

**HARD COPY**



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

In the Matter of the Application Of

Bart Steven Kaplow

For Review of Action Taken By

FINRA

File No. 3-18877

**MR. KAPLOW'S RESPONSE TO FINRA'S MOTION TO EXPEDITE APPEAL OF  
BART KAPLOW AND STAY THE PROCEEDINGS IN OTHER CASES PENDING  
APPEAL**

BART STEVEN KAPLOW, by and through counsel, hereby submits his response to FINRA's Motion to Expedite Appeal of Bart Kaplow and Stay the Proceedings in the Other Pending Arbitration Expungement Appeals ("FINRA's Motion"), filed January 31, 2019. As grounds:

1. In FINRA's Motion, they requested to: "1. Expedite consideration of the parties' arguments on the issue of jurisdiction in Bart Steven Kaplow (File No. 3-18877); and 2. Stay all briefing and further proceedings in the other eight Arbitration Expungement Appeals until the Commission issues a decision in the *Kaplow* appeal." See FINRA's Motion.
2. Mr. Kaplow now timely files his response, pursuant to SEC Rule 154.
3. Mr. Kaplow agrees with FINRA's request to expedite the consideration of the parties' arguments on the issue of jurisdiction in his case.

4. Mr. Kaplow takes no position on FINRA's request to stay all briefing and further proceedings in the other eight Arbitration Expungement Appeals before the commission.

Dated: February 5, 2019

Respectfully submitted,

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

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**CERTIFICATE OF SERVICE**

I, Misty Brown, certify that on this 5<sup>th</sup> day of February 2019, I caused the original and three copies of this Response to FINRA's Motion to Expedite Appeal of Bart Kaplow and Stay the Proceedings in Mr. Kaplow's Pending Appeal to be served on:

Brent J. Fields, Secretary  
Securities and Exchange Commission  
100 F St., NE  
Room 10915  
Washington, DC 20549-1090  
Fax: 202-772-9324

**[X] (BY FAX)** I caused the documents to be sent to the persons at the fax number listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

**[X] (BY MAIL)** I caused the documents to be sent by US Certified Mail to the persons listed above. I did not receive notice or indication from the US Postal Service that the delivery would be unsuccessful.

**[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.

and

Alan Lawhead  
Vice President and Director – Appellate Group  
FINRA  
1735 K Street, NW  
Washington, DC 20006  
Email: [Alan.Lawhead@finra.org](mailto:Alan.Lawhead@finra.org)

**[X] (BY EMAIL)** I caused the documents to be sent to the persons at the e-mail address listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

**[X] (BY MAIL)** I caused the documents to be sent by US Certified Mail to the persons listed above. I did not receive notice or indication from the US Postal Service that the delivery would be unsuccessful.

**[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.



Misty Brown  
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