

**From:** [f.schwerbrock@germanlawfirm.eu](mailto:f.schwerbrock@germanlawfirm.eu)  
**To:** [Comments, Public](#)  
**Subject:** Re: Suggestions to make trading in stocks and shares a level-playing field for all investors  
**Date:** Tuesday, August 3, 2021 3:38:05 PM

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Dear Sirs ,

I would like to draw your attention to the following points and sincerely hope that the FINRA/SEC would give them serious consideration and make trading in stocks and shares a level-playing field for all investors.

Due to what happened to the share prices of (\$GME since January 2021), (\$AMC since May 2021), (\$CLOV since June 2021) and also dozens of other stocks, millions of ordinary retail investors have become aware of how certain large players appear to use 'dark pool trades', 'naked short-selling', 'failure-to-deliver' trades and 'short ladder attacks' to the detriment of tens of millions of retail investors.

Currently, figures for "Short Interest" and "Failure-to-Deliver" are made public up to two weeks after Trade date! As Settlement date is usually two working days after Trade date and though each FINRA member firm is required to report its "total" short interest positions by 6 p.m. on the second working day after Settlement date to the relevant regulatory body, for example NASDAQ, that price-sensitive information is made public five working days later! The question that comes to mind is why such price-sensitive information is not immediately made public.

I am assuming that the reason for five working days' delay is not because the figures are checked before they are made public, as short interest is typically published by a stock exchange once per month! I hope that you can understand why majority of retail investors feel that current rules and practices appear to have been designed to help certain large players and institutional investors, instead of making trading in stocks and shares fair for all investors.

As almost all trading in stocks and shares is carried out electronically now, there is no reason for this unnecessary two weeks' delay from trade date, as it adversely affects all investors but particularly retail investors.

I suggest that the following changes are made as soon as possible:-

1. Settlement date should be same as trade date, for all stocks and shares trading.
2. Each FINRA member firm should be required to report its "total" short interest positions by 2 p.m. on the next working day after the Settlement date to the relevant regulatory body, for example, NASDAQ.
3. "Short Interest", "Failure to Deliver" and other price-sensitive data should be made public by 6 a.m. on the next working day after the information is received by the relevant regulatory body.
4. If it is found that a FINRA member has deliberately reported incorrect or misleading data to the relevant regulatory body, that FINRA member should be heavily fined and/or severely reprimanded.

If the above changes are made, all investors would be trading on price-sensitive information that is only one working day old - instead of two weeks or even a whole month! Majority of retail investors will agree that the above changes are long overdue, as these changes alone will make many unfair practices almost obsolete. Also, there can not be many valid reasons for objections by those who would like to continue with their unfair practices, to the detriment of tens of millions of retail investors.

You may be interested to know that retail investors have formed various community groups to

help and support each other via the internet, particularly since January 2021 - the largest community group has almost 11 million members now! Thus, previously unorganized retail investors have become a formidable force and are very unhappy to discover how certain large players use 'dark pool trades', 'naked short-selling', 'failure-to-deliver' trades and 'short ladder attacks' to the detriment of tens of millions of retail investors.

Yours sincerely,

Florian Schwerbrock

Rechtsanwalt -Attorney-at-law

**LEE & SCHWERBROCK**

Tel: +49 - (030) 473 72 272

Fax: +49 - (030) 473 72 273

Address: Hagenauer Strasse 1, 10435 Berlin, Germany

E-Mail: [mail@germanlawfirm.eu](mailto:mail@germanlawfirm.eu)

Website: [www.germanlawfirm.eu](http://www.germanlawfirm.eu) [[germanlawfirm.eu](http://germanlawfirm.eu)]

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