

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

In the Matter of the Application of

Ronald Moschetta

For Review of Action Taken by FINRA

File No. 3-22456

**FINRA'S MOTION FOR EXTENSION OF TIME
TO FILE REPLY BRIEF**

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April 30, 2025

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Pursuant to SEC Rule of Practice 161, FINRA moves to extend its time to file a reply in support of its motion to dismiss. Applicant Ronald Moschetta failed to properly serve on FINRA a copy of his opposition to the motion to dismiss. As a result, FINRA’s Office of General Counsel (“OGC”) did not receive a copy of Moschetta’s opposition until OGC staff discovered it on the Commission website earlier today. Thus, FINRA requests an extension of its time to file a reply in support of its motion to dismiss until Monday, May 5, 2025.

Factual and Procedural Background

1. On March 25, 2025, FINRA filed a motion to dismiss this appeal on the grounds that: (1) Moschetta’s application for review is untimely; (2) Moschetta failed to exhaust his administrative remedies before FINRA; and (3) the Commission does not have jurisdiction to review the denial of access to the arbitration forum for Moschetta’s related arbitration claim.

2. Moschetta did not file a response to FINRA’s motion to dismiss and, accordingly, on April 17, 2025, the Commission issued an order directing Moschetta to file any brief in

opposition to FINRA's motion to dismiss by April 24, 2025. The Commission's order also provided that FINRA could file a reply brief by April 29, 2025.

3. The Commission's website indicates that Moschetta filed an opposition to FINRA's motion to dismiss on April 22, 2025. Moschetta did not, however, serve OGC with a copy of his filing. Instead, Moschetta's certificate of service indicates that he served his opposition on the Department of Enforcement at "enforcement@finra.org," an email address that does not exist and which should have resulted in Moschetta receiving an "undeliverable" message. Thus, this office did not learn that Moschetta had filed an opposition to the motion to dismiss until OGC staff discovered it on the Commission website earlier today (April 30, 2025).

Request for Extension

4. 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). 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, Inc.*, Exchange Act Release No. 83139, 2018 SEC LEXIS 1019, at *2 (May 1, 2018); 17 C.F.R. 201.161(b).

5. Good cause exists for granting FINRA's request. On February 24, 2025, OGC counsel filed a notice pursuant to Commission Rule of Practice 102(d)(2) entering an appearance in this appeal and providing contact information for the attorney handling this matter on behalf of FINRA. A copy of the Rule 102(d)(2) notice was properly served on Moschetta. Moschetta nonetheless served a copy of his opposition to the motion to dismiss by emailing it to a non-

existent email address, purportedly for another FINRA department. As a result, OGC did not receive a copy of Moschetta's opposition until OGC staff discovered it today posted on the Commission website.

6. In addition to Moschetta's failure to properly serve FINRA with his opposition, the other relevant factors weigh in favor of granting FINRA's motion because: (1) FINRA has not requested previously an extension of its time to file a reply; and (2) this proceeding is in its early stages and the requested extension will not unduly delay its completion.

FINRA therefore respectfully requests that the Commission grant an extension for FINRA to file a reply in support of its motion to dismiss until May 5, 2025.

Respectfully submitted,

/s/ Celia Passaro

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April 30, 2025

CERTIFICATE OF COMPLIANCE

I, Celia Passaro, certify that this FINRA's Motion for Extension of Time to File Reply Brief complies with the Commission's Rules of Practice by omitting or redacting any sensitive personal information described in Rule of Practice 151(e).

Respectfully submitted,

/s/ Celia Passaro

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CERTIFICATE OF SERVICE

I, Celia Passaro, certify that on this 30th day of April 2025, I caused FINRA's Motion for Extension of Time to File Reply Brief, in the matter of the Application for Review of Ronald Moschetta, Administrative Proceeding No. 3-22456, to be filed through the SEC's eFAP system.

And served by electronic mail on:

Ronald Moschetta
[REDACTED]
[REDACTED]
[REDACTED]

Respectfully submitted,

/s/ Celia Passaro

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