ADMINISTRATIVE PROCEEDING



FILE NO. 3-14104r

UNITED STATES OF AMERICA before the SECURITIES AND EXCHANGE COMMISSION April 26, 2017

In the Matter of the Application of

SHAREMASTER

For Review of Disciplinary Action Taken by

FINRA

SHAREMASTER'S MOTION FOR COMMISSION'S CONSIDERATION OF STAY OF EXECUTION

Upon remand from the 9th Circuit, Applicant is appealing the FINRA Order of October 6, 2010.

Pursuant to Securities and Exchange Commission Rules of Practice, Rule 401, until the pending matter is resolved, Applicant requests a stay of execution of the FINRA Order of October 6, 2010, requiring the filing of an annual PCAOB audited annual report.

At issue is a dispute between the parties regarding Securities and Exchange Act of 1934 Rule17a-5(e)(1)(i)(A). The Rule grants Applicant an exemption from filing audited annual reports. FINRA relies on an interpretation of the Exchange Act Rule which limits use of the exemption.

The firm's crushing financial burden of paying for an audit by a PCAOB-registered accountant harms Sharemaster's financial viability and existence. [FINRA Hearing Transcript, p.135; 9th Cir., Sharemaster vs SEC, 2017, pp. 7, 22].

Therefore, Sharemaster requests:

- 1. A stay of the PCAOB audited report requirement during the ongoing period of litigation.
- 2. In the event that Applicant does not prevail in this ongoing litigation, that (a) that there be no retroactive requirement to provide PCAOB annual audited reports for the duration of the stay and (b) that there be no imposition of future sanctions as late fees for the stayed filings of PCAOB-audited annual reports.

Respectfully,

Howard Feigenbaum Sharemaster

CERTIFICATE OF SERVICE

In the Matter of the Application of

Sharemaster

For Review of Disciplinary Action Taken by FINRA

File No. 3-14104r

MOTION FOR COMMISSION'S CONSIDERATION OF STAY

I hereby certify that on April 27, 2017, I caused a copy of the foregoing Applicant's Motion for Stay, dated April 26, 2017, to be served on Mr. Alan Lawhead, Office of the General Counsel, FINRA, by U.S. Mail.

Mr. Alan Lawhead

Office of the General Counsel

FINRA

1735 K Street, NW

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Howard Feigenbaum

Sharemaster

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