

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

In the Matter of the Application of

Norman Thorn Robertson

For Review of Action Taken by

FINRA

Administrative Proceeding File No. 3-21982

**FINRA’S UNOPPOSED MOTION FOR EXTENSION OF TIME TO OPPOSE  
APPLICANT’S MOTION TO ADDUCE**

Pursuant to SEC Rule of Practice 161, FINRA respectfully moves to extend the deadline to oppose Applicant Norman Thorn Robertson’s Motion to Adduce Additional Evidence (the “Motion”) to November 4, 2024, so that FINRA’s arguments opposing the Motion may be addressed and incorporated in FINRA’s brief in opposition to the application for review due that same day.

**Factual and Procedural Background**

1. On July 22, 2024, Applicant filed an application for review in this matter.
2. On August 21, 2024, the Commission issued its Order Scheduling Briefs.
3. On October 4, 2024, the Commission granted Applicant’s request for leave to submit a late opening brief in support of his application for review. Pursuant to the Commission’s Order Granting Leave to Submit Late Brief, Applicant’s opening brief was due October 7, 2024, FINRA’s brief in opposition is due November 4, 2024, and any reply brief by Applicant is due by November 11, 2024.

4. On October 7, 2024, Applicant filed his opening brief in support of the application for review. Applicant's opening brief cites to and attaches as exhibits the same evidence he seeks to adduce in the Motion.

5. On October 9, 2024, Applicant filed the Motion and served FINRA via email.

6. Pursuant to SEC Rule of Practice 154(b), FINRA's deadline to file a brief in opposition to the Motion is October 16, 2024.

7. On October 11, 2024, FINRA conferred with Applicant's counsel. Applicant's counsel indicated that Applicant does not oppose FINRA's extension request.

### **Request for Extension**

8. SEC Rule of Practice 161(a) provides that the Commission "may, for good cause shown, extend or shorten any time limits prescribed by these Rules of Practice for the filing of any papers[.]" 17 C.F.R. § 201.161(a) (2020). The relevant factors the Commission must consider in determining whether to grant an extension of time are (1) the length of the proceeding to date, (2) the number of postponements, adjournments, or extensions already granted, (3) the stage of the proceedings at the time of the request, and (4) any other such matters as justice may require. *See Dakota Sec. Int'l*, Exchange Act Release No. 83139, 2018 SEC LEXIS 1019, at \*2 (May 1, 2018); 17 C.F.R. 201.161(b).

9. Good cause exists to grant FINRA's request for an extension. FINRA plans to argue in its brief in opposition to the application for review that the Commission lacks jurisdiction to consider this matter. Similarly, FINRA plans to oppose the Motion because Applicant does not establish that the evidence he seeks to adduce is material to the relevant issue on appeal—i.e., whether the Commission has jurisdiction to consider this matter. Therefore,

FINRA's arguments in its brief in opposition to the application for review and arguments opposing the Motion are necessarily related and duplicative.

10. In addition, good cause further exists because, in his opening brief, Applicant repeatedly cites and makes arguments relying on the evidence he seeks to adduce. FINRA's arguments in its opposition brief will address these arguments and the immateriality of the evidence Applicants seeks to adduce.

11. The relevant factors weigh in favor of granting FINRA's motion because (1) the underlying application for review is less than three months old; (2) FINRA has not sought any prior postponements, adjournments, or extensions, and Applicant's request for leave to submit a late brief was for a minimal two-week extension of the original briefing schedule deadlines; and (3) this proceeding is in its early stages, and the extension FINRA requests will not unduly delay its completion.

FINRA therefore respectfully requests that the Commission grant its request to extend FINRA's deadline to oppose the Motion to November 4, 2024, and permit FINRA to make its arguments opposing the Motion in FINRA's brief in opposition to the application for review.

Respectfully submitted,

/s/ Megan Rauch

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October 14, 2024

**CERTIFICATE OF SERVICE**

I, Megan Rauch, certify that on this 14th day of October 2024, I caused a copy of the foregoing FINRA's Unopposed Motion for Extension of Time to Oppose Applicant's Motion to Adduce to be filed through the SEC's eFAP system on:

The Office of the Secretary  
Securities and Exchange Commission  
100 F Street, NE  
Room 10915  
Washington, DC 20549-1090

and served by email on:

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