

**ATTACHMENT A**

New language is underlined; deletions in brackets.

**Customer Code**

**12214. Payment of Arbitrators**

(a) Except as provided in paragraph (b) and in Rule 12800, FINRA will pay the panel an honorarium, as follows:

- \$[200] 300 to each arbitrator for each hearing session in which he or she participates;
  - an additional \$[75] 125 per day to the chairperson for each hearing on the merits;
  - no change to this bullet;
- and
- no change to this bullet.

(b) No change.

(c) Payment for Deciding Discovery-Related Motions Without a Hearing Session

(1) - (3) No change.

(d) Payment for Deciding Contested Subpoena Requests Without a Hearing Session

(1) The honorarium for deciding one or more contested motions requesting the issuance of a subpoena without a hearing session shall be \$[200] 250. The honorarium shall be paid on a per case basis to each arbitrator who decides the contested motion(s). The parties shall not be assessed more than \$[600] 750 in fees under this paragraph in any arbitration proceeding. The honorarium shall not be paid for cases administered under Rule 12800.

(2) - (3) No change.

(e) Payment for Explained Decisions

(1) - (2) No change.

\* \* \* \* \*

**12800. Simplified Arbitration**

**(a) - (e) No change.**

**(f) Arbitrator Honoraria**

FINRA will pay the arbitrator an honorarium of \$[125] 350 for each arbitration administered under this rule.

\* \* \* \* \*

**12900. Fees Due When a Claim Is Filed****(a) Fees for Claims Filed by Customers, Associated Persons and Other Non-Members**

(1) Customers, associated persons, and other non-members who file a claim, counterclaim, cross claim or third party claim must pay a filing fee in the amount indicated in the schedule below. The Director may defer payment of all or part of the filing fee on a showing of financial hardship. If payment of the fee is not deferred, failure to pay the required amount will result in a deficiency under Rule 12307.

<b><i>Filing Fees for Claims Filed by Customers, Associated Persons, and Other Non-Members</i></b>	
<b><i>Amount of Claim (exclusive of interest and expenses)</i></b>	<b><i>Filing Fee</i></b>
\$.01 to \$1,000	\$50
\$1,000.01 to \$2,500	\$75
\$2,500.01 to \$5,000	\$175
\$5,000.01 to \$10,000	\$325
\$10,000.01 to \$25,000	\$425
\$25,000.01 to \$50,000	\$600
\$50,000.01 to \$100,000	\$975
\$100,000.01 to \$500,000	\$1,425
\$500,000.01 to \$[1 million] <u>1,000,000</u>	[\$1,575] <u>1,725</u>
<u>\$1,000,000.01 to \$5,000,000</u>	[\$1,800] <u>2,000</u>
Over \$[1 million] <u>5,000,000</u>	[\$1,800] <u>2,250</u>
Non-Monetary / Not Specified	[\$1,250] <u>1,575</u>

(2) If the claim does not request or specify money damages, the Director may determine that the filing fee should be more or less than the amount specified in the schedule above, but in any event, the amount of the filing fee may not be less than \$50 or more than \$[1,800] 2,250.

**(b) Fees for Claims Filed by Members**

(1) Members filing a claim, counterclaim, cross claim, or third party claim must pay a filing fee in the amount indicated in the schedule below. Failure to pay the required amount will result in a deficiency under Rule 12307.

<b><i>Fees for Claims Filed by Members</i></b>	
<b><i>Amount of Claim (exclusive of interest and expenses)</i></b>	<b><i>Filing Fee</i></b>
\$.01 to \$1,000	\$225
\$1,000.01 to \$2,500	\$350
\$2,500.01 to \$5,000	\$525
\$5,000.01 to \$10,000	\$750
\$10,000.01 to \$25,000	\$1,050
\$25,000.01 to \$50,000	\$1,450
\$50,000.01 to \$100,000	\$1,750
\$100,000.01 to \$500,000	\$2,125
\$500,000.01 to \$1,000,000	\$[2,450] <u>2,550</u>
\$1,000,000.01 to \$5,000,000	\$[3,200] <u>3,400</u>
Over \$5,000,000	\$[3,700] <u>4,000</u>
Non-Monetary / Not Specified	\$[1,500] <u>1,700</u>

(2) If the claim does not request or specify money damages, the Director may determine that the filing fee should be more or less than the amount specified in the schedule above, but in any event, the filing fee may not be less than \$225 or more than \$[3,700] 4,000.

**(c) Partial Refund of Filing Fee**

(1) If a claim is settled or withdrawn more than 10 days before the date that the hearing on the merits under Rule 12600 is scheduled to begin, a party paying a filing fee will receive a partial refund of the filing fee in the amount indicated in the schedule below, less any other fees or costs assessed against the party under the Code, including any hearing session fees assessed under Rule 12902. No refund will be paid if FINRA receives notice that a claim is settled or withdrawn within 10 days of the date that the hearing on the merits under Rule 12600 is scheduled to begin.

<b>Partial Refund for Settlement or Withdrawal More Than 10 Days Before Hearing on the Merits</b>	
<b>Amount of Claim</b> (exclusive of interest and expenses)	<b>Refund</b>
\$.01 to \$1,000	\$25
\$1,000.01 to \$2,500	\$50
\$2,500.01 to \$5,000	\$125
\$5,000.01 to \$10,000	\$250
\$10,000.01 to \$25,000	\$300
\$25,000.01 to \$50,000	\$450
\$50,000.01 to \$100,000	\$750
\$100,000.01 to \$500,000	\$1,125
<u>\$500,000.01 to \$1,000,000</u>	<u>\$(1,200) 1,300</u>
<u>\$1,000,000.01 to \$5,000,000</u>	<u>\$(1,200) 1,400</u>
<u>Over \$[500,000] 5,000,000</u>	<u>\$(1,200) 1,500</u>
Non-[m] Monetary / Not Specified	<u>\$(1,000) 1,200</u>

(2) No change.

**(d) Reimbursement of Filing Fees**

No change.

\* \* \* \* \*

**12901. Member Surcharge**

**(a) Member Surcharge**

(1) A surcharge in the amount indicated in the schedule below will be assessed against each member that:

No change to bulleted text.

<b>Member Surcharge</b>	
<b>Amount [in Dispute]of Claim</b> (exclusive of interest and expenses)	<b>Surcharge</b>
[Up] <u>\$.01</u> to \$[2,500] <u>5,000</u>	\$150
[\$2,500.01 to \$5,000]	[\$200]
\$5,000.01 to \$10,000	\$325
\$10,000.01 to \$25,000	\$[425] <u>450</u>
\$25,000.01 to \$[30,000] <u>\$50,000</u>	\$[600] <u>750</u>
[\$30,000.01 to \$50,000]	[\$875]
\$50,000.01 to \$100,000	\$1,100
\$100,000.01 to \$[500,000] <u>250,000</u>	\$1,700
<u>\$250,000.01 to \$500,000</u>	\$[1,700] <u>1,900</u>
\$500,000.01 - \$1,000,000	\$[2,250] <u>2,475</u>
\$1,000,000.01 - \$5,000,000	\$[2,800] <u>3,025</u>
\$5,000,000.01 - \$10,000,000	\$[3,350] <u>3,600</u>
Over \$10,000,000	\$[3,750] <u>4,025</u>
Non-Monetary / Not Specified	\$[1,500] <u>1,900</u>

(2) If the claim does not request or specify money damages, the Director may determine that the member surcharge should be more or less than the amount specified in the schedule above, but in any event the amount of the member surcharge may not be less than \$150 or more than \$[3,750] 4,025.

(3) No change.

(4) No change.

**(b) Refund of Member Surcharge**

(1) – (2) No change.

\* \* \* \* \*

**12902. Hearing Session Fees, and Other Costs and Expenses**

**(a) Hearing Session Fees**

(1) Hearing session fees will be charged for each hearing session. The total amount chargeable to the parties for each hearing session is based on the amount in dispute, as specified in the schedule below. In the award, the panel will determine the amount of each hearing session fee that each party must pay.

<b>Hearing Session Fees</b>		
<b>Amount of Claim (exclusive of interest and expenses)</b>	<b>Hearing Session W/ One Arbitrator</b>	<b>Hearing Session W/ Three Arbitrators</b>
Up to \$2,500	\$50	N/A
\$2500.01 to \$5,000	\$125	N/A
\$5000.01 to \$10,000	\$250	N/A
\$10,000.01 to \$25,000	\$450	N/A
\$25,000.01 to \$50,000	\$450	\$600
\$50,000.01 to \$100,000	\$450	\$750
\$100,000.01 to \$500,000	\$450	\$1,125
<u>\$500,000.01 to \$1,000,000</u>	\$450	[\$1,200] <u>1,300</u>
<u>\$1,000,000.01 to \$5,000,000</u>	\$450	[\$1,200] <u>1,400</u>
Over <u>[\$500,000] 5,000,000</u>	\$450	[\$1,200] <u>1,500</u>
[Unspecified Damages] <u>Non-Monetary / Not Specified</u>	\$450	[\$1,000] <u>1,125</u>

(2) If the claim does not request or specify money damages, the Director may determine that the hearing session fee should be more or less than the amount specified in the schedule above, but in any event the hearing session fee shall not be less than \$50 or more than [\$1,200] 1,500 for each hearing session.

(3) No change.

(4) No change.

**(b) - (e)** No change.

\* \* \* \* \*

**12903. Process Fees Paid by Members**

(a) Each member that is a party to an arbitration in which more than \$25,000, exclusive of interest and expenses, is in dispute must pay[:

- A] a non-refundable [prehearing] process fee [of \$750], due at the time the parties are sent arbitrator lists in accordance with Rule 12402(c) or Rule 12403(b)]; and
- A non-refundable hearing process fee, due when the parties are notified of the date and location of the hearing on the merits under Rule 12600], as set forth in the schedule below.

<b>[Hearing] Process Fee Schedule</b>	
<b>Amount of Claim (exclusive of interest and expenses)</b>	<b>[Hearing] Process Fee</b>
\$[1] <u>.01</u> - \$25,000	\$0
\$25,000.01 - \$50,000	\$1,750
\$50,000.01 - \$100,000	\$[1,700] <u>2,250</u>
\$100,000.01 – \$[500,000] <u>250,000</u>	\$[2,750] <u>3,250</u>
<u>\$250,000.01 - \$500,000</u>	\$[2,750] <u>3,750</u>
\$500,000.01 - \$1,000,000	\$[4,000] <u>5,075</u>
\$1,000,000.01 - \$5,000,000	\$[5,000] <u>6,175</u>
<u>\$5,000,000.01 - \$10,000,000</u>	\$[5,500] <u>6,800</u>
[More than] <u>Over</u> \$[5,000,000] <u>10,000,000</u>	\$[5,500] <u>7,000</u>
Non-Monetary / Not Specified	\$[2,200] <u>3,750</u>

(b) If an associated person of a member is a party, the member that employed the associated person at the time the dispute arose will be charged the process fees, even if the member is not a party. No member shall be assessed more than one [prehearing and one hearing] process fee in any arbitration.

(c) The panel may not reallocate to any other party any [prehearing and hearing] process fees paid by a member.

\* \* \* \* \*

**Industry Code**

**13214. Payment of Arbitrators**

(a) Except as provided in paragraph (b), Rule 13800, and Rule 13806(f), FINRA will pay the panel an honorarium, as follows:

- \$[200] 300 to each arbitrator for each hearing session in which he or she participates;
  - an additional \$[75] 125 per day to the chairperson for each hearing on the merits;
  - no change to this bullet;
- and
- no change to this bullet.

(b) No change.

(c) Payment for Deciding Discovery-Related Motions Without a Hearing Session

(1) - (3) No change.

(d) Payment for Deciding Contested Subpoena Requests Without a Hearing Session

(1) The honorarium for deciding one or more contested motions requesting the issuance of a subpoena without a hearing session shall be \$[200] 250. The honorarium shall be paid on a per case basis to each arbitrator who decides the contested motion(s). The parties shall not be assessed more than \$[600] 750 in fees under this paragraph in

any arbitration proceeding. The honorarium shall not be paid for cases administered under Rule 13800.

(2) - (3) No change.

(e) Payment for Explained Decisions

(1) - (2) No change.

\* \* \* \* \*

**13800. Simplified Arbitration**

**(a) - (e) No change.**

**(f) Arbitrator Honoraria**

FINRA will pay the arbitrator an honorarium of \$[125] 350 for each arbitration administered under this rule.

\* \* \* \* \*

**13900. Fees Due When a Claim Is Filed**

**(a) Fees for Claims Filed by Associated Persons**

(1) Associated persons who file a claim, counterclaim, cross claim or third party claim must pay a filing fee in the amount indicated in the schedule below. The Director may defer payment of all or part of the filing fee on a showing of financial hardship. If payment of the fee is not deferred, failure to pay the required amount will result in a deficiency under Rule 13307.



<b>Filing Fees for Claims Filed by Associated Persons</b>	
<b>Amount of Claim</b> (exclusive of interest and expenses)	<b>Filing Fee</b>
\$.01 to \$1,000	\$50
\$1,000.01 to \$2,500	\$75
\$2,500.01 to \$5,000	\$175
\$5,000.01 to \$10,000	\$325
\$10,000.01 to \$25,000	\$425
\$25,000.01 to \$50,000	\$600
\$50,000.01 to \$100,000	\$975
\$100,000.01 to \$500,000	\$1,425
\$500,000.01 to \$[1 million] <u>1,000,000</u>	[\$1,575] <u>1,725</u>
<u>\$1,000,000.01 to \$5,000,000</u>	[\$1,800] <u>2,000</u>
Over \$[1 million] <u>5,000,000</u>	[\$1,800] <u>2,250</u>
Non-Monetary / Not Specified	[\$1,250] <u>1,575</u>

(2) If the claim does not request or specify money damages, the Director may determine that the filing fee should be more or less than the amount specified in the schedule above, but in any event, the amount of the filing fee may not be less than \$50 or more than \$[1,800] 2,250.

**(b) Fees for Claims Filed by Members**

(1) Members filing a claim, counterclaim, cross claim, or third party claim must pay a filing fee in the amount indicated in the schedule below. Failure to pay the required amount will result in a deficiency under Rule 13307.

<b>Fees for Claims Filed by Members</b>	
<b>Amount of Claim</b> (exclusive of interest and expenses)	<b>Filing Fee</b>
\$.01 to \$1,000	\$225
\$1,000.01 to \$2,500	\$350
\$2,500.01 to \$5,000	\$525
\$5,000.01 to \$10,000	\$750
\$10,000.01 to \$25,000	\$1,050
\$25,000.01 to \$50,000	\$1,450
\$50,000.01 to \$100,000	\$1,750
\$100,000.01 to \$500,000	\$2,125
\$500,000.01 to \$1,000,000	[\$2,450] <u>2,550</u>
\$1,000,000.01 to \$5,000,000	[\$3,200] <u>3,400</u>
Over \$5,000,000	[\$3,700] <u>4,000</u>
Non-Monetary / Not Specified	[\$1,500] <u>1,700</u>

(2) If the claim does not request or specify money damages, the Director may determine that the filing fee should be more or less than the amount specified in the

schedule above, but in any event, the filing fee may not be less than \$225 or more than \$[3,700] 4,000.

**(c) Partial Refund of Filing Fee**

(1) If a claim is settled or withdrawn more than 10 days before the date that the hearing on the merits under Rule 13600 is scheduled to begin, a party paying a filing fee will receive a partial refund of the filing fee in the amount indicated in the schedule below, less any other fees or costs assessed against the party under the Code, including any hearing session fees assessed under Rule 13902. No refund will be paid if FINRA receives notice that a claim is settled or withdrawn within 10 days of the date that the hearing on the merits under Rule 13600 is scheduled to begin.

<b><i>Partial Refund for Settlement or Withdrawal More Than 10 Days Before Hearing on the Merits</i></b>	
<b><i>Amount of Claim (exclusive of interest and expenses)</i></b>	<b><i>Refund</i></b>
\$.01 to \$1,000	\$25
\$1,000.01 to \$2,500	\$50
\$2,500.01 to \$5,000	\$125
\$5,000.01 to \$10,000	\$250
\$10,000.01 to \$25,000	\$300
\$25,000.01 to \$50,000	\$450
\$50,000.01 to \$100,000	\$750
\$100,000.01 to \$500,000	\$1,125
\$500,000.01 to \$1,000,000	\$[1,200] <u>1,300</u>
\$1,000,000.01 to \$5,000,000	\$[1,200] <u>1,400</u>
Over \$[500,000] <u>5,000,000</u>	\$[1,200] <u>1,500</u>
Non-[m] Monetary / Not specified	\$[1,000] <u>1,200</u>

(2) No change.

**(d) Reimbursement of Filing Fees**

No change.

\* \* \* \* \*

**13901. Member Surcharge**

(a) A surcharge in the amount indicated in the schedule below will be assessed against each member that:

No Change to bulleted text.

<b>Member Surcharge</b>	
<b>Amount [in Dispute]of Claim</b> (exclusive of interest and expenses)	<b>Surcharge</b>
[Up] <u>\$.01</u> to \$[2,500] <u>5,000</u>	\$150
[\$2,500.01 to \$5,000]	[\$200]
\$5,000.01 to \$10,000	\$325
\$10,000.01 to \$25,000	\$[425] <u>450</u>
\$25,000.01 to \$[30,000] <u>\$50,000</u>	\$[600] <u>750</u>
[\$30,000.01 to \$50,000]	[\$875]
\$50,000.01 to \$100,000	\$1,100
\$100,000.01 to \$[500,000] <u>250,000</u>	\$1,700
<u>\$250,000.01 to \$500,000</u>	\$[1,700] <u>1,900</u>
\$500,000.01 - \$1,000,000	\$[2,250] <u>2,475</u>
\$1,000,000.01 - \$5,000,000	\$[2,800] <u>3,025</u>
\$5,000,000.01 - \$10,000,000	\$[3,350] <u>3,600</u>
Over \$10,000,000	\$[3,750] <u>4,025</u>
Non-Monetary / Not Specified	\$[1,500] <u>1,900</u>

(b) If the claim does not request or specify money damages, the Director may determine that the member surcharge should be more or less than the amount specified in the schedule above, but in any event the amount of the member surcharge may not be less than \$150 or more than \$[3,750] 4,025.

(c) – (e) No change.

\* \* \* \* \*

**13902. Hearing Session Fees, and Other Costs and Expenses**

**(a) Hearing Session Fees**

(1) Hearing session fees will be charged for each hearing session. The total amount chargeable to the parties for each hearing session is based on the amount in dispute, as specified in the schedule below. In the award, the panel will determine the amount of each hearing session fee that each party must pay.

<b>Hearing Session Fees</b>		
<b><i>Amount of Claim (exclusive of interest and expenses)</i></b>	<b><i>Hearing Session W/ One Arbitrator</i></b>	<b><i>Hearing Session W/ Three Arbitrators</i></b>
Up to \$2,500	\$50	N/A
\$2500.01 to \$5,000	\$125	N/A
\$5000.01 to \$10,000	\$250	N/A
\$10,000.01 to \$25,000	\$450	N/A
\$25,000.01 to \$50,000	\$450	\$600
\$50,000.01 to \$100,000	\$450	\$750
\$100,000.01 to \$500,000	\$450	\$1,125
<u>\$500,000.01 to \$1,000,000</u>	\$450	[\$1,200] <u>1,300</u>
<u>\$1,000,000.01 to \$5,000,000</u>	\$450	[\$1,200] <u>1,400</u>
Over <del>[\$500,000]</del> <u>5,000,000</u>	\$450	[\$1,200] <u>1,500</u>
[Unspecified Damages] <u>Non-Monetary / Not Specified</u>	\$450	[\$1,000] <u>1,125</u>

(2) If the claim does not request or specify money damages, the Director may determine that the hearing session fee should be more or less than the amount specified in the schedule above, but in any event the hearing session fee shall not be less than \$50 or more than ~~[\$1,200]~~ 1,500 for each hearing session.

(3) No change.

(4) No change.

**(b) - (e)** No change.

\* \* \* \* \*

**13903. Process Fees Paid by Members**

(a) Each member that is a party to an arbitration in which more than \$25,000, exclusive of interest and expenses, is in dispute must pay[:

- A] non-refundable [prehearing] process fee [of \$750], due at the time the parties are sent arbitrator lists in accordance with Rule 13403(b)[; and
- A non-refundable hearing process fee, due when the parties are notified of the date and location of the hearing on the merits under Rule 13600], as set forth in the schedule below.

<b>[Hearing] Process Fee Schedule</b>	
<b>Amount of Claim</b> (exclusive of interest and expenses)	<b>[Hearing] Process Fee</b>
\$[1] .01 - \$25,000	\$0
\$25,000.01 - \$50,000	\$1,750
\$50,000.01 - \$100,000	\$[1,700] <u>2,250</u>
\$100,000.01 – \$[500,000] <u>250,000</u>	\$[2,750] <u>3,250</u>
<u>\$250,000.01 - \$500,000</u>	\$[2,750] <u>3,750</u>
\$500,000.01 - \$1,000,000	\$[4,000] <u>5,075</u>
\$1,000,000.01 - \$5,000,000	\$[5,000] <u>6,175</u>
\$5,000,000.01 - \$10,000,000	\$[5,500] <u>6,800</u>
[More than] <u>Over</u> \$[5,000,000] <u>10,000,000</u>	\$[5,500] <u>7,000</u>
Non-Monetary / Not Specified	\$[2,200] <u>3,750</u>

(b) If an associated person of a member is a party, the member that employed the associated person at the time the dispute arose will be charged the process fees, even if the member is not a party. No member shall be assessed more than one [prehearing and one hearing] process fee in any arbitration.

(c) The panel may not reallocate to any other party any [prehearing and hearing] process fees paid by a member.