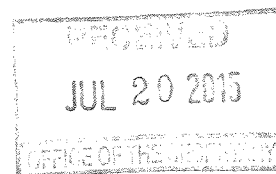


ORIGINAL

SECURITIES AND EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDING
File No. 3-15514



In the Matter of

FRANK H. CHIAPPONE,
ANDREW G. GUZZETTI,
WILLIAM F. LEX,
THOMAS E. LIVINGSTON,
BRIAN T. MAYER, and
PHILIP S. RABINOVICH,

Respondents.

**RESPONDENT FRANK H.
CHIAPPONE'S MOTION FOR
ORAL ARGUMENT**

Pursuant to Rule 451 of the Securities and Exchange Commission's Rules of Practice, Respondent Frank H. Chiappone ("Chiappone") respectfully submits this motion for oral argument before the Commission in this matter. Rule 451 provides that oral argument is appropriate where "the presentation of facts and legal arguments in the briefs and record and the decisional process would be significantly aided by oral argument." 17 C.F.R. § 201.451(a). Rule 451 further provides that "Motions for oral argument with respect to whether to affirm all or part of an initial decision by a hearing officer shall be granted unless exceptional circumstances make oral argument impractical or inadvisable." *Id.*

As set forth in the Joint Brief Addressing Certain Legal Issues In Accordance With The Commission's Order, and Chiappone's Individual Brief, this was a complex case with a number of significant legal issues. It involved the conduct of numerous Respondents over the course of at least seven years, and the hearing itself spanned nearly one month and included more than 500 exhibits. There is no question that oral argument would significantly aid the decisional process here by ensuring that Chiappone may address any questions or concerns that

the Commission may have regarding the facts of this case and the significant legal issues implicated by these facts.

For these reasons, Frank H. Chiappone respectfully requests that his Motion for Oral Argument be granted.

Albany, New York
July 17, 2015

TUCZINSKI, CAVALIER & GILCHRIST, P.C.

By: 

Roland M. Cavalier, Esq.

54 State Street – Suite 803
Albany, NY 12201
518-463-3990

Counsel for Respondent Frank H. Chiappone

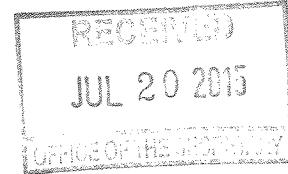
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July 17, 2015

VIA FACSIMILE & UPS OVERNIGHT
FAX NO. 202-772-9324



Office of the Secretary
U.S. Securities and Exchange Commission
100 F. Street, NE
Mail Stop 1090
Washington, D.C. 20549

Re: In the Matter of Donald J. Anthony, Jr., et al
Administrative Proceeding File No. 3-15514
Chiappone Motion for Oral Argument

Dear Sir/Madam:

Enclosed you will find an original and three (3) copies of Frank Chiappone's Motion for Oral Argument. This was inadvertently omitted from the package sent yesterday via UPS containing Chiappone's Individual Brief and related documents.

Very truly yours,

TUCZINSKI, CAVALIER & GILCHRIST, P.C.

By

A handwritten signature in black ink, appearing to read "Roland M. Cavalier". The signature is written over a horizontal line.

Roland M. Cavalier

RMC:mkm

Encs.

cc: David Stoelting, Esq. (via UPS overnight)
Richard D. Feldman (via regular mail)
Loren Schechter, Esq. (via regular mail)
Mark J. Astarita, Esq. (via regular mail)
Gilbert B. Abramson, Esq. (via regular mail)
Matthew G. Nielsen, Esq. (via regular mail)
M. William Munno, Esq. (via regular mail)