

U.S. SECURITIES AND EXCHANGE COMMISSION

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FINRA DEPARTMENT OF ENFORCEMENT, :

Complainant, :

v. : FINRA Disciplinary Proceeding
No. 2015045257501

RICKY ALAN MANTEI (CRD No. 1098981), : Admin. Proc. File No. 3-21516

Respondent. :
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MOTION FOR ORAL ARGUMENT OF APPEAL

Pursuant to Rule 451 of the Commission’s Rules of Practice, Respondent Rick Mantei respectfully requests oral argument of his appeal to the Commission of the decision of the National Adjudicatory Council (“NAC”) dated May 30, 2023 (the “Appeal”). This Motion is being filed contemporaneously with Respondent’s Opening Appeal Brief.

The Record in this case is voluminous and Respondent is presenting several distinct legal arguments. The Record in this case stretches back to events of 2014 and 2015. The NAC’s decision did not cite the Record. Respondent’s counsel has been involved in the case since FINRA began its investigation in 2014 and has command of the relevant facts. Counsel’s ability to answer specific questions about the facts and law will greatly aid in the Commission’s understanding of the case. In addition, liability is discretionary under FINRA Rule 2010 and MSRB Rule G-17. Finally, the FINRA Sanction Guidelines do not address the specific violations at issue.

Accordingly, Respondent believes the presentation of facts and legal arguments in the briefs and record and the decisional process would be significantly aided by oral argument of the Appeal.

Therefore, Respondent respectfully requests that the Commission order oral argument of this Appeal.

Dated: New York, New York
October 27, 2023

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CERTIFICATE OF SERVICE

I certify that on October 27, 2023, I served a copy of the foregoing via email on:

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