

**BEFORE THE
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C.**

In the Matter of the Application of

Adam Strege

File No. 3-21880

For Review of Action Taken by
Financial Industry Regulatory Authority

**FINRA’S MOTION TO DISMISS APPEAL AS ABANDONED
AND STAY THE BRIEFING SCHEDULE**

Pursuant to SEC Rules of Practice 154 and 180(c), FINRA moves to dismiss as abandoned the application for review filed by applicant Adam Strege and to stay the briefing schedule while this motion is pending. Strege has not filed his brief in support of his application for review by the May 13, 2024 deadline established by the Commission in this proceeding. Nor has Strege requested an extension of time. In support of its motion, FINRA states:

1. On November 30, 2022, Strege filed an amended statement of claim in FINRA’s arbitration forum, FINRA’s Dispute Resolution Services (“DRS”) against FINRA member firm TD Ameritrade, Inc. and a non-FINRA-member bank, alleging, among other things, that TD Ameritrade violated FINRA suitability rules and the Americans with Disabilities Act (“FINRA Case No. 22-02722”). RP at 121-131. Strege’s statement of claim contained numerous references to violence and other troubling statements. The Director of DRS (the “Director”) denied Strege access to FINRA’s arbitration forum pursuant to FINRA Rule 12203, and Strege appealed the denial of forum to the Commission. RP 243, 255-56. On January 3, 2024, the Commission remanded the proceeding to FINRA so that FINRA could consider in the first

instance providing an adequate basis for the Director's denial of the use of FINRA's arbitration forum or any other issue FINRA finds relevant. *See Adam Strege*, Exchange Act Release No. 99267, 2024 SEC LEXIS 9 (Jan. 3, 2024).

2. On February 1, 2024, consistent with the Commission's opinion, the Director denied Strege use of FINRA's arbitration forum in FINRA Case No. 22-02722 pursuant to FINRA Rule 12203 because Strege posed a safety threat to the arbitrators, staff, and parties and their representatives. RP 661-63. The Director communicated his decision in a detailed letter to Strege that explained the basis for his denial of the use of FINRA's arbitration forum.

3. On February 26, 2024, Strege filed an application for review seeking Commission review of FINRA's February 1, 2024 action denying him use of FINRA's arbitration forum. RP 683-86. The Commission assigned his application for review to the above-captioned proceeding, Administrative Proceeding Number 3-21880.

4. On March 7, 2024, Strege filed a subsequent arbitration claim in DRS ("FINRA Case No. 24-00430"). As in FINRA Case No. 22-02722, the Director denied Strege access to the forum pursuant to FINRA Rule 12203 to protect the safety of the arbitrators, staff, and parties and their representations and because the subject matter of the dispute is inappropriate because of the similarity to the allegations Strege set forth in FINRA Case No. 22-02722. RP 793-95.

5. On March 7, 2024, Strege requested Commission review of FINRA's decision to deny him access to FINRA's arbitration forum in Case No. 24-00430. RP 797-804. The Commission docketed Strege's March 7, 2024 filing under the above-captioned proceeding, Administrative Proceeding Number 3-21880.

6. On April 11, 2024, the Commission issued an Order Scheduling Briefs. *See Adam Strege*, Exchange Act Release No. 99943, 2024 SEC LEXIS 849 (Apr. 11, 2024) (the

“Order”). The Commission ordered Strege to submit a brief in support of his application for review by May 13, 2024. *Id.* In the Order, the Commission stated that a “[f]ailure to file a brief in support of the application may result in dismissal of this review proceeding.” *Id.*

7. Strege did not file a brief in support of his application by the May 13, 2024 deadline established by the Order.¹

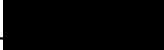
8. SEC Rule of Practice 180(c) provides that the Commission may dismiss an application if a party fails to make a filing required under the Rules of Practice. Under the circumstances, the Commission should treat Strege’s appeal as abandoned and dismiss the application for review because he failed to file a brief by the May 13, 2024 deadline established by the Commission’s Order.

9. FINRA’s brief in opposition is due June 12, 2024. Pursuant to SEC Rule of Practice 161, FINRA requests the Commission stay the briefing schedule in this appeal while this motion is pending.

¹ Besides his March 7, 2024 filing, Strege also filed with the Commission proofs of service and fee waiver requests in this proceeding. All Strege’s filings precede the Commission’s Order Scheduling Briefs, and none of these documents constitute a brief in support of the application for review nor meet the requirements for a brief. *See* SEC Rule of Practice 450.

Respectfully submitted,

/s/


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May 28, 2024

CERTIFICATE OF SERVICE

I, Elizabeth Sisul, certify that on this 28th day of May 2024, I caused a copy of FINRA's Motion to Dismiss Appeal as Abandoned and Stay the Briefing Schedule in the matter of the Application for Review of Adam Strege, Administrative Proceeding File No. 3-21880, to be served through the SEC's eFAP system on:

Vanessa A. Countryman
Securities and Exchange Commission
100 F St., NE
Room 10915
Washington, DC 20549-1090

I further certify that, on this date, I caused a copy of the Motion to Dismiss Appeal as Abandoned and Stay the Briefing Schedule in the foregoing matter to be served by electronic service on:

Adam Strege

[REDACTED]

/s/ [REDACTED]

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CERTIFICATE OF COMPLIANCE

I, Elizabeth Sisul, certify that this motion complies with the Commission's Rules of Practice by omitting or redacting any sensitive personal information described in Rule of Practice 151(e).

Respectfully submitted,

/s/  _____

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