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3-15817

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March 26, 2014

## VIA FEDERAL EXPRESS 8731-7167-7548-0215

Office of the Secretary U.S. Securities & Exchange Commission 100 F Street, NE Mail Stop 1090 Washington, DC 20549



RE: Bar from Association with any FINRA member (FINRA Rule 9552)

Gary David Rowcliffe, CRD No. 1021441

Matter No.: 2012034111801

APPLICATION FOR REVIEW

## Dear Sir or Madam:

Butler, Vines and Babb, P.L.L.C., a law firm in Knoxville, Tennessee, has been retained to represent Gary David Rowcliffe in connection with the above-referenced matter. Please allow this correspondence to serve as the Notice of Appearance on his behalf and, equally as important, his Application for Review with the SEC in connection with the bar letter issued to him pursuant to FINRA Rule 9552(h) under cover date of February 24, 2014 from Sandra J. Harris, Senior Director, Policy & Expedited Proceedings for FINRA.

The bar was issued to Mr. Rowcliffe following the Notice of Suspension letter from FINRA dated November 20, 2013 and the Suspension from Association letter dated December 16, 2013. To our understanding, this relates to the purported incomplete responses from Mr. Rowcliffe arising out of a FINRA Rule 8210 request to produce documents and supply written responses in connection with the initial inquiry instituted on or about October 15, 2012. The Notice of Suspension noted the failure to respond to requests for information and documents from FINRA dated May 9, 2013, May 31, 2013, July 30, 2013, and August 16, 2013.



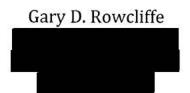
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In summary form, Mr. Rowcliffe would respectfully submit that, in part, he has complied with the numerous on-going requests for information. On several occasions, he has responded to the written inquiries and spoken with FINRA representatives in response to this matter. He has been requested to provide a number of records and is in the process of continuing to do so. Indeed, the latest set of records were provided to FINRA on or about March 25, 2014.

The fundamental issue is not the failure of a response, but rather, the completeness of the replies throughout the course of the investigation. Until this point in the process, Mr. Rowcliffe lacked legal counsel and/or assistance in connection with the information sought, the deadlines imposed, and the timely request for the termination of the suspension under Rule 9552(h). It also is compelling that the client out of which Northwestern Mutual Investment Services, LLC filed the U5 reporting his termination has not made any claim against either Northwestern or Mr. Rowcliffe and has provided a statement to FINRA.

Granted, the requested replies were not necessarily timely. By the same token, however, now that Mr. Rowcliffe has obtained representation, full and complete cooperation will be forthcoming to the extent provided by law in order to seek full and complete disclosure and analysis in this investigation.

Mr. Rowcliffe's service and contact information are as follows:





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I sincerely look forward to working with the SEC and FINRA in all aspects of the investigation and this Application for Review. Please do not hesitate to contact me regarding the matters here addressed and I look forward to your reply.

Very truly yours,

G. Kevin Hardin sub[Signed by Permission to Avoid Delay]

G. KEVIN HARDIN

Email address: khardin@bvblaw.com

cc: Alan Lawhead, Esq. (via FedX No: 8731-7167-7559-0215)
Office of General Counsel
FINRA
1735 K. Street, NW
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