

United States of America
Before the
SECURITIES EXCHANGE COMMISSION

December 11, 2017

Pursuant to:

The SECURITIES EXCHANGE ACT OF 1934, Section 19(D) (2)

Admin. Proc. File No. 3-18045

In the Matter of the application of
MERRIMAC CORPORATE SECURITIES, INC., and ROBERT NASH
For review of action taken by FINRA

MERRIMACS REPLY TO FINRA'S MOTION TO STRIKE DOCUMENTS

FINRA, with its egregious power and resource's has, without a doubt, done everything to prevent the truth from coming out in this case. Their ability to empower attorneys "at will" to manhandle small broker dealers is well documented at this point. Merrimac's dedication with limited legal prowess and resource's should be taken into account and not the legal ease of an SRO that's trampled the "Code of ethics" of law and "Civil Rights" of its members.

If FINRA is to win this appeal it will be based on their ability to skirt around with legal ease Merrimac is unqualified to do. It will not be based on the facts of the case. FINRA (Celia Passaro) makes note of an end-runaround to supplement the record favorable to Merrimac. The first and obvious question is why would any evidence during or after the hearing and with the NAC ever be denied if it meant to get to the truth. Second, our records indicate these documents have been submitted. Third, if exhibits made by FINRA, were simply reformatted by Merrimac utilizing the original Data as a supplement to FINRA's original exhibits why is that an issue. Four, by FINRA filing this motion it is attempting to have the SEC's

own filing requirements such as 10q's and 10k's, that are already public domain, out of the record as it relates to their section 5 allegation.

FINRA'S Celia Passaro's Motion is based on the Commission's Rule of Practice 452. With all due respect to this rule, FINRA makes a mockery of Due Process day in and day out as it sees fit. Yet, they conveniently expect the SEC to strike documents based on 452. Isn't it really just another attempt by FINRA to skirt the truth on an issue that should have never even come to pass?

FINRA's Celia Passaro's first paragraph states that Merrimac's recent submission appears to include both documents already in the record and some that aren't. She also states Merrimac "submitted what it labeled 'analysis', which appears to be documents created by Merrimac. Well, either they are or they aren't part of the record. Page 3 goes on to allege that several Merrimac exhibits appear to be altered versions of Document such as CX-75. Was it an altered document or wasn't it. Obviously, she makes it extremely apparent she doesn't really know anything for sure. Her comment of "Merrimac's attempt to reorganize and supplement the record consisting of more than 19,000 pages" seems Ludacris considering Merrimac submissions were an extremely small part of these documents being submitted and, based on her Motion, there are only a few documents and two exhibits in question.

Furthermore:

Merrimac is not attempting to introduce new evidence as it relates to the Rule of Practice 452. All evidence was submitted prior to this appeal. Really, the issue here is how FINRA stonewalled the whole case from beginning to end. They lied about the availability of witnesses, disallowed witnesses, altering OTR representations, provided false exhibits and incompetent witnesses, while submitting inappropriate evidence of their own. They even harassed two defendants that were critically ill at the time into testifying and settling based on FINRA's refusal to provide them more time. This is all documented in Merrimac's prior briefs. FINRA Enforcement even had an ex-enforcement employee head up the hearing panel. Are you kidding me? So, the real issue is not about evidence that should not have been added. Rather, that the evidence should have never been needed.

For example, as it relates to the section 5 allegation Enforcement's witness Jason Wong was acting as Enforcements proxy (stooge) by deliberately changing the reason why Merrimac violated Section 5 to begin with. From day one Merrimac provided overwhelming evidence disproving Enforcements original Section 5 allegation. Yet, Wong, coached by Enforcement each night, testified to a new reason a section 5 violation existed. The original complaint's allegations, exhibits along with Jason Wong's original testimony does not support the final allegations and findings. No new evidence should have been needed or was known to be needed prior to the hearing. We were forced to submit additional documents to defend each new allegations. Any additional evidence submitted such as Exhibit MERRA-4001 by Merrimac was caused by unexpected and inappropriate actions of Enforcement. Instead of provided an expert in section 5 issues they deliberately chose to confuse the panel by using an inexperience proxy that would do their bidding each new day of testimony.

Next, despite overwhelming testimony and evidence produced by respondents demonstrating that enforcement misrepresented dates, facts and evidence regarding certain meetings and DSR's sent to

FINRA in response to certain 8210 requests, the panel disregarded all the testimony and evidence and deemed Nash and the respondents to be in violation of Rule 8210. Merrimac believes, once again that it was due to the grossly inaccurate exhibit CX-75 combined with incompetent testimony from Jason Wong. This was completely unexpected and after the fact. Evidence to the contrary was submitted [ExhibitMERRA-3001] that had signed copies by Nash to CS which clearly shows that there were no falsified copies as the hearing officer Delany states as fact on pages 5 & 6 of her decision. As it turns out the record shows they were sent Wong in prior submission's that he failed to recognize in his evidence/ exhibits. Had FINRA'S careless exhibit CX-75 not been grossly inaccurate and deliberately misleading Merrimac's exhibit would not have been needed. Why wouldn't the FINRA panel or the NAC allow a rebuttal exhibit? Is it because it shows that FINRA's exhibit almost exclusively used during the hearing to determine the Rule 8210 violation against Nash and Merrimac was completely false and inaccurate.

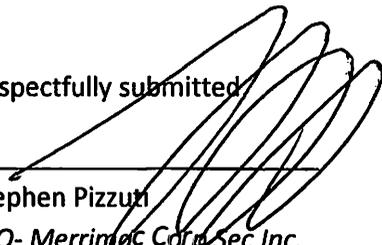
In summary if the SEC reads Merrimac's briefs and reviews testimony by FINRA's Jason Wong they will find that there was a deliberate misrepresentation of the facts and changes to the original allegation by enforcement at the hearing. Therefore if the issue is related to documents believed to be submitted after the hearing, it was due to Enforcement's moving target allegations allowed and ruled on by the panel. Alleging that Merrimac is supplementing the record should not be what's at question. Rather the need for then to have to provide them at all.

It was not as Celia Passaro stated that it was "nothing more than an attempted document-dump and end-run around appropriate appellate procedure. Her comment that we did not provide/attempt to provide added evidence during the preceding is inaccurate at best. In reality, Enforcement forced Merrimac to continue to defend itself from new forms of the same allegations only availed to Merrimac during FINRA's testimony at the hearing.

Merrimac has witnessed firsthand how FINRA has completely run afoul of any Code of Ethics, Best Practices and certainly any Due Process. How can FINRA possibly ask the SEC to strike Merrimac's submission for actions caused by Enforcement prior to this appeal?

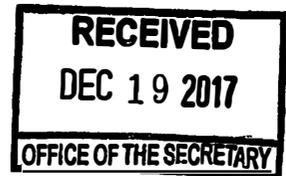
Thank you for your consideration in this matter.

Respectfully submitted,



Stephen Pizzuti
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October 25th, 2017



Brent J. Fields, Secretary

Securities and Exchange Commission 100 F St., NE

Room 10915

Washington, DC 20549-1090

RE: Administrative Proceeding No. 3-18045

Merrimac Corporate Securities, Inc. and Robert Nash

Dear Mr. Fields:

Enclosed please find an original and three copies of Merrimac's Reply To FINRA'S Motion To Strike Documents.

Very Truly Yours,

/s/ Stephen Pizzuti

Enclosures

CC: Cecilia Passaro
Associate General Counsel
FINRA - Office of General Counsel
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Washington, DC 20006

Robert G. Nash (Index Only)

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CERTIFICATE OF SERVICE

I, Stephen Pizzuti, certify that on December 14, 2017, I caused an original and three copies of our Reply to FINRA'S Motion to Strike Documents to the certified record in the matter of Applications for Review of Merrimac Corporate Securities, Inc. and Robert Nash, Administrative Proceeding No. 3-18045, to be served by Email to:

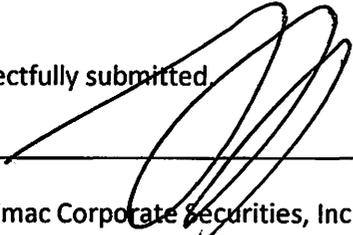
Celia Passaro

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Respectfully submitted,


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