
UNITED STATES OF AMERICA

before the

SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, DISTRICT OF COLUMBIA

SECURITIES EXCHANGE ACT OF 1934 August 12, 2022 Admin. Proc. File No. 3-20793

CERTIFICATE OF COMPLIANCE

I, Paul Richard Aquitania, certify that on this 12th of August 2022 I brought a copy of the foregoing Motion, a Preemptive Response to Respondents' Motion To Dismiss and Stay Brief Schedule complies with Commission Rules Of Practice by Omitting or Redacting any sensitive personal information described in Rule Of Practice 151[e].

Respectfully Submitted by,


Paul Richard Aquitania, ESPT



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SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, DISTRICT OF COLUMBIA

SECURITIES EXCHANGE ACT OF 1934 August 12, 2022 Admin. Proc. File No. 3-20793

CERTIFICATE OF SERVICE

I, Paul Richard Aquitania, certify that on this 12th of August 2022 I brought a copy of the foregoing Motion, a Preemptive Response to Respondents' Motion To Dismiss and Stay Briefing Schedule: In The Matter Of the Application Of: PAUL RICHARD AQUITANIA For Review of Action Taken By FINRA ORDER EXTENDING BRIEFING SCHEDULE. Admin. Proc. File No. 3-20793

To be filed through SEC's eFAP System on:

Her Excellency Madam Vanessa Countryman, Secretary

Security and Exchange Commission

100 F Street, NE

Washington, DC 20549-1090

And served by electronic mail on:

Madam Megan Rauch, AGC, FINRA

1735 K Street, NW

Washington, DC 20006

Emails: megan.rauch@finra.org and nac.casefilings@finra.org

Paul Richard Aquitania

Tel: [REDACTED]

UNITED STATES OF AMERICA

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SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934 August 12, 2022 Admin. Proc. File No. 3-20793

In The Matter Of the Application Of:

PAUL RICHARD AQUITANIA

For Review of Action Taken By

FINRA ORDER EXTENDING BRIEFING SCHEDULE

TO ALL PARTIES AND THEIR ATTORNEY OF RECORD: PLEASE COME AND TAKE NOTICE:

THE PETITIONER: PAUL RICHARD AQUITANIA SUBMITS ITS ANSWER TO RESPONDENT'S MOTION TO DISMISS AND STAY ON BRIEFING SCHEDULE

THE MATTER OF: Petitioner's application with the Commission for review of a FINRA decision denying Aquitania's claim in FINRA's arbitration forum regarding a dispute about whether his account with a FINRA member firm had become overdrawn. On July 21, 2022, Petitioner filed an opening brief to the Commission ordering that a brief in support of the application for review be filed by July 5, 2022, a brief in opposition be filed by August 4, 2022, and any reply brief be filed by August 18, 2022. On July 26, 2022, FINRA filed a "Motion to Dismiss Paul Richard Aquitania's Application for Review and to Stay the Briefing Schedule." In its motion, FINRA stated that, on July 12, 2022, the Director of FINRA Dispute Resolution Services ("DRS") concluded that DRS had "prematurely determined that [Aquitania] claims were ineligible for arbitration and reopened the matter to have Petitioner proceed with his claims in the forum." As a result, FINRA argues that "Aquitania's application for review is moot" and must be dismissed. FINRA also "requests that the Commission stay briefing in this matter pending resolution of the motion to dismiss."

Petitioner construed this FINRA's request for a stay to be one for additional extension, an apparent maneuver taking advantage of the generosity of this excellence Commission has to offer. The factors Commission must consider the stay or grant an extension of time as may be relevant here are: (i) the length of the proceeding to date, (ii) the number of 117 C.F.R. § 201.161. Rule 161, which FINRA cited in support of its request to "stay the briefing schedule," addresses extensions of time, postponements, and adjournments. 2 17 C.F.R. § 201.161(b) postponements, adjournments, or extensions already granted, (iii) the stage of the proceedings at

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the time of the request, and (iv) any other such matters as justice may require.

Pardon your excellency but an error of reading and judgment had occurred on July 29, 2022 order; entitled ORDER EXTENDING BRIEFING SCHEDULE. Upon a further examination of aforesaid Petitioner found this error, page #2 paragraph #2 line #3 state: No Prior Extensions Have Occurred To Date, unquote.

Petitioner is hereby requested (to) that the Commission deny Respondent's request to stay or extend. Petitioner strenuously believes this motion [if so ordered] allows the Respondent to manipulate the situation, a behavior from [Rauch] that may constitute obvious act [in] taking advantage of the Commission GENEROSITY.

Extending stay would not promote administrative efficacy, rather it would shows abuse of discretion. Petitioners' would not want this cool looking Respondents to be portrayed in the eyes of the Commission and Public to be like that, a close to a greedy one...

see 17 C.F.R. 201 402(e) PaulAquitania, Exchange Act Release - 94551, 2022 WL, 969926 (March So, 2022) Granting Finra's request for an extension of time to file the certified record)

See also exhibit #E electronic communication, an email response to Madam Megan Rauch dated July 26, 2022.

Prior receiving Rauch electronic communication aka email; a telephonic confabulation transpire with Mr. Newson. A very specific and simple question was asked to Newson: Is Finra Ready To Accept Responsibility? Mr. Newson's outburst does not seem right, he had misconstrued such a simple inquiry, Newson said WHAT, follows What do Petitioner wants. In response Petitioner said FINRA IS NOT READY YET.

A question of responsibility can reflect in a lot of things in different scenarios such as:

A) Is Finra Ready To Accept Responsibility To Preside As An impartial referee.

B) Is Finra ready to accept responsibility to Defend the US Constitution

C) Is Finra ready to accept responsibility for sideline, an assignment with the Nation's First Line Of Defense under seal etc..However, Newsom's arrogance took himself underwater, a predicament when he forgot to bring O2.

Notwithstanding the foregoing anything in contrary herein: Actually, the Petitioner was the one who tried to lend a hand in order to rescue the Finra, the Rauch and the Newsom, the Merrill Edge and the Bank of America, and offered a reconciliation..see Amended Statement of Claim and kicking agent Paul Austin out of the circulation on or about January 6, 2022 Exhibit #F-

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Her excellency Madam Vanessa A Countryman, I can deal with Bombs, Bullets and Hazing, however what I cannot stand are hypocrites and sarcastics. In May 16, 2022 Motion a quotation reads: "This matter is over before it begins"

In closing; your excellency Secretary of Security Exchange and Commission, please be advised that whatever decision you may see is relevant to this underlying matter I respectfully always right behind and before the United States Security Exchange Commission.

Respectfully submitted by:

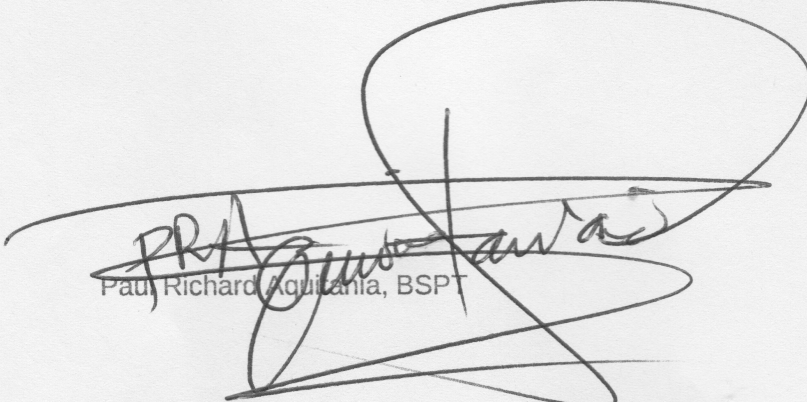

Paul Richard Aguilania, BSPT



EXHIBIT ~~1~~

~~1~~ E

Re: Admin. Proc. No. 3-20793: Paul Richard Aquitania

From: Paul Aquitania (agents2002@yahoo.com)

To: Megan.Rauch@finra.org

Date: Tuesday, July 26, 2022 at 08:21 PM PDT

Good evening Madam Megan Rauch, first and foremost, thank you for notifying me of intention to submit a petition to dismiss application for review of the above-captioned because you believe the is considered as moot. Although this allotted 30 days grace period requiring to respond has yet to expired, however, your professionalism and conduct reflects your reputation. Last week I was on the telephone with Mr. Newson, a Finra personal and manager located in Los Angeles, we were pretty much a bit incoherent as to what he and I were talking about, but I made no secret of the fact that the attachments requiring me to reply for things that have no more value, moot and academic is a waste of my time. I asked Mr. Newson only one particular question which at that time I believe a beneficial on both parties, I stated: The communications received from Ms Abuan and Ms Sassoucian were indications that FINRA's decisioned in January 25, 2022 not to entertained Petitioners' Petition For Statement of Complaints perhaps I'd say claims' excluded for FORUM was then a point of no return and these letters were signs that your client was in-fact arrogant and disrespectful; follows a question to Mr. Newson, Is FINRA ready to accept responsibility? He responded "What" upon hearing such provocative and insult I answered FINRA is not ready yet"

Please, review motions submitted to SEC Commissioner(s) dated April 20, 2022 and May 16, 2022 the latter, was a response to SEC requiring all parties to submit a brief, in that Petitioner had made no secret of the fact where he elaborated this very simple quotation

" matter is over before it begins" a preemptive approach to relinquish his intention and authority to further pursue matter, and to deliver this to the authorities of the US Constitution.

Madam, Petitioner is humbly and to inform you and FINRA that he is not only agreeing to your impending motion to dismiss, rather would support it, as such Petitioner is contemplating a version to submit his own motion to quash. A letter to SEC Secretary will be provided, separately from the aforementioned motion.

Good luck Madam Rauch, it's an honor working with you and your co-counsel. Kindly consider this electronic communication as an official advance notification. Again, I am honored to all FINRA's personnel that I dealt with, when I lodged a petition for review with the SEC, FINRA were my enemy.

Cordially yours,

Paul Richard Aquitania

On Monday, July 25, 2022, 09:19:09 AM PDT, Rauch, Megan <megan.rauch@finra.org> wrote:

Mr. Aquitania:

EXHIBIT # E

OS Received 08/15/2022