

**BEFORE THE
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, DC**

In the Matter of the Application of

THOMAS J. LYKOS, JR.

For Review of FINRA Disciplinary Action by the National Adjudicatory Counsel

Complaint No. 2018059510201

MOTION FOR ORAL ARGUMENT

Pursuant to Rule 451 of the Commission's Rules of Practice, 17 C.F.R. § 201.451, Thomas J. Lykos, Jr. hereby respectfully requests that the Commission hear oral argument in support of his application for review pursuant to Section 19(d)(1) of the Securities Exchange Act of 1934, 15 U.S.C. § 78s (d)(1), of a final disciplinary sanction imposed by a self-regulatory organization as provided for by 17 C.F.R. 201.420(a)(1).

The final disciplinary sanction in question is the December 16, 2021 decision by the National Adjudicatory Council of the Financial Industry Regulatory Authority ("**FINRA**"). Pursuant to the Commission's scheduling order dated April 7, 2022, the deadline for the filing of Mr. Lykos' opening brief ("**Opening Brief**") was extended to May 9, 2022. The Opening Brief is being filed simultaneously with this motion and, accordingly, this motion is timely under 17 C.F.R. § 201.451(b) ("Requests for oral argument shall be made by separate motion accompanying the initial brief on the merits.").

Oral argument is warranted in this case because of the novelty of the issues presented, that is, there is no direct evidence to support any finding of fact or conclusion of law that Mr. Lykos cheated. In addition, a voluminous record requires a thorough examination to weigh competing arguments from FINRA and Mr. Lykos on the issue of scienter and that the sanction of a bar does not comport with FINRA precedent. Mr. Lykos requests an opportunity to be heard on such issues.

Mr. Lykos respectfully requests that the maximum time allowed under the Rules be

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afforded for his presentation. Mr. Lykos further submits that he does not have, with respect to his petition for review, a common interest with any other person and therefore he should not be required to share his allotted time with other parties or limited participants.

Wherefore, for the foregoing reasons, Thomas J. Lykos, Jr. respectfully requests that the Commission schedule oral arguments in this proceeding.

Dated: May 9, 2022

Respectfully submitted,

CARLTON FIELDS

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