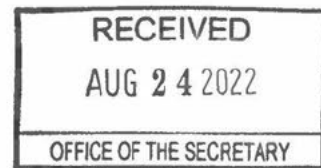


August 3, 2022

Re:Matter # 2021070860401



Office of the Secretary  
U.S. Securities and Exchange Commission  
100 F Street NE  
Mail Stop 1090  
Washington, DC 20549

Alan Lawhead, Esq  
Office of General Counsel  
FINRA  
1735 K Street, NW  
WASHINGTON, DC 20006

This request is to appeal the ruling from FINRA. The reason for the appeal is that I was not given sufficient time of due process due to significant health issues which made my responses impossible in the time frames given by FINRA and that My attorneys original response to the FINRA questions was rejected as insufficient with no explanation as to what was wrong with the responses.

Even though I have no interest in continuing to work with any FINRA related firms, my reputation has been sullied with the "Barred" title in red type when indexing my original CRD # which is causing ongoing damages to my reputation.

When first notice of this FINRA question was sent I was suffering from significant health issues and multiple hospitalizations which have now been resolved enough to allow me time to write you on these issues. I have attached my answers to FINRA's original questions and in summary I operated 100% under the compliance rules and regulations from my firm, Independent Financial Group.

Please remove any and all mentions of "Barred" or other negative comments continuing to sully a pristine reputation earned over a more than 40-year business career.

Thank You for your attention to this matter.

James K. Merrill



8/3/2022

James K Merrill Responses to Examination # 20210708604

Question # 1

When I was working as a financial advisor I was considered a tactical money manager. As I saw opportunities in the markets my clients expected me to make moves to take advantage of the opportunities to maximize returns on their invested monies. I did move money around more often than typical "buy and hold" advisors. And, on average my clients "net" returns, after fees exceeded their expectations which is why my practice grew steadily over many years, all by referrals from happy clients. In addition, I always operated under the strict guidelines of IFG's supervision and compliance departments. Every transaction was approved by IFG's supervision department BEFORE any transactions were completed.

Question # 2

The clients listed in the question, as well as all of my other clients ,were NEVER churned for fees. Any and all selected changes or movement was intended to increase clients net return.

Question # 3

Clients listed in items a-d ,as well as my other clients were also served with expert tactical money management. They wanted increased returns from tactical management of there holdings. By definition changes need to be made to take advantage of market opportunities. Any and all transactions were approved by the supervision/compliance department at IFG.

Question # 4

Churning to increase fees was not allowed at IFG and their "Supervision/compliance" Managed this activity on an ongoing basis.

Question # 5

Rules and procedures at IFG were managed by their "Supervision" department and I have never been accused of violating any of these guidelines.

Question # 6

Mutual fund form was used for switches, concentrations and breakpoints.

Question # 7 contact information

James K Merrill

[REDACTED]

Question #8

Spring of 2019

Question #9

I notified IFG as soon as we moved. I do not have access to past emails since I stopped working there 12/31/2019, however, IFG should have a copy of the email in their smarsh archives during the spring of 2019.

Question # 10

IFG daily supervision/compliance department stopped all inappropriate transactions before trades were made. I operated 100% under IFG's compliance rules and regulations.

Regards,

James K Merrill  
August 3, 2022.



8/3/2022