

Ms. Jennifer Piorko Mitchell

Office of the Corporate Secretary FINRA

1735 K Street, NW Washington, DC 20006-1506

Re: FINRA Regulatory Notice 18-22

Dear Ms. Mitchell:

I write in support of the proposed amendment to the Discovery Guide to require routine disclosure of liability insurance coverage by broker/dealers who are thinly capitalized or not self-insured.

I have represented investors in FINRA arbitrations for over 20 years. In my experience, liability insurance policy information is essential for claimants' attorneys to consider if they are to properly advise their clients as to a course of action in cases where the respondent is thinly capitalized. Many member firms and associated persons are financially unable to satisfy arbitration awards. Thus, the ability to pay often is an essential consideration when advising clients on whether to go to hearing or to settle, and as to whether a specific settlement is appropriate under the circumstances. Without that critical insurance information, we are operating in the dark without knowing one of the most critical facts.

FINA's adoption of this notice will help prevent BDs from make idle threats of bankruptcy or filing Form BDW in the face of customer complaints in the event there is coverage. If insurance information is disclosed to the claimants' attorneys in discovery, then appropriate actions can be taken to protect the rights of the claimant with coverage counsel.

We note that disclosure of liability insurance coverage has been part of the Federal Rules of Civil Procedure for decades, mandating that coverage be produced. See Federal Rule of Civil Procedure 26(a)(1)(A)(iv).

Again, we urge FINRA to adopt this Notice in order to further protect the rights of investors. Thank you.

Regards,

Tom Mauriello