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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-2018-026
Notice of Filing of a Proposed Rule Change Relating to Arbitrator Honorarium
to Decide with a Hearing Session a contested Subpoena Request on Contested
Orders for Appearance or Production

To the Office of the Secretary:

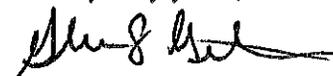
I am a Shareholder and Chair of the Litigation Group of McCausland Keen + Buckman. My practice is devoted to the representation of individuals and institutions in disputes with the financial services industry. I am a former member of the Board of Directors of the Public Investors Arbitration Association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

I write in support of the proposed amendments to FINRA Rule 12214(c) of the Code of Arbitration Procedure for Customer Disputes and Rule 13214(c) through (e) of the Code of Arbitration Procedure for Industry Disputes. These amendments would provide for a reasonable honorarium to arbitrators deciding contested requests to issue subpoenas and orders for production or appearance.

Currently, arbitrators are only compensated for participation in hearing sessions. Hearing sessions are not required to resolve contested motions for subpoenas or orders for production and appearance. A motion and the response thereto set forth the reasons why a subpoena or order to produce or appear should or should not be issued. The availability of testimony and documents at hearing is critical to a fair and just adjudication of claims and defenses. It is important that arbitrators who consider and decide these motions carefully review the papers and weigh the issues raised. It is appropriate that arbitrators receive reasonable compensation for the time and effort spent in deciding these important requests.

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

Very truly yours,



Glenn S. Gitomer

GSG/mr

McCausland Keen + Buckman
A Professional Corporation
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