



**Michael M. Smith**  
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July 29, 2020

**VIA ELECTRONIC MAIL**

Vanessa A. Countryman  
Secretary  
Securities and Exchange Commission  
100 F Street, N.E.  
Washington, D.C. 20549-1090  
apfilings@sec.gov

**RE: In the Matter of the Application of Blair Edwards Olsen  
Administrative Proceeding No. 3-19629**

Dear Ms. Countryman:

Enclosed for filing in the above-referenced matter, please find FINRA's Opposition to Olsen's Motion to Strike. Please contact me if you have any questions.

Sincerely,



Michael M. Smith

Enclosure

cc: Blair Edwards Olsen  
P.O. Box [REDACTED]  
Carefree, AZ 85377  
[REDACTED]@hughes.net

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

In the Matter of the Application of

BLAIR EDWARDS OLSEN

Administrative Proceeding File No. 3-19629

**FINRA'S OPPOSITION TO OLSEN'S MOTION TO STRIKE**

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Vice President and  
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July 29, 2020

**BEFORE THE  
SECURITIES AND EXCHANGE COMMISSION  
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In the Matter of the Application of  
  
BLAIR EDWARDS OLSEN  
  
Administrative Proceeding File No. 3-19629

**FINRA’S OPPOSITION TO OLSEN’S MOTION TO STRIKE**

In his brief titled Reply to Respondent’s Opposition to Motion for Summary Disposition, filed with the Commission on July 21, 2020, Olsen moves to strike as untimely FINRA’s opposition to his motion for summary disposition. Because Olsen makes a new motion in his reply, FINRA files this opposition pursuant to Rule 154 of the Commission’s Rules of Practice. The Commission should deny Olsen’s motion to strike because, contrary to Olsen’s assertion, FINRA’s opposition to his motion for summary disposition was filed timely.

**Factual and Procedural Background**

1. In November 2019, FINRA barred Olsen for failing to comply fully with requests for documents and information served on him by FINRA’s Department of Enforcement (“Enforcement”). RP 317-18.<sup>1</sup>
2. Olsen appealed FINRA’s regulatory action barring him. RP 323-24.
3. On May 26, 2020, Olsen filed his brief in support of his application.

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<sup>1</sup> “RP \_\_” refers to the page number in the record filed in this matter.

4. On July 6, 2020, before FINRA's opposition to Olsen's application was due, FINRA vacated the bar it had imposed on Olsen. *See* Attachment A to FINRA's Motion to Introduce Additional Evidence.

5. On July 8, 2020, Olsen electronically filed his motion for summary disposition with the Commission. Olsen emailed a copy of his motion to FINRA the same day, but did not serve the motion on FINRA in accordance with Rule 150 of the Commission's Rules of Practice. *See* Exhibit D to Olsen's Reply to Respondent's Opposition to Motion for Summary Disposition.

6. On July 10, 2020, Olsen served his motion for summary disposition on FINRA by U.S. Mail. *Id.*

7. On July 20, 2020, FINRA filed its opposition to Olsen's motion for summary disposition. *See* Olsen's Reply to Respondent's Opposition to Motion for Summary Disposition at ¶ 7. FINRA emailed a copy of its opposition to Olsen the same day. *Id.* FINRA was not able to serve Olsen by U.S. Mail that day due to office closures related to COVID-19. On July 21, 2020, however, FINRA served its opposition on Olsen by U.S. Mail.

8. On July 21, 2020, Olsen filed his reply to FINRA's opposition, in which he moved to strike as untimely FINRA's opposition. Olsen argues that FINRA's opposition was due five days after he filed it electronically with the Commission, i.e. on July 13, 2020. As explained below, Olsen is incorrect.

### **Argument**

9. The Commission should deny Olsen's motion to strike because FINRA's opposition to Olsen's motion for summary disposition was filed timely. Under Rules 154 and

160 of the Commission's Rules of Practice, FINRA's opposition to Olsen's motion for summary disposition was due July 20, 2020, and FINRA filed its opposition that day.

10. Rule 154(b) provides that an opposition to a motion must be filed within five days after service of the motion.

11. Rule 160(a) provides that, when the period of time prescribed is seven days or less (excluding any additional time allowed for service by U.S. Mail), intermediate Saturdays, Sundays, and Federal legal holidays shall be excluded from the computation of time.

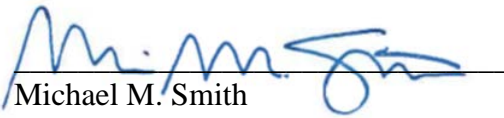
12. Rule 160(b) provides that, if service is made by U.S. Mail, three days shall be added to the prescribed period for response.

13. Olsen served his motion for summary disposition on FINRA by U.S. Mail on Friday, July 10, 2020. The five-day time period prescribed by Rule 154(b) began running on Monday, July 13, 2020, and expired on Friday, July 17, 2020. Because Olsen served his motion on FINRA by mail, however, the time period for FINRA's response was extended by three days, until Monday, July 20, 2020. FINRA filed its opposition to Olsen's motion for summary disposition on July 20, 2020, in accordance with the Commission's Rules of Practice.

### **Conclusion**

FINRA's opposition to Olsen's motion for summary disposition was filed timely, and the Commission should deny Olsen's motion to strike it.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Michael M. Smith", is written over a horizontal line.

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**CERTIFICATE OF SERVICE**

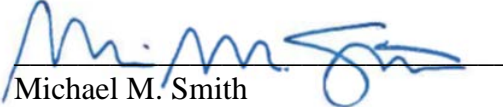
I, Michael M. Smith, certify that on this 29th day of July 2020, I caused a copy of FINRA's Opposition to Olsen's Motion to Strike, in the matter of *Application for Review of Blair Edwards Olsen*, Administrative Proceeding No. 3-19629, to be served by electronic mail on:

Vanessa A. Countryman  
Secretary  
Securities and Exchange Commission  
100 F St., NE  
Room 10915  
Washington, DC 20549-1090  
apfilings@sec.gov

and via first-class mail and electronic mail on:

Blair Edwards Olsen  
P.O. Box [REDACTED]  
Carefree, AZ 85377  
[REDACTED]@hughes.net

Respectfully submitted,



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