



JOEL E. DAVIDSON, ESQ*

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*ADMITTED IN NY & NJ

Via Federal Express

Brent J. Fields
Secretary
Securities and Exchange Commission
100 F. Street NE
Washington, D.C 20549-1090

November 29, 2016

Re: Kimberly Springsteen-Abbott
Admin Proceeding No 3-17560
MOTION TO SUBMIT ADDITIONAL EVIDENCE TO SUPPLEMENT RECORD

Dear Mr Fields:

Pursuant to SEC Rules of Practice 452, Appellant Kimberly Springsteen-Abbott ("Appellant") respectfully submits this motion to submit additional evidence to supplement the record in this case. Appellant is seeking reversal of a decision by the NAC, which affirmed a decision permanently barring her from FINRA.

Appellant is aware that motions to submit additional evidence are disfavored, but believes special circumstances exist which support her motion. The decisions below found that FINRA had established a prima facie case by identifying 1840 items it believed were misallocated, without submitting any evidence to support its contention with respect to as much as 98% of the items involved. The decisions stated that the burden then shifted to Appellant to prove that the items were not misallocated. Appellant proceeded with an understanding that DOE had the burden of proof. The "shifting of the burden" announced after the hearing was unexpected.

In order to clarify that the 1840 items did not in fact shift the burden, Appellant has reorganized and in some cases supplemented the evidence in the record to demonstrate that items were in fact documented and legitimate and/or could have been and that it was both unfair to shift the burden and unfair to find that she did not present evidence demonstrating that the allocations were appropriate, even though she did not have that burden.

Enclosed is a disk containing the reorganized data.

Respectfully submitted

cc. Marcia E. Asquith,
FINRA
1735 K Street NW
Washington DC 20006