

**Reply to Enforcement's Response to Respondent's "Motion for OIG Referral and Court Recusal" re:  
Mark Feathers 3-15755**

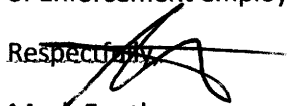
Respondent filed subject motion on 8-9-20. Respondent is *pro se*. He has no law school schooling, nor attorney licensing.

Enforcement's reply demonstrates its continued pattern of red herrings. The quantity of Respondent's filings has no bearing. The question is, due they have merit, and do they follow allowable rules of procedure. This court has not yet indicated otherwise. And, this court has also indicated that Enforcement may, or may not, respond to certain categories of Respondent's motion filings. And, by stating that "The Court has extended Feathers every consideration" as fact, rather than Enforcement's opinion on same, Enforcement once again appears to be speaking for the court. And, the time is not yet ripe to determine if it is in the public interest "to bar Feathers from the securities industry". On appearance, scores of actual investor pleadings in the precedent case AFTER Respondent suffered an adverse summary judgment would seem to indicate otherwise. But, there is a time and place in which those pleadings will be presented to this court, and Respondent will try his best to abide by the Commission's self-serving Rules of Practice and evidentiary rules which (purportedly) closely comport with the federal rules of evidence in doing so. Certainly, that time is getting closer.

Respondent asks the court to consider the totality of Enforcement's actions over the past eight+ years, and to make an OIG referral on that basis. And, the addenda to Respondent's motion makes very clear for all parties why it should be this court that makes the referral, not Respondent. Respondent points to an example in his motion why it appears that this court may be assisting Enforcement towards an outcome which is favorable to Enforcement. This is only the latest example offered by Respondent. Ultimately, it will be the Ninth Circuit who makes this determination. Who knows, maybe it will even be SCOTUS. Some better method needs to be put into place, as Respondent has outlined in his prior motion submissions. Perhaps something akin to tax court, with subject matter experts assigned as presiding judges. In so far as Respondent is aware, the current presiding judge was a JAG judge in the U.S. Navy, not an attorney appointed from the field of securities law (whether by private practice or public experience). But Respondent may well be in error on that issue. The point of referencing the prior experience of the currently presiding judge is not meant as criticism. It is meant as constructive criticism for the Ninth Circuit, SCOTUS, and Congress to consider. As such, it is also just Respondent's point of reference that there are structural problems in the manner in which federal agencies are allowed to make their judge appointments, and unavoidable – and material - conflicts of interest in the allowance of federal agencies to run their own administrative courts, and which may materially interfere, and prejudice, the underlying(?) Constitutional due process for Respondents, as well.

And, the U.S. Attorney should review the totality of Enforcement's actions, and its omissions, as well, over the past eight+ years and over civil, criminal, and two administrative law proceedings. Finally, Enforcement states that "Feathers has been prolific in litigating this action". Really? Respondent holds belief that Respondent has only been prolific in defending himself against Enforcement's decade of legal proceedings, all of which appears to have come about due to judicial deception and fraud-on-the-court of Enforcement employees, and cottage industry crony cohorts.

Respectfully,

  
Mark Feathers, *pro se*, Respondent 8-14-20