

FINANCIAL INDUSTRY REGULATORY AUTHORITY

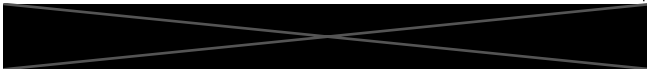
DISPUTE RESOLUTION

In the Matter of the Arbitration Between



Claimant,

v.



Respondent.

FINRA Case No



**ADDENDUM TO CLAIMANT'S FIFTH AMENDED MOTION
FOR RECONSIDERATION OF DECISION TO PROVIDE THE CUSTOMER
WITH AUDIO RECORDING OF FINAL HEARING**

Claimant's Fifth Amended Motion for Reconsideration of Decision to Provide the Customer with Audio Recording of Final Hearing is hereby incorporated within by reference.

In Florida, there is legal precedent regarding the disclosure of confidential records from an arbitration to a non-party participant without the consent of the parties or authorization by the forum rules.

Florida courts have generally recognized the confidentiality of arbitration proceedings and the importance of maintaining the confidentiality of the records and documents related to the arbitration. In particular, the Florida Supreme Court has held that "arbitration proceedings and records are presumptively confidential absent an agreement or authorization to the contrary," in the case of *Federated Dep't Stores, Inc. v. Adams*, 542 So. 2d 1221, 1223 (Fla. 1989).

Therefore, absent express authorization in the rules of the arbitration forum or an agreement between the parties, it would generally be inappropriate to disclose confidential records, including audio recordings, to a non-party participant without the consent of the parties.

FINRA Rule 13606(a)(1) only provides for disclosure of the audio recording to the parties. As such, producing it to the non-party participant customer would violate this precedent.

Finally, the non-party participant customer does not have legal standing to move to vacate the arbitration award in the confirmation proceeding. As such, any other exceptions to the confidentiality rules, laws, precedents, and standards with regards to contesting the award are not applicable to the non-party participant customer.

Very truly yours,

/s/ James P Galvin
James P. Galvin, Esq.
Galvin Legal, PLLC