

In reference to the Motion submitted by FINRA to dismiss the appeal as abandoned and not stay the briefing schedule. SEC may notice that the information provided with the application was titled

**“ WILFREDO FELIX’S BRIEF IN SUPPORT OF APPLICATION FOR MODIFICATION OR REVERSAL OF THE DECISION BY THE NATIONAL ADJUDICATORY COUNCIL”**

**So even though I had not received a scheduling date a brief in support of the application has already been submitted. I am resubmitting the same document along with its exhibits to thwart the FINRA motion which in of itself is another frivolous attempt to not answer the defaulting of the case which should have never been a case in the first place. Thank you for your open fair forum and I pray for the fact finding of the truth.**

**Respectfully submitted.**

**/S/ Wilfredo Felix**

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

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<b>In the Matter of the Application of</b>	:	
	:	<b>Administrative Proceeding</b>
<b>Wilfredo Felix</b>	:	<b>Case No. 2020065128501</b>
	:	
<b>For Review of Disciplinary Action Taken</b>	:	
<b>by</b>	:	
<b>FINRA</b>	:	
	:	
----- -----	<b>X</b>	

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**WILFREDO FELIX’S BRIEF IN SUPPORT OF APPLICATION FOR MODIFICATION OR  
REVERSAL OF THE DECISION BY THE NATIONAL ADJUDICATORY COUNCIL**

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**The Office of the Secretary  
Securities and Exchange  
Commission  
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Room 10915  
Washington, DC 20549-1090  
APfilings@sec.gov**

**DEPARTMENT OF ENFORCEMENT,  
Complainant,  
v.  
WILFREDO FELIX**

(CRD No. 2693672)

**Wil Felix reserves the right to amend or supplement to this answer as well have an attorney amend or supplement to this brief as well.**

**Wilfredo Felix (“Felix”) hereby submits this brief in support of his application for modification or reversal of the decision by the National Adjudicatory Council (“NAC”) of the Financial Industry Regulatory Authority (“FINRA”) dated October 13, 2022 (the “NAC Decision”) on the following grounds: (1) the NAC erred in upholding the FINRA Office of Hearing Officer’s (“OHO”) Panel’s finding that the default decision was correct; (2) the sanction against Felix of a permanent bar is unwarranted, excessive in light of the OHO Panel’s findings, not supported by the evidence provided at the Hearing, and punitive in violation of General Principle No. 1 of the FINRA Sanction Guidelines; and (3) the NAC erred in upholding the OHO Panel’s finding that Felix violated Rule 8210 as no violation ever took place(4) In violation of the rules the NAC did not consider all arguments for appeal as admitted by the panel they did not review the fact that the OHO erred in its rendering of decision and did not allow for oral arguments or the fact be heard at all. (5) the NAC erred in upholding the OHO Panel’s finding that Felix violated Rule 8210 as all information was provided and no failure existed in the first place and FINRA had no grounds to have a case in the first place. Where FINRA has never proven that it did not receive the documentation. When in fact it was sent to them via Federal Express Mail . (6) Both the OHO and NAC erred and the bar should be dismissed / overturned**

I have not failed to exhaust his administrative remedies before FINRA so I’m proceeding in what I hope can be a fair hearing on the facts.

This is probably one of the most frivolous cases in the history of being sat before the SEC and Just the mere fact that FINRA NAC is addressing the information to North Amityville, still shows FINRAs incompetence in this matter. The NAC received an updated address to where all documentation was to be sent and still to this day they are still addressing information to an address to which I am not located. FINRA has been provided an address not only through this course of action but also through a prior appeal to the SEC. This in of itself suggests that I would never receive fair treatment in any FINRA arena. The documentation was in fact sent to FINRA in August of 2020 and no correspondence was ever received by me from FINRA regarding any outstanding information. Nor any requests stating that they did not receive the answers to their request. A FedEx label has been provided to the SEC to show that this documentation was sent to FINRA. The is no way to ever receive any fair hearing in any FINRA arena. It’s absolutely ridiculous that we are trying to contend with a case of barring me when FINRA has all ready barred me in July 2020. Any person with any type of common sense can see that this is just frivolous. How do you double bar someone.... are we wrestling? It clear as day that anyone can see that this whole case is a farce. The requested documents were sent. I was never sent any documents saying that FINRA did not receive the documents sent during the Pandemic and no documents telling me that there was a case for a second bar. This would be crazy to think

that while I have a pending case to overturn a bar that I would allow myself to not send documentation, thereby proving the first case. They never sent me any paperwork and now FINRA defaults a case to make sure I'm not heard or doesn't allow for oral arguments and proceeds forward with an additional case once I appeal my first case to the NAC. I have never signed for documents for anything purportedly sent by FINRA throughout the pandemic. I mean at that time at the height of the pandemic who was touching paperwork. Do you not remember the Clorox craze...Let alone who signs for paperwork as Mr. your first name. Finra doesn't even provide a signature proof for who signed it. I mean where is the sense in all of this. I'm not an attorney and have no need to use legal jargon. At this point I'm just sick and tired of this and I fail to see that FINRA is taking this seriously. It seems to me some sick joke. First FINRA brings a case on a firm with no customer matters and creates a case years later for me utilizing my own funds to build out an office and calls it outside of the normal course of business. And not causing my signature to appear on a form I cannot be compelled to sign. Now FINRA is barring me for not sending documents, doesn't allow me to fight the case or present defenses, doesn't serve me to let me know I even have a case and gets a default judgment April 27 2021. This would all make sense in FINRA's favor if we didn't have the luxury of hindsight. FINRA starts a case in December of 2020 and gets a Judgment on April 27, 2021 which is almost a year after July 27, 2020. This date is very important, why? Because this is when FINRA received and was fully aware of an updated address, why? because the address was updated for FINRA to respond to the appeal which was made on my other bar case that was appealed to the NAC on that very day. As of July 27, 2020 FINRA was officially notified that I was not at that address. They purportedly sent all documentation to an address that they well knew was not a good address for me. If they even sent it at all. They were well aware of this factor and were notified as of July 27, 2020 a good address for documents to be sent. They acknowledged this by responding to my appeal to this very first action. FINRA then moves forward and renders a default decision in April of 2021 almost a year after they were notified and knew of a new address. There is no coincidence to this time. This is around the time in which it was expected for me to get a decision on my other appeal from the NAC. FINRA was provided all the documents requested at that time. They were provided an address where they should have been sending all notifications. Till this day FINRA is still sending documents to an address to where I am not located and had I not gotten this email out of spam I would not have known to respond to this NAC decision. On June 28, 2021, again they were notified of where to send correspondence as my first appeal on my first bar was sent to FINRA again and FINRA responded to this appeal to the SEC so they acknowledged receiving this document as a response was sent. Also to take one step back this very NAC panel received an updated address on May 24, 2021 and FINRA also responded to that as well. Speaking of coincidences, I am about to receive another decision from the SEC regarding my appeal to the first bar. I mean we don't need Scooby doo to follow what's going on here. FINRA's defense is we sent the papers we swear, we swear and its not our fault that he didn't receive it. Its up to

him to update his address. The problem with this defense is FINRA was already notified that there was an update to an address once I filed with the NAC for my other case on many occasions. The second and most important part is they received the documents and there should have never been a second proceeding in the first place. Again, as I stated in my appeal to the NAC this was all in effort to make sure that their first frivolous case and bar, should it be overturned with the SEC or Supreme Court, that they had an additional bar in place, a "double bar" to make sure that I would stay barred. Am I the first person in the history of cases before the SEC to be double barred. For this reason and in the name of common sense and just human justice ...have this case overturned. As the villain in Scooby and the gang would put it.... if it wasn't for this damn kid I would have gotten away with it. Please restore the face of this process and overturn the second bar.

**Respectfully Submitted\***

**/s/Wil FELIX**

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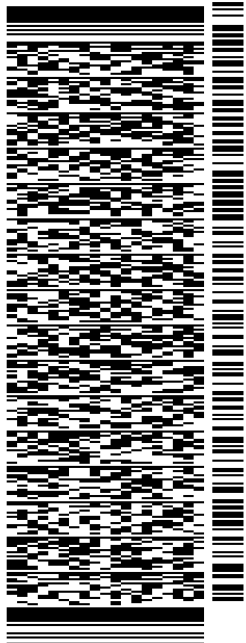
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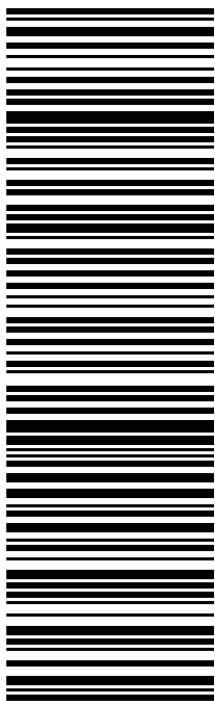
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