



FINRA Dispute Resolution

ORDER

Case Number: 11-03725

Case Name: Laurent J. La Brie vs. TD Ameritrade and Scott Allan Cornett

Issues Addressed: (ie., name of motion or request, by which party) Claimant's:

- 1. Claimant's Motion to Amend Statement of Claim; 2. Order on Clarification Regarding Discovery; 3. Subpoena to be Served on TD Ameritrade Clearing; 4. Subpoena to be Served on Respondents' Telephone Carrier.

Pre-Hearing Conference Held?: Yes No (circle one)

Date/Time: August 20, 2012/6:00 p.m. (EDT)

Participating in the conference were:

Chairperson: _____ Douglas E. McLaren _____

Panelist: _____

Panelist: _____

Claimant's Representative: _____ Laurent J. La Brie _____

#1 Respondent's Representative: _____ Holly Mason, Esq. _____

#2 Respondent's Representative: _____

FINRA Dispute Resolution Staff: _____

Decided by: Chairperson Panel (circle one)

Rulings¹:

After considering the pleadings submitted by the parties (and oral arguments, if pre-hearing conference held), the Panel/Chairperson rules as follows:

¹ If more space is needed, add additional pages.

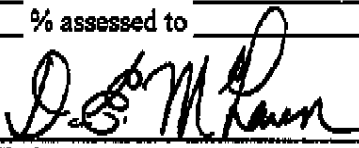
1. SEE ATTACHMENT

2. _____

3. _____

If the parties settle this matter prior to the hearing, the forum fees for this pre-hearing conference (or discovery-related motion decided without a pre-hearing conference) are assessed as follows:

- 100 % to Claimant(s), jointly and severally
- % to Respondent(s), jointly and severally
- % assessed to _____
- % assessed to _____
- % assessed to _____
- % assessed to _____

X 
 Chairperson,
 On behalf of the Arbitration Panel

Date: August 30, 2012

**LAURENT J. LA BRIE vs. TD AMERITRADE AND SCOTT ALLAN CORNETT
(FINRA #11-03725)**

ORDER ATTACHMENT

RULINGS

1. Order Denying Claimant's Motion to Amend Statement of Claim

The Order Denying Claimant's Motion to Amend Statement of Claim dated June 18, 2012 is reaffirmed in its entirety. Claimant may raise and prosecute any claim at the Evidentiary Hearing including:

- Failure to Supervise;
- Failure to Execute a Customer's Order; and
- Intentional and/or Negligent Misrepresentations.

2. Order on Clarification Regarding Discovery

Respondents shall provide to Claimant any policy or other written directive to Respondents' employees/brokers in force during the period of October 27, 2007 to January 16, 2010 stating what research should be done and what information should be given to a client when he/she calls regarding changes to the symbol for an option as well as those policies or directives specifically regarding the UDR options in its possession, if any such documents exist.

If no responsive documents exist, Respondents shall provide to Claimant a written affirmation to that effect, under penalty of perjury, that Respondents have no responsive documents in their possession, custody or control that have not already been provided to Claimant.

The deadline for responses to discovery requests is extended to September 17, 2012 to accommodate this Order.

3. Subpoena to be Served on TD Ameritrade Clearing

Claimant may prepare a subpoena in executable form to be served on TD Ameritrade Clearing specifically naming the intended responding entity, along the lines of its earlier draft. The subpoena shall also include a block suitable for execution of the document by the Arbitrator with an accompanying date block. Upon completion, the subpoena should be sent to FINRA for the attention of the Arbitrator.

4. Subpoena to be Served on Respondents' Telephone Carrier

Claimant may prepare a subpoena to be served on Respondents' telephone carrier specifically naming the intended responding entity, along the lines of its earlier draft. Respondents shall provide to Claimant the name, address and any reference numbers for any of its telephone carriers that are likely to have records of the telephone calls identified by Claimant. The subpoena shall also include a block suitable for execution of the document by the Arbitrator with an accompanying date block. Upon completion, the subpoena should be sent to FINRA for the attention of the Arbitrator.