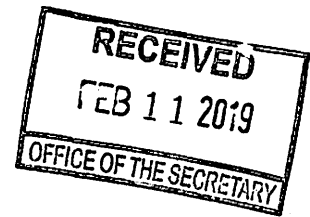


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**BEFORE THE  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C.**

In the Matter of the Application Of

Brock Moseley

For Review of Action Taken By

FINRA

File No. 3-18919

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

BROCK MOSELEY, 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. Moseley now timely files his response, pursuant to SEC Rule 154.

3. Mr. Moseley takes no position on FINRA's request to expedite the consideration of the parties' arguments on the issue of jurisdiction in Bart Steven Kaplow (File No. 3-18877).

4. Mr. Moseley does however, oppose FINRA's request to stay his briefing and further proceedings in his appeal. Contrary to FINRA's claim, granting a stay in Mr. Moseley's

appeal pending the resolution of another case will *not* afford Mr. Moseley a just and speedy determination, and in fact, will cause the exact opposite result. Granting a stay in Mr. Moseley's case extends the time of the existence of the occurrence on his public record and is therefore a continuing harm to his reputation and livelihood. Mr. Moseley has a right to a just and speedy determination of his appeal, and granting FINRA's request to stay Mr. Moseley's proceeding will violate those rights. See SEC Rule 103(a).

5. Therefore, Mr. Moseley respectfully requests that the stay not be granted and that his case move forward as quickly as possible.

Dated: February 5, 2019

Respectfully submitted,



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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. Moseley'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.

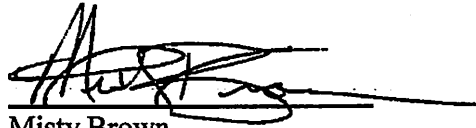
and

Alan Lawhead  
Vice President and Director – Appellate Group  
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1735 K Street, NW  
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**[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.



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