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The Office of the Secretary
Securities and Exchange Commission
100 F Street, N.E.
Mail Stop 1090- Room 10915
Washington D. C. 20549

May 5, 2014

Re: Complaint No. 20070082049 Response to FINRA Opposition Brief
Robert Marcus Lane & Jeffrey Griffin Lane

Dear SEC:

FINRA Market Regulation (FMR) continues to be the only entity making any false allegations of any wrongdoing by me. FINRA Account Representatives and Supervisors after a several day internal audit for the period of the cited transactions in 2006 and 2007 made no allegations of any improprieties FMR is now claiming. In 1997 and 2003 FINRA requested documentation of the Trading Accounts, which was provided. The trading accounts were documented twice with FINRA but FMR has disregarded FINRA's own files in attempt to fabricate wrongdoing in not disclosing the Trading Accounts. FMR is also disregarding the opinion by the FINRA Account Representatives that there were no violations. The FINRA Account Representatives spent several days reviewing and approving the operations during the cited periods. FMR never came to our office at all to examine any documents.

The cited customers have not joined any complaint despite being coerced by FMR to file a complaint, as there was no misconduct. These customers achieved extraordinary returns from my acquiring some of the best opportunities in distress investments and generated annual returns in excess of 100% on the cited customers invested capital over many years. These returns were generated by extensive research and analysis and the aggregate markups on the cited transactions of .25 to 1.375 points is a fair and reasonable markup for distress securities especially given the capital risk. FMR's claim they are protecting investors and the two cited investors were harmed is ridiculous. I have had several lengthy discussions with FINRA Account Representatives and their Supervisors regarding the mark-up in low price distress debt. I was always assured that the 5% mark-up policy is a guideline and low priced debt transactions can be exempt from the 5% regulation as long as the mark-up is fair and reasonable. All the tickets were properly inputted and clearly show the securities were positioned and transparent through TRACE. The Trading Accounts were an LLC that had been disclosed and documented to FINRA Account Representatives and Supervisors. FMR continues to state the % markup in the cited transactions and not the actual point markup because the point markup is fair and reasonable. The customers in the cited transactions and FINRA Account Representatives were aware that low dollar priced debt transactions mark up was based on a reasonable price mark up. Half the aggregate markup is compensation for committing risk capital with the actual markup being .125 to .656, which is certainly a fair and reasonable markup for distress securities. The .125 to .656 point compensation for short tern risk capital risk for the cited transactions is likewise a

fair and reasonable compensation for distress securities. This reasonable markup on the cited securities is the fundamental reason FINRA Account Representatives and the cited experienced distress investor customers have not made any allegations of excessive markups. The lack of any complaints by FINRA Account Supervisors or the cited customers is a burden of proof that the cited transaction markups were fair and reasonable. Significantly all FINRA broker dealers in distress debt transactions would be sanctioned if the 5% guideline were enforced for extremely low priced debt transactions. This is why the 5% markup is a guideline and there are specific FINRA exceptions to this guideline for extremely low priced transactions. FMR is wrong in arbitrarily or ignorantly disregarding the low cost of the bonds in the cited transactions and the services provided (average price of the cited transactions was @7% of face value). FMR should not be allowed to disregard the exceptions to the 5% guideline on an arbitrary basis. The Tower foreign debt transaction is a non-regulated foreign debt transaction that was never requested by FMR in any 8210 Inquiry requests, as FINRA does not regulate foreign debt. I dispute FMR regulating debt without authority and placing standards of easily transferable and transparent regulated debt on nontransparent and potentially costly (legal fees, exchange fees, documentation, etc.) transferability of unregulated debt. The high % markup on the foreign Tower debt reflects the extremely low price of the transaction and expected high transaction costs for foreign debt.

FMR's allegation that I did not provide access to Bloomberg records is documented as not true. This false allegation resulted in a wrongful suspension and termination of my licenses and business. In fact Bloomberg record authorization had been provided in 2007, which was recognized at the FMR hearing when the authorization document was produced, and FMR conceded that the Bloomberg authorization had been overlooked in FMR's own files. This wrongful suspension of my licenses was due to a mistake by FMR in not reviewing their own documents. FMR has been given complete access to my Bloomberg records, emails, hard drives on computers, telephone records, and all records requested for 2006 and 2007 during the 4-year 8210 inquiry. In fact, I did offer all the records of the firm to FMR as I had not committed any wrongdoing and had nothing to hide. There is no evidence in any Bloomberg records, email records, telephone records, or any other of the many submitted documents requested of any improprieties. Trace records also clearly show the extreme volatility of the cited bond transactions cited and the fairness of the prices within the confines of the market.

The interpositioning allegations of FMR are also without merit and the evidence illustrates that the cited transactions clearly were positioned and the trading accounts were at risk. The trade tickets all illustrate the cited bond transactions were positioned and at risk. All cited transactions were inputted and time stamped properly within the 15 minute FINRA time requirement. There was no evidence that any customer orders existed on any of the cited transactions and that the cited bond transactions were interpositioned without risk. The trading accounts were documented twice with FINRA but FMR has disregarded FINRA's own files in attempt to fabricate wrongdoing. The experienced long term institutional distress

investors involved in the cited transactions were aware I would invest with them and for myself through a trading account. FMR's allegations that the trading accounts were not disclosed are wrong and ignorant.

FMR's wrongful and fraudulent suspension and termination of all licenses, disregard of FINRA's own rules and regulations regarding low priced securities, disregard of FINRA's documents in their possession for Bloomberg Authorization and operation of the trading accounts, negligence in timely responses, unsupported slander, and disregard of the lack of any complaint from the experienced cited institutional customers and FINRA's Account Representatives and Supervisors are all evidence of the wrongful loss of my business and damages caused by FMR's actions and abuse. I have been prevented from being employed in the securities industry since the 2009 wrongful suspension then termination of my licenses. FMR is solely pursuing imposing an extreme financial penalty against myself with no supporting customer or FINRA Account Supervisor complaints. The evidence and records show that their was compliance with the 8210 Inquiry and FMR has received all requested documents and in fact declined receiving any more records and documentation when offered all the firms documents and records. The evidence and records also show that the trading accounts were documented with FINRA. The price markups of .25-1.375 on the cited transactions are fair and reasonable markups for distress debt that required extensive research and analysis. This is an egregious case of regulatory abuse and fraud by FMR. I have complied with FINRA Regulations to resolve this issue with FMR but will be pursuing damages and business loss in District Court at the conclusion of FMR's process if these false and wrongful allegations are not dismissed. A hearing panel hired by FMR with no distress investing experience and the FMR NAC is not an impartial objective forum. FMR's solely orchestrated actions have been in bad faith, unfair, and negligent and need to be addressed. Should FMR be allowed to disregard its own rules and regulations regarding markups on low priced bond transactions, ignore documents in its possession and solely fabricate false allegations with no repercussions? FMR has no support from customers it claims to protect or FINRA's own Account Supervisors who did not find any violations after an extensive multi day on location audit. There are no violations of FINRA rules and regulations supported by any of the voluminous evidence submitted to FMR. FMR is harming the cited investors by not permitting a fair and reasonable markup on low price bond transactions commensurate with higher priced transactions. If FMR is allowed to selectively ignore the exceptions to the 5% guideline, this will be a deterrent for difficult and extensive analysis on low priced debt for customers. FMR is attempting to interfere with a free market and penalize investors and distress broker dealers unfairly. A District Court is likely necessary to protect the market and its participants from vigilante self-serving regulatory abuse and fraud.

Sincerely

Marcus Lane

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