

July 27, 2017

Office of the Secretary
U.S. Securities and Exchange Commission
100 F Street NE
Mail Stop 1090- Room #10915
Washington, DC 20549
Attn: Mr. Brent Fields-Secretary



Re: Administrative Proceeding File Number 3-17767

Mr. Fields.

In response to your order dated July 24, 2017, requesting additional written submissions as to why **McBarron should be allowed a hearing in this matter and as to why McBarron failed to file its opening brief on or before March 27, 2017, or an opposition to FINRA's April 3, motion to dismiss and why the commission should excuse McBarron's failure to file, reopen this dismissed proceeding and allow McBarron to file an untimely brief?**

- 1) **To me the question the SEC needs to answer for itself is not why McBarron should be granted a hearing in this matter. But why FINRA continues to deny McBarron's its right to due process by denying a hearing or offering mediation in this matter?**
- 2) **Why did FINRA use its "expatiated decision" process in handling this matter in the first place, why such a rush to expel the firm?**
- 3) **Why was McBarron response to FINRA's notice of intent to cancel its FINRA membership on November 18, 2016 for failure to pay fees, which was submitted within the permitted time frames set forth in that notice, not sufficient to be granted a hearing in this matter?**
- 4) **Why was McBarron's December 5, 2016 e-mail which requested an extension of time in which to reply to FINRA's request for information denied without explanation by FINRA?**
- 5) **Why also, was McBarron's Capitals January 3, 2017 Application for Review submitted to FINRA found not to be sufficient to grant a hearing in this matter?**
- 6) **Why would FINRA deny McBarron a hearing on this matter given that the sole purpose of McBarron's hearing request was to enter into a payment arrangement with FINRA, for the purpose of making full payment of all monies due or accrued?**

- 7) Given, FINRA's own admission that it has received several good faith filings by McBarron that contained a summary of the issues and facts in this matter. Isn't FINRA's continued insistence that the need of a formal "brief" presentation of the facts and arguments in a matter of fees owed superfluous given the transparency of the matter in question.
- FINRA has choose form over substance in order to do what FINRA does best; which is to ignore any facts and avoid any on the record testimony that may cast doubt on their methods used to reach their predetermined conclusion.
- 8) In addition, any delay in McBarron's responding to FINRA's request for briefs or motions was caused by either FINRA's failure to properly notify the firm of their request and/or FINRA's failure to grant McBarron's requests for an extension of time in which to reply to these requests, that would have been granted by FINRA had the firm been represented by legal counsel.
- 9) Couldn't FINRA's insistence that McBarron not be granted a hearing or mediation in this matter, be because FINRA never wanted to aid McBarron in payment of fees. FINRA's intent from the start of this matter was to "Expel" the firm and avoid any on the record testimony that may prove embarrassing?
- 10) And couldn't The marking of McBarron's broker check showing the firm to be expelled for non payment of FINRA fees while not granting McBarron a hearing ; amount to slander and be viewed as causing irreparable financial harm to its owner and former employees?
- 11) And wouldn't the SEC's failure to grant McBarron a hearing in this simple matter of FINRA fees owed, given the SEC's pending and unproven actions brought against McBarron and its Chairman, the appearance of possible collusion between the two organizations against McBarron? For the purpose of suppressing on the record testimony.
- 12) And finally, will the courts upon the SEC denial in granting McBarron's request for a FINRA hearing, given the courts long standing belief that securities matters should be handled internally, view the lack of due process in this matter and the slander created by the marking of the firm as "Expelled" without due process; grant McBarron and myself the right pursue damages created, by your decision.?

I thank you for your consideration of this matter.

Regards,

James Crafa