



## Arbitrator Disciplinary Referral Form

This form is to be used by arbitrators who want to refer potential misconduct, fraudulent activity, and unethical behavior to FINRA for investigation. Please submit the form to the attention of Todd Saltzman, Vice President of Dispute Resolution Services, by email at [todd.saltzman@finra.org](mailto:todd.saltzman@finra.org).

In this form, you should discuss only those facts and circumstances that underlie your decision to refer this case for disciplinary investigation. You should not describe in this form the basis for your award in the arbitration case.

You should also not discuss this matter with any person, including the parties or their counsel in the arbitration proceeding. Please alert Todd Saltzman by phone at (212) 858-4273 in the event anyone contacts you to discuss this referral.

### I. CASE INFORMATION

Case No.: \_\_\_\_\_ Case Administrator: \_\_\_\_\_

Case Name: \_\_\_\_\_

Date of Arbitration Award, Case Settlement, or Withdrawal of Claims: \_\_\_\_\_

Arbitrator Name(s) Making Referral: \_\_\_\_\_

Arbitrator ID(s): \_\_\_\_\_

Arbitrator's Phone Number(s): \_\_\_\_\_

Arbitrator Email(s):

Who is being referred for review? Be specific as to firms and/or associated persons and, if applicable, include CRD numbers.

## II. BASIS FOR REFERRAL

Nature of Potential Violation (check all that apply):

|               |                                  |  |
|---------------|----------------------------------|--|
| Suitability   | Unauthorized trading             | Failure to comply with injunction      |
| Trading ahead | Selling away                     | Failure to comply with discovery order |
| Churning      | Failure to supervise             | Failure to comply with other order     |
| Fraud         | Failure to submit to arbitration | Other (please describe below)          |

When did the activity that is the basis of the referral take place? (It is not necessary to identify exact dates; the year and duration of the activity are sufficient.)

Please explain the reason for referral in narrative form. Provide details that would be helpful to an investigator, such as specific actions, names, dates, etc. Examples: For fraud or misrepresentation, identify the specific nature of the fraud, any specific misrepresentations that were made, when they were made, to whom, etc. For a referral based on unsuitability, churning, unauthorized trading, etc., identify the specific securities and trades that justify the referral, including dates. Referrals that state only "the

representative misrepresented something to the customer," or "there was unauthorized trading," for example, do not provide sufficient information to investigators, especially where the arbitration covered many transactions over a period of years.

Please identify any person who made a statement during the case related to the reason for the referral or who would be a useful contact during an investigation. If they made a statement, please explain the circumstances of the statement, including when the statement was made and whether it was verbal or written. If they would be a useful contact, please explain why.

Please identify any particular documents presented during the case that would be useful during an investigation or that may clarify the reason for the referral.

Date Submitted: