BEFORE THE

SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, D.C.

Admin. Proc. File Nos. 3-18616, 3-18617, 3-18877, 3-18879, 3-18883, 3-18910, 3-18919, 3-18934, 3-18988, 3-19013, 3-19016, 3-19017, 3-19219, 3-19405, 3-19573, 3-19574, 3-19611, 3-20160, 3-20205, 3-20467, 3-20499, 3-20620, 3-20621

In the Matter of the Application of

Consolidated Arbitration Applications

For Review of Action Taken by

FINRA

UNOPPOSED MOTION TO AMEND EXHIBIT

Applicant, Vincent Rossi ("Rossi"), File No. 3-19405 in the Consolidated Arbitration Applications, hereby respectfully moves to Amend Exhibit 3 in the Opening Brief, pursuant to Rule 154 of the SEC Rules of Practice. Rossi moves to correct the record to insert the correct Arbitration Award for Rossi, as the incorrect award was inadvertently attached in the Opening Brief under Exhibit 3.[1] Counsel for Rossi has conferred with Counsel for FINRA and has confirmed that this motion is unopposed.

Dated: July 21, 2022

Respectfully submitted,

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[1] The correct award was filed in the certified record in the Rossi matter (FINRA 00011-15).

OS Received 07/21/2022

BEFORE THE

SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, D.C.

Admin. Proc. File Nos. 3-18616, 3-18617, 3-18877, 3-18879, 3-18883, 3-18910, 3-18919, 3-18934, 3-18988, 3-19013, 3-19016, 3-19017, 3-19219, 3-19228, 3-19405, 3-19573, 3-19574, 3-19588, 3-19611

In the Matter of the Application of

Consolidated Arbitration Applications

For Review of Action Taken by

FINRA

BRIEF IN SUPPORT OF MOTION TO AMEND EXHIBIT

Applicant, Vincent Rossi ("Rossi"), hereby respectfully moves the Commission for leave to Amend a portion of Exhibit 3 for the Opening Brief in the Consolidated Arbitration Applications Matter, pursuant to SEC Rule of Practice 154. Mr. Rossi seeks to correct Exhibit 3 to provide the correct arbitration award to match what is stated in the Opening Brief. *See*, Exhibit 1 Rossi's Arbitration Award.

The Commission should grant this motion to amend the exhibit as listed in the Opening Brief, as there are reasonable grounds for introducing this correction. First, this correction is not meant to introduce new evidence, as the correct award is listed in the record and available to FINRA. The correction of Exhibit 3 will not prejudice FINRA by providing an award already available to it. Moreover, supplying the correct Arbitration Award, as referenced in Rossi's Opening Brief, will not cause further delay of the process. Finally, Rossi's counsel has conferred with FINRA's counsel, and this motion is unopposed.

OS Received 07/21/2022

Dated: July 21, 2022

Respectfully submitted,

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OS Received 07/21/2022

CERTIFICATE OF SERVICE

I, Frederick Steimling, on July 21, 2022, certify that the foregoing Motion to Amend the Exhibit with Supporting Brief for the above listed Applicants was e-filed through the SEC's eFAP system and served by electronic mail on the following:

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Counsel for Sullivan and Cuenca

[X] (STATE) I certify (or declare) under penalty of perjury under the laws of the State of Colorado that the foregoing is true and correct.

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EXHIBIT 1

N.A.S.D. AWARD

NATIONAL ASSOCIATION OF SECURITIES DEALERS

In the Matter of the Arbitration Between

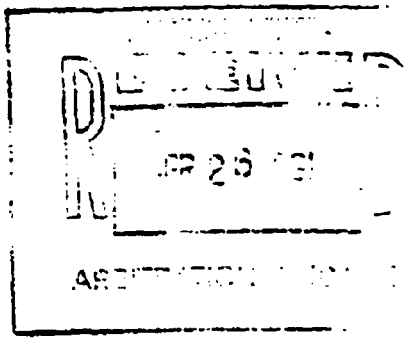
Name of Claimant(s)

Michael Fountain and Anita Fountain

89-01813

Name of Respondent(s)

Smith Barney Harris Upham & Co., Inc.
Jeffrey Burrows
Vincent Rossi



CASE SUMMARY

In a claim filed with the National Association of Securities Dealers, Inc. ("NASD") on or about June 15, 1989, Claimants Michael and Anita Fountain individually and on behalf of the Fountain Family Trust, Northwest Dental Professional Corporation Defined Benefit Pension Plan and on behalf of Dr. and Mrs. C.H. Mang and Mrs. Jane Fountain ("Claimants") alleged that Respondents Jeffrey Burrows ("Burrows") and Vincent Rossi ("Rossi") solicited Claimants to invest in their options trading program and other investments. Claimants alleged that Burrows and Rossi outlined a trading strategy which involved writing covered call options against blue chip common stocks and claimed that the program was highly computerized and designed to exit investment positions at a break even point to avoid any losses. Claimants opened several accounts with Smith Barney as a result of Burrows' and Rossi's solicitation on or about February 12, 1987. Claimants alleged that they informed Rossi and Burrows that they wished to invest their pension monies in Putnam Option Income Trust II which was allegedly represented as a very conservative mutual fund paying high and reliable distributions to its shareholders. Claimants also invested funds with Rossi and Burrows in a "Family Trust Account". Claimants alleged that Burrows and Rossi churned the Family Trust account.

The foregoing allegations of Claimants were made to support causes of action for relief under Section 10b of the Securities Exchange Act of 1934 and Rule 10b-5 promulgated thereunder, the Arizona Securities Law, Arizona Racketeering claim under A.R.S. 13-2301(D)(4)(r) and (t), consumer fraud under A.R.S. 44-1522(A), breach of contract, restitution, breach of fiduciary duty, breach of trust, breach of agency, constructive fraud, fraud, intentional misrepresentation, negligent misrepresentation, conversion, negligence, violation of Article III, Section 2 of the NASD Rules of Fair Practice and NYSE Rule 342, failure to provide supervision and control, Article III,Section 1 of the NASD Rules of Fair Practice and NYSE Rule 401, Article III Section 2 of the NASD Rules of Fair Practice and NYSE Rule 405 and various other self-regulatory organization rules.

In a joint statement of answer filed with the NASD on or about November 8, 1989 by Smith Barney, and Burrows and a separate answer field on or about December 26, 1989 on behalf of Rossi, it was alleged that the Claimants were never misled as to the risks attendant to their investment program. It was further alleged that no one ever guaranteed that the Claimants would not lose any money.

RELIEF REQUESTED

Claimants requested actual damages of $147,292.74 plus 10% interest from date of Claimants' investment, attorneys' fees, treble damages and punitive damages.

Smith Barney, Burrows and Rossi requested dismissal of the claim in its entirety and assessment of costs to Claimants.

PROCEDURAL MATTERS

The chairman participated in pre-hearing conferences on November 8, 1990, November 14, 1990 and February 1, 1991 to resolve certain discovery issues. Each of these pre-hearing conferences lasted one session.

On November 19 & 20, 1990 and February 16 & 17, 1991 in Scottsdale, Arizona during a hearing lasting a total of eleven (11) sessions, the undersigned arbitrators heard the controversy between the parties as set forth in submissions to arbitration signed on June 2, 1989 by Claimants Michael and Anita Fountain, on November 6, 1989 by David Levy on behalf of Respondent Smith Barney, Harris & Upham & Co., Inc. and on November 19, 1990 by Respondents Jeffrey Burrows and Vincent Rossi.

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered. In either case, the parties have agreed to receive conformed copies of the award while the original(s) remain on file with the NASD.

AWARD

The arbitration panel, having considered the pleadings, the testimony, and the evidence presented at the hearing, has decided in full and final resolution of the issues submitted for determination as follows:

1. Smith Barney, Burrows and Rossi are jointly and severally liable for and shall pay to Claimant Jane Fountain the sum of Nine Thousand One Hundred Ninety Nine Dollars and Sixty Cents ($9,199.60);

2. Simple interest at the rate of 10% is awarded on the above stated sum from and inclusive of February 12, 1987 to and inclusive of the date the award is paid;

3. All other claims of Claimants are dismissed including any claims for treble damages, punitive damages or attorneys' fees;

4. The parties shall each bear their respective costs, expenses and attorneys' fees; and

5. Pursuant to Section 43(c) of the Code of Arbitration Procedure, the National Association of Securities Dealers, Inc. shall refund the hearing session deposit in the amount of $ 750.00 previously deposited with the NASD by the Claimants. Smith Barney is assessed and shall pay to the NASD forum fees in the amount of $10,500.00.

Dated: _____

K. Leonard Jucson
Presiding Chair

Dated: April 23, 1991

Daniel J. Danvir
Daniel J. Danvir

Dated: _____

Harry Hamilton Herts
Industry Arbitrator

Date Served: _____

4. The parties shall each bear their respective costs, expenses attorneys' fees; and

5. Pursuant to Section 43(c) of the Code of Arbitration Procedure, National Association of Securities Dealers, Inc. shall refund hearing session deposit in the amount of $ 750.00 previously depos. with the NASD by the Claimants. Smith Barney is assessed and shall to the NASD forum fees in the amount of $10,500.00.

Dated: _____

K. Leonard Judson
Presiding Chair

Dated: _____

Daniel J. Danvir

Dated: April 22, 1991

Harry Hamilton Harts
Industry Arbitrator

Date Served: _____

4. The parties shall each bear their respective costs, expenses attorneys' fees; and

5. Pursuant to Section 43(c) of the Code of Arbitration Procedure. National Association of Securities Dealers, Inc. shall refund hearing session deposit in the amount of $ 750.00 previously depos with the NASD by the Claimants. Smith Barney is assessed and shal to the NASD forum fees in the amount of $10,500.00.

Dated: April 22, 1991

K. Leonard Judeen
Presiding Chair

Dated: _____

Daniel J. Danvir

Dated: _____

Harry Hamilton Harts
Industry Arbitrator

Date Served: _____