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**Sent Via U.S. Mail**

Financial Industry Regulatory Authority  
Attn: Marcia E. Asquith  
Office of the Corporate Secretary  
1735 K Street NW  
Washington, DC 20006-1506

Re: **FINRA Regulatory Notice 17-42**  
**(December 6, 2017)**

Dear Mrs. Asquith:

I write to endorse the cogent and prescient arguments contained in a comment submitted by the firm of Jones Bell dated January 9, 2018 and noted as received by FINRA on January 10, 2018.

I would only add the following comment:

The essence of Due Process is fundamental fairness. FINRA as an industry regulator must maintain both the appearance of fairness and effectuate processes that are fundamentally fair: fair to all parties.

The perceived and actual effect of the proposed amendments fails to meet even a casual due process review.

Accordingly, I urge FINRA to reject Regulatory Notice 17-42.

Very truly yours,

  
Ralph S. Behr, Esq.

cc: Jones, Bell, Abbott, Fleming & Fitzgerald, L.L.P.