

SECURITIES AND EXCHANGE COMMISSION

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In the Matter of:

DONALD J. ANTHONY, JR.,

FRANK H. CHIAPPONE,

RICHARD D. FELDMAN,

WILLIAM P. GAMELLO,

ANDREW G. GUZZETTI,

WILLIAM F. LEX,

THOMAS E. LIVINGSTON,

BRIAN T. MAYER,

PHILIP S. RABINOVICH, and

RYAN C. ROGERS,

Respondents.

ADMINISTRATIVE PROCEEDING

File No. 3-015514

**RESPONDENT ANDREW GUZZETTI'S  
REPLY IN SUPPORT OF MOTION TO CORRECT THE INTIAL DECISION**

Respondent Andrew Guzzetti, by his attorneys Sallah Astarita & Cox, LLC, submits this reply in support of his motion to correct the Initial Decision in this matter.

In the motion, Respondent Guzzetti requested that the decision be corrected, in the section titled Specific Legal Findings, at page 111, wherein the Decision stated that Respondent Guzzetti was the manager of the Clifton Park Office since October 2006.

As referenced in the motion, the evidence in this matter was clearly that he was the branch manager of that office beginning in October 2008, not 2006.

The Division does not dispute the evidence cited in the motion. While the Division agrees with the motion, and consents to the correction, it also attempts to reargue its case, to ignore its own expert witness testimony and to include frivolous and irrelevant arguments.

Despite the Division's arguments, its own evidence, from its own expert witness clearly established that a brokerage firm such as MS & Co. would be expected to have a number of different supervisors. (Tr. 1136: 15-21). Being a supervisor of one area of the business, does not mean you are the supervisor of all aspects of the business, and the Initial Decision should accurately reflect the timeline and details of Mr. Guzzetti's supervisory responsibilities.

The Division's arguments to the contrary are not proper in response to this motion. Given the fact that it consents to the correction, we respectfully request that all references to Mr. Guzzetti becoming the branch manager of Clifton Park be corrected to reflect that he assumed that title in October 2008, not October 2006.

Dated: April 1, 2015

Respectfully submitted,



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## CERTIFICATE OF SERVICE

I, Mark J. Astarita, hereby certify that on this the 1<sup>st</sup> Day of April, 2015 I served a true and complete copy of Respondent Andrew G. Guzzetti's Reply in Support of his Motion to Correct Initial Decision upon the other parties in this action as follows:

Via Electronic Mail to the Following:

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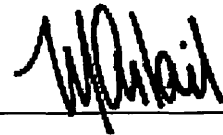
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And an Original and Three (3) Copies via USPS to be deposited on April 2, 2015 to:

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