

May 31, 2017

On May 30th 2017 I received an e-mail from a Colleen Durbin with FINRA's Motion to Dismiss My Application for Review and to Stay the Briefing Schedule. I want to address the main issue raised by Ms. Durbin which is that my application was untimely due to my trying to get out of the AWC I signed on April 4, 2016 by an e-mail in early May to Mr. Kevin Rosen, the FINRA enforcement lawyer in this matter, stating my concerns. This is factually untrue and I can prove it. On May 8, 2017 I sent to this Commission a letter stating that I tried to back out of this agreement the very next day after it was signed through a series of three different phone calls. There are three members of FINRA that I spoke with that day. They are Kevin Rosen, attorney for FINRA enforcement in Boca raton Fl. Ms. Dawn Colange, Dakota Securites FINRA supervisor, and David Klafter, FINRA Souheat Enforcement attorney and Kevin Rosen's supervisor. On that next day after I signed the AWC in question, after reading about the different ramifications that this would entail and how I would be hurt, I called Mr. Rosen that next day after signing the AWC and told him of my concerns and that I wanted to back out. Mr. Rosen said that was impossible and that once signed there was nothing he could do. I didn't accept his answer and continued arguing my case. At this point Mr. Rosen brings Dawn Colange, Dakota's supervisor, into the conversation who echoes what Mr. Rosen is telling me and that there was nothing either of them could do about it stating I signed it and I now own it. I did not stop arguing and asked for Mr. Rosen's supervisor to get involved. I then got a call back about an hour later with Mr. Rosen and a Mr. Klafter who introduced himself as the regional attorney for FINRA in the Southeast and Mr. Rosen's supervisor. Mr. Klafter says the very same thing, there is nothing he can do about it and the AWC will be enforced and it didn't matter what my issues with it were. Again to be clear, this is the very next day after I signed the agreement and when

realizing that night what I had done tried to back out.

Here is the problem FINRA now has. I also sent a copy of my May 8th letter to the lawyers at FINRA who I made sure to check with to make sure they got a copy of it. After receiving that confirmation that they did I am now writing this letter. That letter of May 8 and my now confirming to you in this letter are the facts concerning this case with regard to my wanting to back out of this agreement the very next day after it was signed. Ms. Durbin, in her letter dated May 30th 2017 never mentions anything about these three conversations I had with the 3 FINRA members. Not one word. In her letter Ms. Durbin states clearly two different times that the first time I wanted to back out of the agreement was on May 5, 2016 in an e-mail to Mr. Rosen. This is blatantly false and FINRA knows it is false. What I would like to know and I assume the Commission wants to know is that did Ms. Durbin contact any of the 3 FINRA participants I mention here to see if what I said was true? One would also want to know after reading my letter of May 8 which Ms. Durbin received and read why absolutely no mention at all about it in her May 30th letter to this commission. I have a theory about that and that was maybe if they go there a whole new Pandora's box is now opened. Will the 3 FINRA members deny the conversations ever happened? Will they each develop amnesia and not really remember what the calls were about? This is the main focal point of my case. For Ms. Durbin to not even bring these conversations of me trying to back out of this flawed AWC in my May 8 letter is shocking and reveals to me and hopefully the commission that they are trying to conceal what happened here.

Here is another point that I would love the commission to pursue. Why don't you ask the FINRA lawyers in this case a very simple question. Let's suppose Bruce Zipper signed an AWC today and had reservations about its accuracy and potential harm to him that he wasn't aware of the day before.

Would these three FINRA members listed here allow him to back out? It's either yes or no. The reason I want this question asked is to see if they had a right to do so no matter what my argument was to back out the next day. If they had that right as judged by FINRA and now the Commission it makes my argument moot. If not there is a big problem here.

I could go into other areas where FINRA is in error in their letter of Motion to Dismiss but this is the area I want to concentrate on. I suggest to the commission to have us all take depositions under oath about this matter. I certainly would be willing to do so and am available anytime of the Commission's choosing.

Until this argument is resolved there is no point in going into the other areas where FINRA is in error.

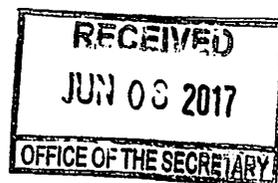
In Conclusion: FINRA in their May 30th letter for Motion to Dismiss my application for review made factual errors in their response that can and will be proven false and as such make their arguments not worth the paper they are written on. All I ask is for this Commission to seek the truth before ruling and if you do I believe you will agree with me that FINRA made a very bad mistake in this case. Thank you so much for your consideration in this matter.

Sincerely,

A handwritten signature in black ink that reads "Bruce Zipper". The signature is written in a cursive style with a large, looping initial "B".

Bruce Zipper

I hereby certify that I have sent a copy of this letter to Ms. Colleen Durbin, at 1735 K Street, N.W., Washington, D.C. 20006



May 31, 2017

Brent J. Fields

Secretary

Securities and Exchange Commission

100 F Street, N.E.

Room 10915

Washington, D.C. 20549-1090

RE: In The Matter of Bruce Zipper

Administrative Proceeding No. 3-17963

Dear Mr. Fields:

Enclosed please find the original and three copies of My Motion In Response To FINRA's Motion To Dismiss my Application for Review and To Stay Briefing Schedule in the above mentioned matter.

Please contact me at [REDACTED] if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Bruce Zipper".

Bruce Zipper

cc: Colleen Durbin