

October 3, 2006

VIA E-MAIL TO _RULE-COMMENTS@SEC.GOV (mailto:_RULE-COMMENTS@SEC.GOV)

Nancy M. Morris, Secretary
Securities and Exchange Commission
100 F Street, N.E.
Washington, D.C. 20549-1090

Re: SR-NASD-2006-088
Proposed NASD Rule 12504–Dispositive Motions

Dear Ms. Morris:

I am an attorney in private practice in the Washington, D.C. area. The majority of my practice is devoted to the representation of individual investors against registered representatives and broker-dealers in NASD arbitration.

In my experience, I have found Respondents' counsel increasingly more likely to file Motions to Dismiss in NASD arbitrations. These Motions are burdensome and time-consuming, and they further erode any benefits to investors/consumers that may be present in the arbitration system. Furthermore, the Motions typically rely upon Respondents' allegations or affidavits regarding factual issues in dispute - a practice that is inappropriate considering the limited discovery in arbitration and the investors' supposed right to an evidentiary hearing.

For these reasons, I endorse and adopt the comments of the Public Investors Arbitration Bar Association (PIABA) previously filed addressing this issue.

Very truly yours,

/s/

W. Scott Greco
GRECO & GRECO, P.C.
1300 Old Chain Bridge Rd.
McLean, Virginia 22101
703-821-2777
Facsimile 703-893-9377
www.grecogrecolaw.com
wsgreco@grecogrecolaw.com