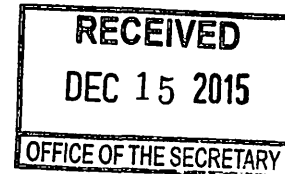


HARD COPY



Jacob K. Cooper

Washington, UT

pro se

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

<p>In the Matter of</p> <p>TOTAL WEALTH MANAGEMENT, INC., JACOB KEITH COOPER, NATHAN MCNAMEE, AND DOUGLAS DAVID SHOEMAKER</p> <p>Respondents.</p>	<p>JACOB KEITH COOPER'S VERIFIED REPLY BRIEF RE: ORDER DIRECTING THE FILING OF BRIEFS</p> <p>File No. 3-15842</p>
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Jacob Keith Cooper hereby submits this reply brief to the Division of Enforcement's Brief Addressing Whether Cooper's Appeal Should Be Dismissed As Untimely dated December 8, 2015, and which reply is authorized by the Commission in its Order Directing the Filing of Briefs, dated November 20, 2015.

The Division's brief concludes with the following sentence: "[T]he Division recognizes that the Commission has the discretion to deem Cooper's petition timely if he can demonstrate good cause that would excuse his untimely filing." My initial brief filed on December 8th shows ample cause for the Commission to consider my Petition for Review. As explained in the initial brief, my attorney of record, Vincent Brown, has not responded to my efforts to communicate with him for several months. He was sanctioned and fined in separate proceedings pending in the United States District Court for the Southern District of California, 3:15-cv-226, for failing to appear at my attorney. Dkt. 56.


Furthermore, it would be inequitable to dismiss the Petition for Review given the fact that

my only redress is through the administrative process. In other words, a malpractice action against Mr. Brown would not make me whole. While I may obtain a monetary award against Mr. Brown, it would not undo the industry bar, cease-and-desist order and other non-monetary penalties in the Initial Decision.

Finally, the Division relied upon *Walter v. Gerasimowicz*, Securities Act Release No. 9583, 2014 WL 1826641, at *2 (May 8, 2014), in its brief. The facts of the *Gerasimowicz* decision are distinguishable. In *Gerasimowicz*, the attorney withdrew without telling his client that he could file a *pro se* petition for review. Here, Mr. Brown has not withdrawn and is still my attorney of record but has refused to communicate with me.

For the foregoing reasons, the Petition for Review should not be dismissed, and I should be given an opportunity to supplement the Petition for Review if I am able to hire a new attorney. I declare under penalty of perjury that the foregoing factual statements are true and correct.

DATED this 14th day of December, 2015.



Jacob K. Cooper
pro se

CERTIFICATE OF SERVICE

Pursuant to Commission Rule of Practice 151 (17 C.F.R. § 201.151), I certify that the attached: **JACOB KEITH COOPER'S VERIFIED REPLY BRIEF RE: ORDER DIRECTING THE FILING OF BRIEFS** was filed with the Office of the Secretary of the Commission and caused to be served upon the following parties as indicated below:

Securities and Exchange Commission	()	E-mail
Brent J. Fields, Secretary	()	U.S. Mail, Postage Prepaid
100 F. Street, N.E.	()	Hand Delivered
Mail Stop 1090	(X)	Overnight Mail
Washington, DC 20549-1090	(X)	Facsimile
Facsimile: (703) 813-9793		

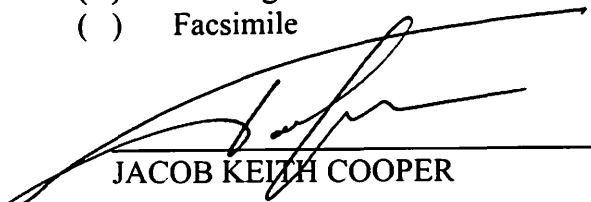
Honorable Brenda P. Murray	()	E-mail
Chief Administrative Law Judge	(X)	U.S. Mail, Postage Prepaid
Securities and Exchange Commission	()	Hand Delivered
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