

Required fields are shown with yellow backgrounds and asterisks.

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SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549
Form 19b-4

File No. * SR 2024 - * 005

Amendment No. (req. for Amendments *)

Filing by Financial Industry Regulatory Authority

Pursuant to Rule 19b-4 under the Securities Exchange Act of 1934

Initial * <input checked="" type="checkbox"/>	Amendment * <input type="checkbox"/>	Withdrawal <input type="checkbox"/>	Section 19(b)(2) * <input type="checkbox"/>	Section 19(b)(3)(A) * <input checked="" type="checkbox"/>	Section 19(b)(3)(B) * <input type="checkbox"/>
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Pilot <input type="checkbox"/>	Extension of Time Period for Commission Action * <input type="checkbox"/>	Date Expires * <input type="text"/>
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Rule

<input type="checkbox"/> 19b-4(f)(1)	<input type="checkbox"/> 19b-4(f)(4)
<input type="checkbox"/> 19b-4(f)(2)	<input type="checkbox"/> 19b-4(f)(5)
<input type="checkbox"/> 19b-4(f)(3)	<input checked="" type="checkbox"/> 19b-4(f)(6)

Notice of proposed change pursuant to the Payment, Clearing, and Settlement Act of 2010
Section 806(e)(1) *

Section 806(e)(2) *

Security-Based Swap Submission pursuant to the Securities Exchange Act of 1934
Section 3C(b)(2) *

Exhibit 2 Sent As Paper Document

Exhibit 3 Sent As Paper Document

Description

Provide a brief description of the action (limit 250 characters, required when Initial is checked *).

Proposed rule change to retire the FINRA Rule 10000 Series (Code of Arbitration Procedure).

Contact Information

Provide the name, telephone number, and e-mail address of the person on the staff of the self-regulatory organization prepared to respond to questions and comments on the action.

First Name * Carrie Last Name * Jordan

Title * Principal Counsel

E-mail * Carrie.jordan@finra.org

Telephone * (212) 858-4210 Fax

Signature

Pursuant to the requirements of the Securities Exchange of 1934, Financial Industry Regulatory Authority has duly caused this filing to be signed on its behalf by the undersigned thereunto duly authorized.

Date 04/17/2024

(Title *)

By Victoria Crane

(Name *)

Vice President and Associate General Counsel

Victoria Crane
Digitally signed by Victoria Crane
Date: 2024.04.17 14:10:56 -04'00'

NOTE: Clicking the signature block at right will initiate digitally signing the form. A digital signature is as legally binding as a physical signature, and once signed, this form cannot be changed.

Required fields are shown with yellow backgrounds and astericks.

SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

For complete Form 19b-4 instructions please refer to the EDFS website.

Form 19b-4 Information *

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FINRA-2024-005 19b-4.docx

The self-regulatory organization must provide all required information, presented in a clear and comprehensible manner, to enable the public to provide meaningful comment on the proposal and for the Commission to determine whether the proposal is consistent with the Act and applicable rules and regulations under the Act.

Exhibit 1 - Notice of Proposed Rule Change *

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FINRA-2024-005 Exhibit 1.docx

The Notice section of this Form 19b-4 must comply with the guidelines for publication in the Federal Register as well as any requirements for electronic filing as published by the Commission (if applicable). The Office of the Federal Register (OFR) offers guidance on Federal Register publication requirements in the Federal Register Document Drafting Handbook, October 1998 Revision. For example, all references to the federal securities laws must include the corresponding cite to the United States Code in a footnote. All references to SEC rules must include the corresponding cite to the Code of Federal Regulations in a footnote. All references to Securities Exchange Act Releases must include the release number, release date, Federal Register cite, Federal Register date, and corresponding file number (e.g., SR-[SRO]-xx-xx). A material failure to comply with these guidelines will result in the proposed rule change being deemed not properly filed. See also Rule 0-3 under the Act (17 CFR 240.0-3)

Exhibit 1A - Notice of Proposed Rule Change, Security-Based Swap Submission, or Advanced Notice by Clearing Agencies *

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The Notice section of this Form 19b-4 must comply with the guidelines for publication in the Federal Register as well as any requirements for electronic filing as published by the Commission (if applicable). The Office of the Federal Register (OFR) offers guidance on Federal Register publication requirements in the Federal Register Document Drafting Handbook, October 1998 Revision. For example, all references to the federal securities laws must include the corresponding cite to the United States Code in a footnote. All references to SEC rules must include the corresponding cite to the Code of Federal Regulations in a footnote. All references to Securities Exchange Act Releases must include the release number, release date, Federal Register cite, Federal Register date, and corresponding file number (e.g., SR-[SRO]-xx-xx). A material failure to comply with these guidelines will result in the proposed rule change being deemed not properly filed. See also Rule 0-3 under the Act (17 CFR 240.0-3)

Exhibit 2- Notices, Written Comments, Transcripts, Other Communications

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Copies of notices, written comments, transcripts, other communications. If such documents cannot be filed electronically in accordance with Instruction F, they shall be filed in accordance with Instruction G.

Exhibit Sent As Paper Document

Exhibit 3 - Form, Report, or Questionnaire

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Copies of any form, report, or questionnaire that the self-regulatory organization proposes to use to help implement or operate the proposed rule change, or that is referred to by the proposed rule change.

Exhibit Sent As Paper Document

Exhibit 4 - Marked Copies

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The full text shall be marked, in any convenient manner, to indicate additions to and deletions from the immediately preceding filing. The purpose of Exhibit 4 is to permit the staff to identify immediately the changes made from the text of the rule with which it has been working.

Exhibit 5 - Proposed Rule Text

Add Remove View

FINRA-2024-005 Exhibit 5.docx

The self-regulatory organization may choose to attach as Exhibit 5 proposed changes to rule text in place of providing it in Item I and which may otherwise be more easily readable if provided separately from Form 19b-4. Exhibit 5 shall be considered part of the proposed rule change

Partial Amendment

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If the self-regulatory organization is amending only part of the text of a lengthy proposed rule change, it may, with the Commission's permission, file only those portions of the text of the proposed rule change in which changes are being made if the filing (i.e. partial amendment) is clearly understandable on its face. Such partial amendment shall be clearly identified and marked to show deletions and additions.

1. Text of the Proposed Rule Change

(a) Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”) the Financial Industry Regulatory Authority, Inc. (“FINRA”) is filing with the Securities and Exchange Commission (“SEC” or “Commission”) a proposed rule change to retire the FINRA Rule 10000 Series (Code of Arbitration Procedure) that governs arbitration and mediation claims filed in the forum administered by FINRA Dispute Resolution Services (“DRS”) prior to April 16, 2007.

The text of the proposed rule change is attached as Exhibit 5.

(b) Not applicable.

(c) Not applicable.

2. Procedures of the Self-Regulatory Organization

The Chief Legal Officer of FINRA authorized the filing of the proposed rule change with the SEC pursuant to delegated authority. No other action by FINRA is necessary for the filing of the proposed rule change.

FINRA has filed the proposed rule change for immediate effectiveness. The implementation date will be 30 days after the date of filing.

3. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

(a) Purpose

The FINRA Rule 10000 Series (“old Code”) applies to arbitration and mediation claims filed in the DRS forum prior to April 16, 2007. As part of a comprehensive plan to reorganize and simplify the old Code, FINRA previously separated the old Code into three sections: the Code of Arbitration Procedure for Customer Disputes (“Customer Code”); the Code of Arbitration Procedure for Industry Disputes (“Industry Code”); and

the Code of Mediation Procedure (“Mediation Code”) (together, “Codes”).¹ The Codes apply to claims filed in the DRS forum on or after April 16, 2007.²

The proposed rule change would retire the old Code. All mediation and arbitration claims that were filed in the DRS forum prior to April 16, 2007, and governed by the old Code, have closed. Thus, the old Code is no longer applicable to any mediation or arbitration claims filed in the DRS forum.

As noted in Item 2 of this filing, FINRA has filed the proposed rule change for immediate effectiveness.

(b) Statutory Basis

FINRA believes that the proposed rule change is consistent with the provisions of Section 15A(b)(6) of the Act,³ which requires, among other things, that FINRA rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest.

¹ See Securities Exchange Act Release No. 52705 (October 31, 2005), 70 FR 67525 (November 7, 2005) (Order Approving File No. SR-NASD-2004-013); Securities Exchange Act Release No. 55158 (January 24, 2007), 72 FR 4574 (January 31, 2007) (Order Approving File Nos. SR-NASD-2003-158 and SR-NASD-2004-011). See also Securities Exchange Act Release No. 58643 (September 25, 2008), 73 FR 57174 (October 1, 2008) (Order Approving File Nos. SR-FINRA-2008-021; SR-FINRA-2008-022; SR-FINRA-2008-026; SR-FINRA-2008-028 and SR-FINRA-2008-029) (consolidating NASD rules, including the Codes, as FINRA rules in the consolidated FINRA rulebook).

² The FINRA Rule 12000 Series contains the Customer Code; the FINRA Rule 13000 Series contains the Industry Code; and the FINRA Rule 14000 Series contains the Mediation Code.

³ 15 U.S.C. 78o-3(b)(6).

The proposed rule change will protect investors and the public interest by eliminating potential confusion and providing greater regulatory clarity to forum users regarding the rules applicable to claims filed in the DRS forum as it will retire the old Code, which is no longer applicable to any arbitration or mediation claims filed in the DRS forum.

4. Self-Regulatory Organization's Statement on Burden on Competition

FINRA does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change would retire the old Code that is no longer applicable to any arbitration or mediation claims filed in the DRS forum and, therefore, would not have additional economic impacts on FINRA members or their associated persons.

5. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

Written comments were neither solicited nor received.

6. Extension of Time Period for Commission Action

Not applicable.

7. Basis for Summary Effectiveness Pursuant to Section 19(b)(3) or for Accelerated Effectiveness Pursuant to Section 19(b)(2) or Section 19(b)(7)(D)

The proposed rule change is effective upon filing pursuant to Section 19(b)(3) of the Act⁴ and paragraph (f)(6) of Rule 19b-4 thereunder,⁵ in that the proposed rule change does not significantly affect the protection of investors or the public interest; does not

⁴ 15 U.S.C. 78s(b)(3).

⁵ 17 CFR 240.19b-4(f)(6).

impose any significant burden on competition; and does not become operative for 30 days after filing or such shorter time as the Commission may designate.

FINRA believes the proposed rule change is appropriate in the interest of regulatory clarity and harmonization. In accordance with Rule 19b-4(f)(6),⁶ FINRA submitted written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing, or such shorter time as the Commission may designate, as specified in Rule 19b-4(f)(6)(iii) under the Act.⁷

8. Proposed Rule Change Based on Rules of Another Self-Regulatory Organization or of the Commission

Not applicable.

9. Security-Based Swap Submissions Filed Pursuant to Section 3C of the Act

Not applicable.

10. Advance Notices Filed Pursuant to Section 806(e) of the Payment, Clearing and Settlement Supervision Act

Not applicable.

11. Exhibits

Exhibit 1. Completed notice of proposed rule change for publication in the Federal Register.

Exhibit 5. Text of the proposed rule change.

⁶ 17 CFR 240.19b-4(f)(6).

⁷ 17 CFR 240.19b-4(f)(6)(iii).

EXHIBIT 1

SECURITIES AND EXCHANGE COMMISSION
(Release No. 34- ; File No. SR-FINRA-2024-005)

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Retire the FINRA Rule 10000 Series (Code of Arbitration Procedure)

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”)¹ and Rule 19b-4 thereunder,² notice is hereby given that on , the Financial Industry Regulatory Authority, Inc. (“FINRA”) filed with the Securities and Exchange Commission (“SEC” or “Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by FINRA. FINRA has designated the proposed rule change as constituting a “non-controversial” rule change under paragraph (f)(6) of Rule 19b-4 under the Act,³ which renders the proposal effective upon receipt of this filing by the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

FINRA is proposing to retire the FINRA Rule 10000 Series (Code of Arbitration Procedure) that governs arbitration and mediation claims filed in the forum administered by FINRA Dispute Resolution Services (“DRS”) prior to April 16, 2007.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 17 CFR 240.19b-4(f)(6).

The text of the proposed rule change is available on FINRA's website at <http://www.finra.org>, at the principal office of FINRA and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, FINRA included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. FINRA has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The FINRA Rule 10000 Series ("old Code") applies to arbitration and mediation claims filed in the DRS forum prior to April 16, 2007. As part of a comprehensive plan to reorganize and simplify the old Code, FINRA previously separated the old Code into three sections: the Code of Arbitration Procedure for Customer Disputes ("Customer Code"); the Code of Arbitration Procedure for Industry Disputes ("Industry Code"); and the Code of Mediation Procedure ("Mediation Code") (together, "Codes").⁴ The Codes

⁴ See Securities Exchange Act Release No. 52705 (October 31, 2005), 70 FR 67525 (November 7, 2005) (Order Approving File No. SR-NASD-2004-013); Securities Exchange Act Release No. 55158 (January 24, 2007), 72 FR 4574 (January 31, 2007) (Order Approving File Nos. SR-NASD-2003-158 and SR-NASD-2004-011). See also Securities Exchange Act Release No. 58643 (September 25, 2008), 73 FR 57174 (October 1, 2008) (Order Approving File Nos. SR-FINRA-2008-021; SR-FINRA-2008-022; SR-FINRA-2008-026; SR-FINRA-2008-028 and SR-FINRA-2008-029) (consolidating NASD rules, including the Codes, as FINRA rules in the consolidated FINRA rulebook).

apply to claims filed in the DRS forum on or after April 16, 2007.⁵

The proposed rule change would retire the old Code. All mediation and arbitration claims that were filed in the DRS forum prior to April 16, 2007, and governed by the old Code, have closed. Thus, the old Code is no longer applicable to any mediation or arbitration claims filed in the DRS forum.

FINRA has filed the proposed rule change for immediate effectiveness.

2. Statutory Basis

FINRA believes that the proposed rule change is consistent with the provisions of Section 15A(b)(6) of the Act,⁶ which requires, among other things, that FINRA rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest.

The proposed rule change will protect investors and the public interest by eliminating potential confusion and providing greater regulatory clarity to forum users regarding the rules applicable to claims filed in the DRS forum as it will retire the old Code, which is no longer applicable to any arbitration or mediation claims filed in the DRS forum.

B. Self-Regulatory Organization's Statement on Burden on Competition

FINRA does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the

⁵ The FINRA Rule 12000 Series contains the Customer Code; the FINRA Rule 13000 Series contains the Industry Code; and the FINRA Rule 14000 Series contains the Mediation Code.

⁶ 15 U.S.C. 78o-3(b)(6).

Act. The proposed rule change would retire the old Code that is no longer applicable to any arbitration or mediation claims filed in the DRS forum and, therefore, would not have additional economic impacts on FINRA members or their associated persons.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act⁷ and Rule 19b-4(f)(6) thereunder.⁸

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

⁷ 15 U.S.C. 78s(b)(3)(A).

⁸ 17 CFR 240.19b-4(f)(6).

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments:

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include File Number SR-FINRA-2024-005 on the subject line.

Paper Comments:

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-1090.

All submissions should refer to File Number SR-FINRA-2024-005. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet website (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street, NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the

principal office of FINRA. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to File Number SR-FINRA-2024-005 and should be submitted on or before [insert date 21 days from publication in the Federal Register].

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁹

Jill M. Peterson
Assistant Secretary

⁹ 17 CFR 200.30-3(a)(12).

EXHIBIT 5

Below is the text of the proposed rule change. Proposed new language is underlined; proposed deletions are in brackets.

* * * * *

**Text of the Code of Arbitration Procedure
to be Deleted in its Entirety from the FINRA Rulebook**

* * * * *

10000. CODE OF ARBITRATION PROCEDURE

10100. ADMINISTRATIVE PROVISIONS

[IM-10100. Failure to Act Under Provisions of Code of Arbitration Procedure]

Entire text deleted.

[10101. Matters Eligible for Submission]

Entire text deleted.

[10102. National Arbitration and Mediation Committee]

Entire text deleted.

[10103. Director of Arbitration]

Entire text deleted.

[10104. Composition and Appointment of Panels]

Entire text deleted.

[IM-10104. Arbitrators' Honorarium]

Entire text deleted.

[10105. Non-Waiver of FINRA Objects and Purposes]

Entire text deleted.

[10106. Legal Proceedings]

Entire text deleted.

* * * * *

10200. INDUSTRY AND CLEARING CONTROVERSIES

[10201. Required Submission]

Entire text deleted.

[10202. Composition of Panels]

Entire text deleted.

[10203. Simplified Industry Arbitration]

Entire text deleted.

[10204. Applicability of Uniform Code]

Entire text deleted.

[10205. Schedule of Fees for Industry and Clearing Controversies]

Entire text deleted.

[10210. Statutory Employment Discrimination Claims]

Entire text deleted.

[10211. Special Arbitrator Qualifications for Employment Discrimination Disputes]

Entire text deleted.

[10212. Composition of Panels]

Entire text deleted.

[10213. Discovery]

Entire text deleted.

[10214. Awards]

Entire text deleted.

[10215. Attorneys' Fees]

Entire text deleted.

[10216. Coordination of Claims Filed in Court and in Arbitration]

Entire text deleted.

[10217. Fees]

Entire text deleted.

* * * * *

10300. UNIFORM CODE OF ARBITRATION

[10301. Required Submission]

Entire text deleted.

[10302. Simplified Arbitration]

Entire text deleted.

[IM-10302. Related Counterclaim]

Entire text deleted.

[10303. Hearing Requirements—Waiver of Hearing]

Entire text deleted.

[10304. Time Limitation Upon Submission]

Entire text deleted.

[10305. Dismissal of Proceedings]

Entire text deleted.

[10306. Settlements]

Entire text deleted.

[10307. Tolling of Time Limitation(s) for the Institution of Legal Proceedings and Extension of Time Limitation(s) for Submission to Arbitration]

Entire text deleted.

[10308. Selection of Arbitrators]

Entire text deleted.

[IM-10308. Arbitrators Who Also Serve as Mediators]

Entire text deleted.

[10309. Composition of Panels]

Entire text deleted.

[10310. Notice of Selection of Arbitrators]

Entire text deleted.

[10311. Peremptory Challenge]

Entire text deleted.

[10312. Disclosures Required of Arbitrators and Director's Authority to Disqualify]

Entire text deleted.

[10313. Disqualification or Other Disability of Arbitrators]

Entire text deleted.

[10314. Initiation of Proceedings]

Entire text deleted.

[10315. Determination of Hearing Location]

Entire text deleted.

[10316. Representation by Counsel]

Entire text deleted.

[10317. Attendance at Hearings]

Entire text deleted.

[IM-10317. Closing Arguments]

Entire text deleted.

[10318. Failure to Appear]

Entire text deleted.

[10319. Adjournments]

Entire text deleted.

[10320. Acknowledgement of Pleadings]

Entire text deleted.

[10321. General Provisions Governing Pre-Hearing Proceedings]

Entire text deleted.

[10322. Subpoenas and Power to Direct Appearances]

Entire text deleted.

[10323. Evidence]

Entire text deleted.

[10324. Interpretation of Provisions of Code and Enforcement of Arbitrator Rulings]

Entire text deleted.

[10325. Determination of Arbitrators]

Entire text deleted.

[10326. Record of Proceedings]

Entire text deleted.

[10327. Oaths of the Arbitrators and Witnesses]

Entire text deleted.

[10328. Amendments]

Entire text deleted.

[10329. Reopening of Hearings]

Entire text deleted.

[10330. Awards]

Entire text deleted.

[10331. Incorporation by Reference]

Entire text deleted.

[10332. Schedule of Fees for Customer Disputes]

Entire text deleted.

[10333. Member Surcharge and Process Fees]

Entire text deleted.

[10334. Direct Communication Between Parties and Arbitrators]

Entire text deleted.

[10335. Temporary Injunctive Orders; Requests for Permanent Injunctive Relief]

Entire text deleted.

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