

Request for Redesignation to 120 Day Proceeding

Request for Commission Consideration of Impediments of "Inexpensive" Proceedings

re: Mark Feathers 3-15755

Subject proceedings clearly do not fit into a 75 day proceeding. Respondent respectfully asks this court, or the Commission, whomever is in charge of such a decision, to re-designate these as "120 day proceedings", in order that Respondent may depose for oral examination certain Enforcement employees, for the benefit of this court, Respondent, and the public, on evidentiary matters presented to this court during these proceedings. Upon re-designation to a 120 day proceeding, Respondent shall abide by Commission Rules of Practice related to depositions (Rule 233).

Respondent also asks this court for an explanation of what is meant by "inexpensive" proceedings, as outlined by the Commissions' Rules of Practice, and if such direction interferes with due process for Respondent and others similarly situated. Respondent points out that in the precedent civil action, the SEC's receiver and his counsel billed Respondent's companies in excess of \$6,000,000, and that more than twenty-five Commission attorneys – and their wages, salaries, and benefits – have all been borne by the public for eight years of legal proceedings against Respondent. A focus on "inexpensive" proceedings is a proclaimed goal of the Commission, seems disingenuous, and must present some conscious, or other, pressures on Commission employee which might harm Respondents. Perhaps the Commission might consider changing its stated goal to "cost-effective" proceedings, as opposed to "inexpensive" proceeding? Respondent has viewed some calendar months of OIP's voted upon by the Commissioners. They are large in number, and are being handled by a very small number of ALJ's. Additionally, the case load appears higher because of the SCOTUS decision of two years ago which caused many OIP's to be put back on calendar which had been prior decided upon. A focus on "Cost effective proceedings which allow for full due process to Respondents" should be the Commission's focus, not on "inexpensive" proceedings, as are now directed in the Commission's Rules of Practice.

Respondent asks this court to re-consider the matter of allowing Respondent to subpoena the work papers of Enforcement, and of SBA and FDIC, as they may hold information of value to this court. Enforcement, per Rule 322, and other federal agencies, may request a protective order on work papers, and similar materials asked for by Respondent, in which case, Respondent can review these materials in private, and without these papers being made public.

While these matters are under consideration by this court, Respondent asks for a stay in proceedings.

Respectfully,



Mark Feathers, *pro se*, Respondent 8-18-20