

HARD COPY

BEFORE THE
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C.



In the Matter of the Application Of

Bart Steven Kaplow,
Daryl Andrew Cole,
Frank Cuenca,
Thomas Prentice,
Kurt Jackson,
Brock Moseley,
Ronald R. Wetzel,
Peter A. Ramsay,
Donald Anthony Wojnowski,
Mark Vernon Rottler,
Carl G. Gordinier, and
Timothy Arthur Vanderver III

For Review of Action Taken By

FINRA

File Nos. 3-18877, 3-18879, 3-18883, 3-18894, 3-18910, 3-18919, 3-18934, 3-18988, 3-19013,
3-19016, 3-19017, and 3-19019

SUPPLEMENTAL BRIEF

Applicants, by and through counsel, hereby submit their Supplemental Brief in response to the Securities and Exchange Commission's ("SEC") Order Consolidating Proceedings and Postponing Further Briefing ("SEC's Order"), filed April 4, 2019.

1. In the SEC's Order, "common jurisdictional facts," including previously issued adverse awards from arbitration, are cited as grounds for ordering that: 1. "[T]he proceedings identified in the caption above be consolidated for hearing of the jurisdictional question" and 2.

“[B]riefing on the jurisdictional question in these consolidated proceedings proceed as set forth.”
See SEC’s Order.

2. Applicants now timely file their Supplemental Brief pursuant to SEC Rule 154.

3. Applicants received instruction from the SEC to address jurisdictional issues. The responses filed March 19, 2019 strictly adhered to that instruction; however, before moving forward in this proceeding, Applicants feel it’s prudent to correct the ongoing record.

4. Mr. Vanderver and Mr. Wojnowski all filed Applications for Review stating that the Forum Denials issued from the Financial Industry Regulatory Authority (“FINRA”) did *not* provide a reason as to why their cases (FINRA case nos. 19-00341 and 19-00283 respectively) were ineligible for FINRA Arbitration. With no readily apparent reasons behind these denials, and no evidence that these were denied based upon prior adverse awards, it is still unclear why each of these was denied forum. These cases may fall under the “common jurisdictional facts” as they relate purely to jurisdictional matters supplied by FINRA’s Motion and the SEC’s Order. However, in each of these the record should reflect there was no prior adverse award.

5. Mr. Wetzel similarly does not fall under “common jurisdictional issues,” though there is a prior adverse award on his record. Mr. Wetzel was only held liable for compensatory damages amounting to \$1.00. This does not compare to other Applicants who were held liable for thousands of dollars in prior adverse awards.

6. Respectfully, Counsel for Mr. Vanderver, Mr. Wojnowski, and Mr. Wetzel request that the inaccuracies be noted.

Dated: April 11, 2019

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michelle Atlas", written over a horizontal line.

Michelle Atlas, Esq.

Of Counsel

T: (720) 845-1252

E: legal.atlas@hlbslaw.com

HLBS Law

9737 Wadsworth Pkwy, Ste. G-100

Westminster, CO 80021

CERTIFICATE OF SERVICE

I, Olivia Peterson, certify that on this 11th day of April, 2019, I caused the original and three copies of this Supplemental Brief to be served on:

Vanessa A. Countryman, Acting Secretary
Securities and Exchange Commission
100 F St., NE
Room 10915
Washington, DC 20549-1090
Fax: 202-772-9324

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[X] (STATE) I certify (or declare) under penalty of perjury under the laws of the State of Colorado that the foregoing is true and correct.

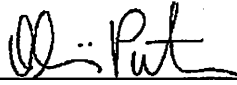
On this date, I also caused the original and three copies of this Supplemental Brief on:

Alan Lawhead
Vice President and Director – Appellate Group
FINRA
1735 K Street, NW
Washington, DC 20006
Email: nac.casefilings@finra.org

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[X] (STATE) I certify (or declare) under penalty of perjury under the laws of the State of Colorado that the foregoing is true and correct.



Olivia Peterson
Scheduling Coordinator
9737 Wadsworth Parkway
Westminster, CO 80021