morgan employee had left RBC's employ over 6 years earlier, and was not a name that appeared in customer statements just in the Encrypted CD that RBC provided to the investor after coercing settlement.

FINRA Rule 211 should remove Agents Of Process from the FINRA Form 211 process and Investor equation. Let's be real. It isn't the FINRA Form 211 that is of issue, it is the process the Investor is subject to when the problem emerges that is the concern. All process should be served, duly, directly on the firm CEO and upper level management. Any and all parties pressed in to play by FINRA business league and other participants, role playing with Investors as if to be answering for the Executive Or President's office will be complicit to any and all issues raised or pursued by the Investor.

FINRA Form 211 concerns with privacy of FINRA business league members, reporting and non-reporting, is not of concern for the Investor. To the Investor, they are all the ones, opposite side of the table facing the investor during an Arbitration. Industry parties will waive any and all claim to Right of Privacy and Right of Publicity or to Investors posting their experience online in any and all forums that seek Experience feedback. Any and all FINRA business league member or industry party that submitted to a FINRA arbitration or mediation forum that threatens with litigation, libel or other, the Investors experience will be sanctioned accordingly. Any and all FINRA business league members and others who use the World Wide Web to promote their services and threatens an Investor by email or other PDA will be subject to Online Bullying claims.

FINRA business league members and Industry parties that submitted to FINRA's arbitration and mediation forums agree they are subject to investigations by the FTC and the FCC as relevant to online marketing.

The Investor will be guaranteed a day in court rather than a FINRA arbitration as provided by the Constitution.

FINRA Form 211 filers will provide in Part 2- required Issuer Information:

(I) will provide in a PDF form provided by each state, a complete list of states they, as an entity, are filed in a list of offices named on the foreign state filing(s) along with the declared value both in the state filing and the market trading value to confirm the valuations match ie. Facebook's value filed with the Nevada department of Corporations Mismatch with the same day of opening trading

(II) describing the Issuers business is not adequate. Documents retrieved from the local, state and Federal filings must be provided in PDF form

(III) services and products provided by the issuer must be supported by applicable local, state and Federal documents along with the local Business license along with documentation the entity is compliant

(IV) describing the issuers facilities is to be done with photos, ideally panoramic photos showing interior and/or exterior shots showing street names, neighboring entities, to confirm the business is bonafide. No Post office box addresses are allowed. Regus type suites would have to be identified. No "separate but unaffiliated" entity relationship descriptions are acceptable, a clearer description is needed stating not an employee nor could the broker-dealer or IA describe themselves on FINRA brokercheck as an employee. They are using the name and contact of the large firm, for a fee. A copy of the broker-dealer or Investment Advisor signed agreement must be provided in PDF form. The name of ether Broker-Dealer or the Investment Advisor must be provided along with the number of Expungements they have requested, been granted, civil court actions, bankruptcies, tax issues, inquiries, suspensions, complaints, etc., provided, too, in PDF form, from the prior 15 years in keeping with Lexis-nexus and C.L.U.E. and Experian/ Credit Check reporting.

#### Part 4- Regulatory Filings

PDF's of the actual state incorporation papers must be filed along with a printout of the other entity state filings ie. XYX I, XYX II, XYX III, etc

#### Part 5- Certification

The FINRA business league and other industry parties that unmitigated to FINRA arbitrations and Mediations must certify in the name themselves or family members, affiliates, partners or associates in other industry and non-industry endeavors.

FINRA form 211 will be signed under Oath and under the penalty of Perjury. Each page must be initialed, dated, sequentially numbered and overall fronted with a cover sheet signed by a Notary not employed by the Firm and subject to the False Claims Act.

One must not lose site of the other legs of the Investment Industry three legged tool, metaphorically speaking- NASAA, SIFMA, SEC, each individual state regulator, civil courts, bankruptcy courts, online data aggregate sites,mean with whom makes the image, to simplify accessing this information for the Investing Public.

For the record, whomever builds the App to manifest this resolute solution, bringing this data together in an aggregate resolution, note, dibs are mine, royalties will be collected.