

UNITED STATES OF AMERICA  
before the  
SECURITIES EXCHANGE COMMISSION

*In the Matter of the Application of*

MICHAEL CLARK, CRD# 2580455

Admin. Proc. File No. 3-20276

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**MOTION TO DISMISS APPLICATION FOR REVIEW**

FINRA has determined that Michael Clark is no longer subject to statutory disqualification as defined in Section 3(a)(39) of the Securities Exchange Act of 1934.<sup>1</sup> Accordingly, Mr. Clark moves to dismiss the pending Application for Review. FINRA does not oppose Mr. Clark's motion. In support, Mr. Clark states as follows:

1. On March 29, 2021, FINRA issued Mr. Clark's employing firm a notice (the "SD Notice") informing the firm that it had determined that Mr. Clark was statutorily disqualified on the basis of the Stipulation Surrendering License filed by the New York State Department of Financial Services, Case No. 2019-0150-S, on December 12, 2019 (the "New York Stipulation"), and an Order of Summary Revocation filed by the State of California Department of Insurance, File No. OBS 4005-A (AR), dated January 8, 2021 (the "California Revocation").

2. On April 26, 2021, Mr. Clark filed an appeal with the Commission seeking review of the SD Notice.

3. On June 14, 2021, the New York Department of Financial Services approved Petitioner Michael Clark's insurance license application and Mr. Clark is now licensed to conduct insurance business in New York.

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<sup>1</sup> Attached as **Exhibit A** is an August 3, 2021 letter from FINRA notifying Mr. Clark's employing firm that the statutory disqualification is no longer in effect.

4. On July 27, 2021, the California Department of Insurance entered an order vacating the California Revocation, thereby reinstating Mr. Clark's insurance license in California.

5. On the basis of the foregoing, on August 3, 2021, FINRA informed Mr. Clark's firm that it had determined that Mr. Clark is no longer subject to statutory disqualification based upon the New York Stipulation and the California Revocation and it is no longer obligated to submit an MC-400 on behalf of Mr. Clark based upon these matters, as originally stated in the SD Notice.

6. Counsel for Mr. Clark has conferred with counsel for FINRA, and counsel for FINRA does not oppose the relief requested herein.

WHEREFORE, Mr. Clark requests that the SEC dismiss the pending Application for Review with each party to bear its own attorney fees and costs and for such further relief as is just and proper.

**MURPHY & ANDERSON, P.A.**

BY: /s/ Niels P. Murphy  
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904-598-9282 (phone)  
904-598-9283 (fax)  
*Attorneys for Michael Clark*

August 4, 2021

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following via the email and the SEC portal this 4<sup>th</sup> day of August 2021:

Vanessa Countryman, Secretary  
Securities Exchange Commission  
Via Email: [apfilings@sec.gov](mailto:apfilings@sec.gov)  
Via eFAP

and by email on:

Andrew Love  
Associate General Counsel  
FINRA  
1735 K Street, NW  
Washington, DC 20006  
[andrew.love@finra.org](mailto:andrew.love@finra.org)  
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/s/ Niels P. Murphy  
Attorney

UNITED STATES OF AMERICA  
Before the  
SECURITIES EXCHANGE COMMISSION

In the Matter of the Application of

MICHAEL CLARK, CRD# 2580455

For Review of Action Taken by Self-  
Regulatory Organization,

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MICHAEL CLARK'S INDEX OF ATTACHMENTS FOR MOTION TO DISMISS APPEAL

<u>Attachment</u>	<u>Description</u>
A	FINRA No Disqualification letter dated August 3, 2021

# Exhibit A



August 3, 2021

Via Certified Mail and Email to [REGULATORY.AFFAIRS@AMPF.COM](mailto:REGULATORY.AFFAIRS@AMPF.COM)

Lauren Holmes  
Ameriprise Financial Services, LLC  
5221 Ameriprise Financial Center  
Minneapolis, MN 55474

Re: Michael Clark, CRD # 2580455

Dear Lauren Holmes,

By letter dated March 29, 2021, you were notified that Michael Clark (“Mr. Clark”) was subject to statutory disqualification as defined in Section 3(a)(39) of the Securities Exchange Act of 1934. The disqualification arose as a result of the Stipulation Surrendering License filed by the New York State Department of Financial Services, Case No. 2019-0150-S, approved on December 12, 2019, in which Mr. Clark's licenses were revoked. Additionally, the disqualification also arose as a result of the Order of Summary Revocation filed by the State of California Department of Insurance, File No. OBS 4005-A (AR), dated January 8, 2021, in which Mr. Clark's license and licensing rights were revoked.

Upon receipt of supplemental documentation provided by the firm that Mr. Clark's licenses have subsequently been reinstated in the states of California and New York, and upon subsequent review and research of the facts and circumstances in this case, FINRA has determined that the referenced events no longer subjects Mr. Clark to statutory disqualification as defined in Section 3(a)(39) of the Securities Exchange Act of 1934. Accordingly, you are no longer obligated to submit an MC-400 application as directed in the letter dated March 29, 2021.

Should you have any questions regarding the revision to Mr. Clark's CRD record, please contact me at 240-386-5193.

Sincerely,

*Pascalie Goddard*

Pascalie Goddard  
Credentialing, Registration, Education and Disclosure (CRED)  
FINRA

cc: AnnMarie McGarrigle, FINRA

Christine Kolber, FINRA

Patricia Delk-Mercer, FINRA

Glynnis Kirchmeier, FINRA

Michael Clark  


Investor protection. Market integrity.

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