

File NO 3-15691 Received

June 3, 2014

JUN 09 2014

Office of Administrative
Law Judges

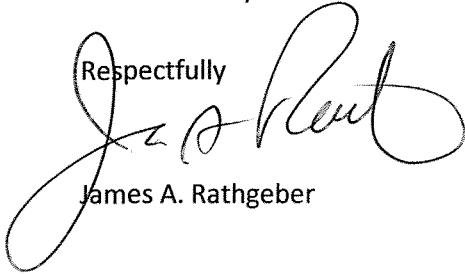
In response to the SEC's response I just wanted to add a few facts:

- 1) I am in NO way a victim. I did not call myself that. For Ms. Ramos to use that word of choice is ridiculous.
- 2) I did not state that compliance was involved in this so-called scheme but rather ALL of my trades were confirmed by my supervisor, Mr. William Greenman then explained to compliance in New York City then confirmed by compliance with Mr. Greenman on the phone with them and the trades then being allowed to be put into the computer and into trading. My point was simple: I was told by the District Attorney on more than one occasion (when I voluntarily went in to explain myself) that everyone in compliance was going "AWAY" for a long time, meaning jail time. Yet nobody from compliance was indicted. Can you please explain that?
- 3) Ms. Ramos states that I wasn't able to point out any difference between my situation and all the others involved with the indictment. I thought I made it crystal clear. I will again. I believe I am the ONLY person that is actually fighting the SEC NOT to be disbarred. That right there is a very powerful reason separating me from the others. Nobody else that I am aware of had their trades confirmed in the manner I did. That is another reason.
- 4) Let's call a spade a spade. The NASD at the time performed audits at Joseph Stevens and were completely aware of the trades we were doing at the time. In fact I believe there was an issue regarding these types of specific trades that were brought up but our attorney at the time wrote a letter back and nothing ever came about from it. So now it's an issue?
- 5) I did an On-The-Record interview with FINRA, I believe in June or July of 2008. Nothing ever came about from that although I did speak with one of the representatives from FINRA, an attorney from FINRA present that day about 2 years later regarding another matter and he told me they didn't see anything wrong doing with anything brought up in my interview.

Once again I want to make it clear that this is about principle. I do feel the SEC is rubber stamping this without actually taking a few moments to ponder the possibility that this might be an extraordinary situation. President Obama just broke the law by negotiating with terrorists for the release of an army deserter with the swap of 5 hard core terrorists from Guantanamo without conferring with Congress yet I am a threat??? I cannot quote any law cases from history but if you take into account my willingness to cooperate with the DA not once but twice, the fact that compliance and the NASD were aware of our trades, the character letters written on my behalf this is not your every day bad guy case. If you read my allocution you will notice that Judge Kahn said that the feeling out there is anti-banker! Judge Kahn interviewed over 1,000 potential jurors for the Raspa case and her opinion was that the general attitude against brokers, bankers, and Wall Street was negative! So it seems to me that the advice I received from my attorney was correct and I was able to avoid a tragedy by taking a plea and putting this ordeal behind me. I was never given an answer to my question and I will conclude with it. This is directed to ALL who are reading this and making a final decision about my life. What would you do if the judge in your case and your attorney made it clear that after an 8 month trial there was

a chance I could be found guilty and go to prison (after my experience being remanded) or take a plea and put it behind me and get on with my life? Take 5 minutes to really think about that and be honest. I chose the plea and looking back I am so glad I did. That's it folks. Once again I will respect the final decision in this EXTRA ORDINARY case. It's about time the little guy gets a break. Thank you.

Respectfully

A handwritten signature in cursive script, appearing to read "James A. Rathgeber". The signature is written in black ink and is positioned to the right of the word "Respectfully".

James A. Rathgeber