

Dear Mrs. Mitchell,

I am writing in support of the proposed amendment to the Discovery Guide to require routine disclosure of liability insurance coverage by broker/dealers who are thinly capitalized and/or not self-insured. I have represented investors in FINRA arbitration for 14 years and am often frustrated by Broker-Dealers' refusals to produce proof of insurance, or lack thereof, through discovery.

I have found that it is difficult to evaluate the value of a case without documents evidencing the existence and amount of insurance policies. The veil of secrecy surrounding the lack of disclosure of insurance often leads to Respondents' counsel crying poverty or threatening bankruptcy as part of settlement negotiations in an effort to settle claims for less. Requiring proof of insurance will help level the playing field for investors in discovery and during settlement negotiations. Accordingly, full disclosure ought to be mandatory and automatic as it has been in Federal court for years.

If you have any questions, please do not hesitate contact me.

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