



April 26, 2018

Via email to: [pubcom@finra.org](mailto:pubcom@finra.org)

Jennifer Piorko Mitchell  
Office of the Corporate Secretary  
FINRA  
1735 K Street, NW  
Washington, DC 20006

Re: Outside Business Activities, FINRA Notice 18-08

Dear Ms. Mitchell:

Please accept this comment letter on behalf of Madison Avenue Securities, LLC (“Madison”), a duly licensed broker-dealer and investment adviser located in San Diego, California, in response to FINRA Notice 18-08 with respect to proposed Rule 3290.

Madison supports the purpose and intent of proposed rule 3290. However, certain modifications should be adopted for clarity. In essence, when it comes to mitigating risks that may be associated with investment-related OBAs, there should be no “one-size-fits-all” approach. The appropriate approach in any given circumstance depends on the firm, the OBA and the advisor. Accordingly, FINRA should expressly acknowledge that firms are best positioned to decide, based upon their risk assessment, whether and how disclosed investment-related OBAs should be supervised. Therefore, we encourage FINRA to modify its proposal to continue to allow firms to make a risk-based decision on whether and how to supervise outside RIA activity.

We thank you for this opportunity to share our views about this important proposal.

Sincerely,

Martin McNeese  
President