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

March 14, 2014

34-15701

Re: Complaint No. 20070082049
Robert Marcus Lane & Jeffrey Griffin Lane

SEC Brief

Dear SEC:

I am appealing the FINRA Market Regulation's (FMR) decision and any further sanctions in the above referenced matter. I am not going to payoff FMR without admitting or denying any wrong doings, as I have not violated any rules and regulations of FINRA or the SEC.

The allegations of failure to comply with the 8210 Inquiry resulted in my wrongful suspension on July 31, 2009 and termination of my licenses by FMR. FMR's baseless actions have caused loss of business and damages. My brother or myself, on a timely basis, responded to all the many 8210 requests spanning over 4 years. There were 5 market analysts rotated over this period. After this over 4 year 8210 Inquiry, during which no allegations of violations were made, followed a unjust suspension and termination of my licenses. This suspension was for not providing access to my Bloomberg records. In fact Bloomberg record authorization had been provided which was recognized at the FMR hearing when the authorization 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. After FMR accessed and reviewed my Bloomberg records no evidence was presented of any improprieties.

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. FMR had access to all emails and hard drives, Bloomberg records, and telephone records. There was no evidence that any customer orders was compromised and that the cited bond transactions were interpositioned without risk. The trading accounts that positioned the bonds were entities that had been established with the knowledge and support of FINRA Account Representatives and Supervisors. For FMR to allege that the trading accounts were not disclosed is not true. FINRA Account Representatives in 1997 and 2003 annual audits had requested that the trading accounts be documented with FINRA. The trading accounts were documented twice with FINRA but FMR has disregarded FINRA's own files in attempt to fabricate wrongdoing and did not speak with FINRA Account Representatives who spent several days reviewing and approving the operations during the cited period. 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. These cited customers have never filed a complaint despite FMR contacting them in attempt to file a complaint on several occasions. These cited customers had full timely transparency from TRACE and benefitted from extraordinary returns from my extensive credit analysis and distress investment selection over many years.

The aggregate markups on the cited transactions are fair and reasonable markups for risk transactions in low price distress securities. 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. The cited transactions were clearly positioned which are supported by the trade tickets and the TRACE transparency. FMR is disregarding FINRA Rules, Regulations and policies regarding low priced bonds and attempting to enforce a 5% guideline on low priced bonds. 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. FINRA Account Representatives in the annual multiday on sight audit had approved the operating procedures and operations for the period of FMR allegations. The institutional experienced investors in distressed debt involved in the cited transactions never filed or joined FMR's complaint and had full transparency of the cited transactions FMR regulates. These cited customers were also provided extensive credit analysis and valuable services that were indirectly paid for only through bond transactions. 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. In fact on page 14 paragraph 2 of the 12/26/2013 FMR Decision the director of FINRA's fixed income department states, " that mark-ups on distressed securities are generally higher and can vary from below 5% to, potentially, above 5%. The mark-ups on the cited securities transactions that FINRA regulates and are TRACE eligible was 1/8 of a point-5/8 of a point and a similar compensation for the short-term risk capital for aggregate compensation of ¼-1 3/8. The average price of these securities was @ seven cents on the dollar. These cited transactions that FINRA regulates would not be at issue if the transactions had occurred at distressed price levels above 20% of face value and are why FINRA has historically required the markup being a reasonable markup for extremely low priced bonds. This should not be changed by FMR as it prevents extremely low price bond transactions from being fairly and equally compensated as transactions of higher priced distress bonds or non - distressed bonds. In fact, extremely low priced bonds usually require more costly analysis and offer the customers better potential returns. The lack of experience in distress debt by FMR attorneys appears to be the reason that these transactions were not properly recognized as low price bond transactions. FMR attorneys fail to

recognize that a point markup on a bond trading at 5 is a 20% markup while a point mark up on a bond trading at par (100) is a 1% markup. FMR is wrong in arbitrarily or ignorantly disregarding the low cost of the bonds in the cited transactions and the services provided. FINRA Account Representatives and the FINRA Account Supervisors also approved operations following a several day audit for the period of the cited transactions. FMR is disregarding FINRA's rules, regulations, and long-standing policies regarding low price bond transactions. The volatility of the debt in the cited transactions also supports the fairness of the mark-ups. This is evidenced by TRACE and further supported on page 7 3rd paragraph of the FMR Decision" The TRACE reports for the Werner and Collins and Aikman bonds show a certain amount of volatility within the days and weeks around the trades at issue. Likewise a market regulation analyst testified that the September 2006 trading in Werner bonds appeared volatile." In fact many of the transaction prices changes from one trade to the next during this period were more than the mark-ups of the cited transactions. These TRACE reports further evidence the mark-ups were fair and reasonable given the evidenced volatility. FMR is preventing fair compensation on low priced bond transactions by disregarding FINRA rules and regulations. FINRA is also attempting to regulate foreign debt transactions, which are outside FINRA Regulatory Authority. The Tower debt transaction was on a foreign denominated debt issue that is not regulated by FINRA. Debt transactions that FINRA does not regulate such as trade claims, bank debt, foreign denominated debt often require much higher costs associated with attorney fees, no transparency, foreign currency transfers, and risk of failure as many buyers are limited in buying these types of debt instruments. The Tower foreign debt transaction was traded at extremely low price levels but should never have been included in FMR's inquiry, as it is not regulated by FINRA and non regulated foreign debt transactions were never requested by FMR in any 8210 Inquiry requests. 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.

FMR's 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 representing itself in a requested money award 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 and now have a barrier to entry financial penalty imposed by FMR. In my 23 years as a FINRA Registered Representative and founding partner and Principal of both CRT Capital and Greenwich High Yield I have never had a customer complaint. I have been an investor and broker in distress debt for over 20 years.

Sincerely
Marcus Lane
Marcus Lane [redacted] [redacted]