

**UNITED STATES OF AMERICA**  
**before the**  
**SECURITIES AND EXCHANGE COMMISSION**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-15755**

<p><b>In the Matter of</b></p> <p style="text-align:center"><b>MARK FEATHERS,</b></p> <p><b>Respondent.</b></p>
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**DIVISION OF ENFORCEMENT'S OPPOSITION TO**  
**FEATHERS' MOTION REQUEST FOR**  
**OIG REFERRAL AND COURT RECUSAL**

The Division of Enforcement ("Division") opposes Respondent Mark Feathers "Motion Request for OIG Referral and Court Recusal." The basis of Feathers' motion is his disagreement with the Court's reading of the Court's own order. The mere fact that Feathers does not agree with the Court's decision does not show any lack of due process or other constitutional harm. Feathers' motion lacks any legal or factual basis and should be denied.

The Court has extended Feathers every consideration appropriate under all the circumstances, and consistent with the Commission's Rules of Practice. In this follow-on proceeding to consider whether it is in the public interest to bar Feathers from the securities industry, since the remand, Feathers has filed approximately thirty (30) motions, including repetitive motions to stay, motions to terminate, motions for sanctions, and motions for reconsideration. In many cases, after a ruling on one of Feathers' motions, Feathers files a new

motion or two within a day or two. For example, on March 16, 2020, Feathers filed a motion which was ruled on in an order issued March 17, and Feathers then filed another motion on March 17 seeking additional relief. On June 9, 2020, an order was issued denying Feathers' request for a stay, and the next day, on June 10, Feathers filed another motion to stay. On July 28, an order was issued denying Feathers' request for a stay, and on July 28 Feathers filed a motion for additional time, on July 29 Feathers filed a motion to terminate the proceedings, on July 30 Feathers filed a motion for a stay, and also on July 30 Feathers filed a motion to stay for 180 days.

Feathers has been prolific in litigating this action, although none of his motions address the relevant issue of whether it is in the public interest to bar Feathers from the securities industry. Feathers' disagreement with one, or several, of the Court's rulings does not provide a basis for referral to the Office of Inspector General or recusal of the Administrative Law Judge.

For these reasons, Feathers' motion should be denied in all respects.

Respectfully submitted,  
DIVISION OF ENFORCEMENT  
By its Attorneys:

Dated: August 14, 2020

/s/ John B. Bulgozdy  
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**IN THE MATTER OF MARK FEATHERS**  
**ADMINISTRATIVE PROCEEDING FILE NO. [3-15755]**

**SERVICE LIST**

Pursuant to Commission Rule of Practice 151 (17 C.F.R. § 201.151), I certify that the attached:

**DIVISION OF ENFORCEMENT'S OPPOSITION TO**  
**FEATHERS' MOTION REQUEST FOR**  
**OIG REFERRAL AND COURT RECUSAL**

was served on August 14, 2020 upon the following parties as follows:

**By Email**

Vanessa Countryman, Secretary  
Securities and Exchange Commission  
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**By Email**

Honorable James E Grimes  
Administrative Law Judge  
Securities and Exchange Commission  
100 F Street, N.E., Mail Stop 2557  
Washington, DC 20549-2557  
Email: [alj@sec.gov](mailto:alj@sec.gov)

**By Email and U.S. Mail**

Mark Feathers

Menlo Park, CA

Email:

*Pro Se Respondent*

Dated: August 14, 2020

*/s/ Sarah Mitchell*

Sarah Mitchell