

February 22, 2013

Ms. Elizabeth M. Murphy, Secretary
The Securities and Exchange Commission
100 F Street N.E.
Washington, D.C. 20549-1090

Re: SR-FINRA-2013-003 (Proposed Rule Change to Amend FINRA Rule 12100)

Dear Ms. Murphy:

The purpose of this correspondence is to make public comment about the proposed amendment of FINRA Rule 12100. See, SR-FINRA-2013-003.

I am an attorney engaged in private practice with a concentration in representing aggrieved individual investors claiming against securities brokers and their affiliated companies. However, in addressing this subject I am neither acting in a representative capacity nor am I being compensated.

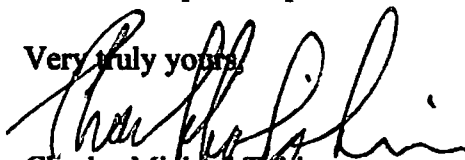
The proposed rule change, I believe, is in the public interest and will increase confidence in the arbitration process and is a step in protecting the actual integrity of that process.

The impartial and fair resolution of consumer complaints in the securities field is fundamental to public acceptance of the extra judicial process in place. While my view is that there will remain substantial inadequacies in the fair adjudication of investor complaints, even piecemeal improvements, such as the proposed amendment, are helpful pending a wholesale reformation of the process.

The proposed revision is two pronged. First, persons associated with hedge funds and mutual funds shall not come within the defined category of "public arbitrator". Second, certain professionals, having requisite business from investor disputes or representing securities regulated entities, shall henceforth fall outside the parameters of the "public arbitrator". Thus, revision of FINRA Rule 12100 redefining the meaning of "public arbitrator" is welcome.

The proposed revision is on its face and will in practice be one serving as a small step toward an equitable process.

Very truly yours,


Charles Michael Tobin