

McCAUSLAND

KEEN + BUCKMAN

80 W. Lancaster Avenue

4th Floor

Devon, PA 19333-1331

☎ 610.341.1000

🌐 mkbattorneys.com

GLENN S. GITOMER

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VIA EMAIL ONLY

rule-comments@sec.gov

Office of the Secretary

Securities and Exchange Commission

100 F Street NE

Washington, DC 20549-1090

Re: [SR-FINRA-2017-025](#)

Notice of Filing of a Proposed Rule Change Relating to the Definition of Non-public Arbitrator

To the Office of the Secretary:

I am a Partner and Chair of the Litigation Group of McCausland Keen + Buckman. My practice is devoted to the representation of individuals and institutions in disputes with the financial services industry. I am a former member of the Board of Directors of the Public Investors Arbitration Association (PIABA), and a former member of FINRA's National Arbitration and Mediation Committee (NAMC). I currently serve as Chair of FINRA's Discovery Task Force.

I write in support of the proposed amendment to FINRA Rule 12100 of the Code of Arbitration Procedure for Customer Disputes and Rule 13100 of the Code of Arbitration Procedure for Industry Disputes. This amendment would permit individuals, who meet the general arbitrator qualifications but do not fall within the definition of public arbitrators, to be eligible to serve on the non-public roster.

The proposed rule change will close an unnecessary gap. For instance, the current definition of public arbitrators excludes those with financial industry affiliation of an immediate family member, but such individuals are not included within the current definition of non-public arbitrators. By casting a wider net of inclusion, the proposed amendment will expand the pool of available arbitrators and provide a more diverse pool of non-public arbitrators for parties to choose from. I, therefore, fully support the proposed amended rules and urge their approval on an expedited basis.

Thank you for providing me with the opportunity to comment on this rule filing.

Very truly yours,



Glenn S. Gitomer

GSG/mr