

# Disciplinary and Other FINRA Actions

## Firms Fined

### **Northwestern Mutual Investment Services, LLC ([CRD® #2881](#), Milwaukee, Wisconsin)**

April 7, 2020 – A Letter of Acceptance, Waiver and Consent (AWC) was issued in which the firm was censured, fined \$350,000 and required to enhance its supervisory systems and written supervisory procedures (WSPs) in ways that are reasonably expected to address the areas of conduct discussed in this AWC. Without admitting or denying the findings, the firm consented to the sanctions and to the entry of findings that it failed to establish, maintain and enforce a supervisory system that was reasonably designed to review and monitor the transmittals of funds from the accounts of customers to third party accounts and outside entities. The findings stated that a registered representative associated with the firm converted \$473,496 from his customers' variable annuities through distributions and transfers to his personal bank account during a time when he was experiencing personal financial difficulties. To convert customer funds, the representative forged customer signatures on variable annuity distribution requests and submitted the forged documents to the firm. The firm did not take reasonable steps to verify that the customers actually controlled the transferee bank accounts, and it effected the transfers. In addition, the representative effected unauthorized transfers of funds totaling \$121,123 from two customers' variable annuities to another customer's bank account, in order to conceal his previous conversion from that customer. The representative forged his customer's signatures on variable annuity distribution requests and submitted the forged documents to the firm. The firm did not take reasonable steps to verify the relevant customers actually controlled the recipient bank accounts, and the firm effected the transfers. The firm observed a high rate of variable annuity withdrawals and surrenders among the representative's customers. Certain of these withdrawals were among the ones the representative effected in order to convert customer funds. The firm's electronic systems flagged three of these withdrawals, totaling \$97,317, for further review due to the high volume of withdrawals. However, the firm's investigation and review of these withdrawals was not reasonable. After the firm learned of the representative's misconduct, it reimbursed all of the affected customers in full. ([FINRA Case #2017054642101](#))

### **Chapin Davis, Inc. ([CRD #28116](#), Baltimore, Maryland)**

April 8, 2020 – An AWC was issued in which the firm was censured, fined \$35,000 and required to submit a certification within 90 days that it had implemented both its written customer identification program (CIP) and written policies and procedures pertaining to the detection and reporting of suspicious transactions in compliance with FINRA Rule 3310, the Bank Secrecy Act and the regulations promulgated thereunder. Without admitting

## Reported for June 2020

FINRA has taken disciplinary actions against the following firms and individuals for violations of FINRA rules; federal securities laws, rules and regulations; and the rules of the Municipal Securities Rulemaking Board (MSRB).

or denying the findings, the firm consented to the sanctions and to the entry of findings that it failed to implement its written CIP. The findings stated that the firm failed to fully implement its procedures that required the completion of a new account form, and the collection of supplemental information and documentation, for each account opened. As a result, the firm failed to verify the identity of each customer to the extent reasonable and practicable. The findings also stated that the firm failed to implement its written anti-money laundering (AML) policies and procedures relating to the detection and reporting of suspicious transactions. Inconsistent with its own procedures, the firm failed to monitor account activity for unusual size, volume, pattern, or type of transactions and other red flags. The firm often failed to review the daily exception reports provided by its clearing firm and daily deposit and withdrawal activity, or failed to review them until months after the potentially suspicious transactions occurred. As a result, the firm failed to detect and investigate certain customer activity that raised red flags of potentially suspicious activity. ([FINRA Case #2018056386601](#))

**Morgan Stanley & Co. LLC ([CRD #8209](#), New York, New York)**

April 17, 2020 – An AWC was issued in which the firm was censured, fined \$300,000 and required to revise its WSPs. Without admitting or denying the findings, the firm consented to the sanctions and to the entry of findings that it erroneously submitted reports to the Order Audit Trail System (OATS™) that it was not required to report and submitted reports to OATS with inaccurate data. The findings stated that the firm implemented programming logic that caused its system to incorrectly report a cancel/replace report to OATS any time a non-material change was made to a customer order. The firm began implementing a series of fixes to its OATS reporting logic and later fully remediated its over-reporting issue. In addition, internal updates to an algorithm that routed orders to the firm's alternative trading system (ATS) resulted in cancel/replace reports being unnecessarily reported to OATS. The programming change to the firm's ATS also resulted in order events being reported to OATS out of sequence. The OATS reporting logic used to submit this order flow inadvertently generated incorrect timestamps for order modifications that in turn caused the subsequent route reports to be incorrectly reported with the order identifier of the original order instead of the new order identifier generated by the cancel/replace report. Furthermore, the implementation of faulty programming logic caused the firm to report the Seller Option special handling code instead of the Next Day or Same Day special handling codes for new order reports. The firm implemented erroneous logic that resulted in its failure to submit the Counter Party Restriction special handling code on new order reports. Subsequently, the firm corrected the logic. The findings also stated that the firm failed to establish a supervisory system, including WSPs, reasonably designed to achieve compliance with its OATS reporting obligations. The firm's supervisory system, including its WSPs, did not include a review for reporting violations that could only be identified from a comparison to its books and records. The firm's supervisory reviews would not have identified instances where it either over or under-reported data to OATS or reported incorrect timestamps or special handling codes to OATS. ([FINRA Case #2015044226501](#))

**Kestra Investment Services, LLC ([CRD #42046](#), Austin, Texas)**

April 28, 2020 – An AWC was issued in which the firm was censured and fined \$125,000. Without admitting or denying the findings, the firm consented to the sanctions and to the entry of findings that it caused certain broker-dealers to violate the U.S. Securities and Exchange Commission’s (SEC) Regulation S-P: Privacy of Consumer Financial Information and Safeguarding Information by causing certain recruited registered representatives to take non-public personal customer information from those broker-dealers where they were then registered and to disclose it to a third-party vendor that assisted the representatives with their transition to the firm, without the other broker-dealers’ or the customers’ knowledge or consent. The findings stated that the firm contracted the vendor to provide assistance recruiting representatives who had agreed to join the firm. The firm worked with the vendor to create a template spreadsheet to collect information about the recruited representatives’ customers, including their non-public personal information. The spreadsheet contained fields for, among other items, customer social security numbers, driver’s license numbers and birth dates, as well as fields pertaining to their financial position. In certain instances, firm employees worked with recruited representatives to complete the spreadsheet while they were still registered through their prior broker-dealers. Firm employees, however, did not receive copies of the spreadsheet or have access to the non-public personal information provided to the vendor. Once a recruited representative became registered through the firm, the vendor used the spreadsheet to automatically pre-populate new account forms that the vendor sent to customers who agreed to open accounts with the firm. The firm typically reimbursed recruited representatives for the fees charged to them by the vendor to generate the firm’s new account documents. The firm failed to take any steps to inquire whether the recruited representatives or their broker-dealers at the time had notified customers about the disclosure of their non-public personal information, nor did the firm take any steps to inquire as to whether customers had been given an opportunity to opt-out of having their information disclosed. The firm also failed to provide any guidance to the recruited representatives concerning the disclosure of customer non-public personal information to the vendor. ([FINRA Case #2018060228201](#))

## Individuals Barred

**Patrick M. Coogan ([CRD #4576580](#), Baton Rouge, Louisiana)**

April 1, 2020 – An AWC was issued in which Coogan was barred from association with any FINRA® member in all capacities. Without admitting or denying the findings, Coogan consented to the sanction and to the entry of findings that he made reckless misrepresentations of material fact in agreements he signed in connection with loans his customer obtained from multiple banks. The findings stated that the customer pledged assets in the customer’s brokerage account as collateral for the loans, which together had a principal amount of well-over one million dollars. The customer over-pledged the assets

of the brokerage account to obtain these loans. Coogan signed control agreements with the lender banks in connection with these loans without requesting or obtaining approval from his member firm to sign any of these agreements. Each of the agreements contained material misrepresentations. By making these misrepresentations, Coogan enabled the customer to improperly obtain multiple loans by over-pledging the brokerage account's assets. ([FINRA Case #2018058134301](#))

**Lazaros Konstantinidis Coss ([CRD #6476885](#), La Mesa, California)**

April 2, 2020 – An AWC was issued in which Coss was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Coss consented to the sanction and to the entry of findings that he refused to produce documents and information requested by FINRA during an investigation into the circumstances identified on a Uniform Termination Notice for Securities Industry Registration (Form U5) submitted by his member firm. The findings stated that Coss was permitted to resign from the firm while under internal review for alleged signature discrepancies on certain non-variable life insurance policies and for paying premiums on certain non-variable life insurance policies where the insureds were neither related to the representative nor employed by him. ([FINRA Case #2019063530501](#))

**Erik Patrick Pica ([CRD #4829533](#), Brooklyn, New York)**

April 6, 2020 – An Office of Hearing Officers (OHO) decision became final in which Pica was barred from association with any FINRA member in all capacities and ordered to pay a customer \$200,000 in restitution, plus interest. The sanctions were based on findings that Pica converted \$200,000 from an elderly customer by depositing the customer's check into his personal bank account when the customer intended the check to be deposited into his brokerage account at Pica's member firm. The findings also stated that Pica misused and commingled the customer's funds by using the funds to pay the down payment and closing costs for the purchase of a home. The findings also included that Pica provided false and misleading information to the customer about what he had done with the customer's funds. The customer asked Pica what happened to his \$200,000 check, and Pica initially responded that he had put the funds back in the customer's Individual Retirement Account (IRA) account, and later that he had not cashed the check. FINRA found that Pica provided similar false and misleading information to the firm. In truth, Pica had deposited the funds into the bank account of a company he controlled, transferred the funds to his personal bank account, and used the funds to purchase the home. FINRA also found that Pica gave false and misleading information to FINRA during an onsite examination of the firm's branch office by falsely representing that he had not entered the branch office or his personal office the previous evening while FINRA was absent. In addition, FINRA determined that Pica provided false and misleading on-the-record testimony on several subjects, including that he had not communicated with anyone from the firm to determine when FINRA left the branch office on the first evening of the onsite examination. Moreover, FINRA found that Pica failed to produce documents and information requested by FINRA

including the mortgage application Pica submitted to a mortgage company in connection with a home he and his spouse purchased using the customer's funds. ([FINRA Case #2019061947501](#))

**Ollisha H. Taylor (CRD #6737330, Pearland, Texas)**

April 6, 2020 – An AWC was issued in which Taylor was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Taylor consented to the sanction and to the entry of findings that she refused to provide information and documents requested by FINRA in connection with its investigation into whether she converted funds from her member firm. ([FINRA Case #2020065923601](#))

**Timothy Brent Hetrick (CRD #2048466, Wilder, Idaho)**

April 7, 2020 – An AWC was issued in which Hetrick was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Hetrick consented to the sanction and to the entry of findings that he refused to appear for on-the-record testimony requested by FINRA in connection with an investigation into potential forgeries by him of customer signatures on penny stock disclosure and authorization forms. ([FINRA Case #2018057098801](#))

**Steven Jun Lu (CRD #6856088, Glendora, California)**

April 7, 2020 – An AWC was issued in which Lu was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Lu consented to the sanction and to the entry of findings that after meeting an elderly retiree living alone and exhibiting signs of dementia, he entered into a power of attorney with her naming him as attorney-in-fact with broad powers over her financial affairs and appointing him as co-trustee over her assets, in violation of his member firm's WSPs. The findings stated that in the trust agreement, Lu was also named as the beneficiary of 75 percent of the individual's estate. Lu also made multiple attempts to open an account for the individual's trust at a bank that was affiliated with his firm and by which he was also employed. Lu repeatedly lied to the firm and bank personnel about his relationship with the woman by falsely claiming that she was a close family friend. The firm reported the matter to state government authorities, who subsequently appointed a guardian for the woman and brought legal action to revoke the power of attorney and trust agreement. ([FINRA Case #2018058642601](#))

**Alan Harold New (CRD #2892508, Fort Wayne, Indiana)**

April 8, 2020 – An AWC was issued in which New was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, New consented to the sanction and to the entry of findings that he failed to provide documents and information requested by FINRA during the course of an investigation of his participation in the sale of promissory notes. ([FINRA Case #2018057240801](#))

**Jeremy Joseph Cook ([CRD #6341736](#), Lafayette, Louisiana)**

April 9, 2020 – An AWC was issued in which Cook was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Cook consented to the sanction and to the entry of findings that he refused to provide on-the-record testimony requested by FINRA after it commenced an investigation into, among other things, whether he violated FINRA rules by directing commissions to his personal trader ID number instead of a team trading ID number that would have split commissions he received with a team of co-brokers. ([FINRA Case #2019062217101](#))

**Melissa Ann Niederhauser ([CRD #6380536](#), Smithfield, Utah)**

April 10, 2020 – An AWC was issued in which Niederhauser was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Niederhauser consented to the sanction and to the entry of findings that she converted \$73,618.41 from customers. The findings stated that by forging the customer's signatures, Niederhauser withdrew funds from their variable annuities without their authorization, knowledge, or approval. Niederhauser cashed withdrawal checks by forging the customers endorsement signatures and used the funds for her own personal use. ([FINRA Case #2019064265601](#))

**Piero B. DiLorenzo ([CRD #4670150](#), Glen Cove, New York)**

April 13, 2020 – An AWC was issued in which DiLorenzo was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, DiLorenzo consented to the sanction and to the entry of findings that he refused to appear for on-the-record testimony requested by FINRA in connection with an investigation into whether he submitted variable annuity applications and other documents without customer authorization. ([FINRA Case #2019063306501](#))

**Peggy Jean Doherty-Punderson ([CRD #1535750](#), Hill, New Hampshire)**

April 13, 2020 – An AWC was issued in which Doherty-Punderson was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Doherty-Punderson consented to the sanction and to the entry of findings that she refused to provide documents and information requested by FINRA in connection with an investigation into a mortgage deed executed by her and her customer. ([FINRA Case #2019063842601](#))

**Charles James Euler Jr. ([CRD #202696](#), Villanova, Pennsylvania)**

April 13, 2020 – An AWC was issued in which Euler was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Euler consented to the sanction and to the entry of findings that he refused to appear for on-the-record testimony requested by FINRA in connection with its investigation into whether he made unsuitable recommendations. ([FINRA Case #2016051156902](#))

**Robert Renteria ([CRD #5773053](#), El Paso, Texas)**

April 13, 2020 – An AWC was issued in which Renteria was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Renteria consented to the sanction and to the entry of findings that he provided false information to FINRA in connection with FINRA Case #2019063663401. The findings stated that FINRA requested information and documents relating to allegations that Renteria had borrowed money from customers of his member firm without its approval. Renteria provided a signed statement to FINRA falsely stating that he borrowed \$1,600 from a customer and had repaid her in full. Renteria had actually borrowed \$20,000 from the customer and had not fully repaid her. Later, the customer informed FINRA that, while she previously stated that Renteria had only borrowed about \$1,600 and had fully repaid her, her previous statements were not accurate. Instead, Renteria had borrowed \$20,000 and had only repaid \$2,200. ([FINRA Case #2020065896801](#))

**Kwasi Mensah Aggor ([CRD #4974222](#), Coventry, Rhode Island)**

April 17, 2020 – An AWC was issued in which Aggor was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Aggor consented to the sanction and to the entry of findings that he refused to provide on-the-record testimony requested by FINRA in connection with its investigation of his suspected participation in private securities transactions with a customer conducted through an outside business that was not previously disclosed to his member firm. ([FINRA Case #2018060383401](#))

**Gregory John Stouffer ([CRD #4213487](#), Kinnelon, New Jersey)**

April 17, 2020 – An AWC was issued in which Stouffer was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Stouffer consented to the sanction and to the entry of findings that he refused to provide information and on-the-record testimony requested by FINRA. ([FINRA Case #2019062357401](#))

**Albert Harkless III ([CRD #2782039](#), Oxon Hill, Maryland)**

April 20, 2020 – An AWC was issued in which Harkless was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Harkless consented to the sanction and to the entry of findings that he converted approximately \$3,120 from a customer of his member firm. The findings stated that Harkless failed to use funds provided to him by a customer to purchase securities and instead used it for personal use without the customer's knowledge or consent. Harkless solicited the customer to invest \$6,100 to purchase shares in a company's initial public offering. The customer provided the funds to Harkless to make the investment. However, Harkless purchased only a portion of the shares in the company in the aftermarket for \$2,980 and converted the remaining \$3,120. The findings also stated that Harkless made misrepresentations to the customer by falsely stating that the company's shares were available to purchase only to affiliated



employees of the company, that there was a five-year sale restriction, and that the shares could not be transferred back to her because she was not an affiliated employee of the company. ([FINRA Case #2018060290901](#))

**Peter Orlando ([CRD #1142715](#), Taunton, Massachusetts)**

April 20, 2020 – A National Adjudicatory Counsel (NAC) decision became final in which Orlando was barred from association with any FINRA member in all capacities and ordered to pay \$4,000, plus prejudgment interest, in restitution to a customer. The NAC affirmed the findings and modified, but affirmed in their effect, the sanctions imposed by the OHO. The sanctions were based on findings that Orlando engaged in unethical conduct by betraying the trust of an elderly customer and assuming control over her finances. The findings stated that Orlando used his position of trust to lead the customer into giving him authority to make medical decisions for her, to grant him power of attorney for financial matters, to name him as executor in her will and to name him as primary beneficiary of her will. The findings also stated that Orlando recommended that the customer surrender a variable annuity without having a reasonable basis to believe that the recommendation was suitable in light of the incurred surrender fees and costs of more than \$3,900, as well as the loss of a monthly \$626.91 payment and the opportunity for future income. The findings also included that contrary to his member firm's policies, Orlando maintained in his customer files pre-signed blank customer forms, a variable annuity withdrawal form and a request for electronic transfer of funds form. ([FINRA Case #2014043863001](#))

**Yee Yee Htwe ([CRD #6437691](#), Mountain View, California)**

April 21, 2020 – An AWC was issued in which Htwe was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Htwe consented to the sanction and to the entry of findings that she failed to fully respond to FINRA's request for documents and information and refused to appear for on-the-record testimony. The findings stated that FINRA was investigating allegations that Htwe fraudulently obtained reimbursement for fictitious marketing expenses she submitted. ([FINRA Case #2019061056803](#))

**Karen Denise Clark-Kocinski ([CRD #3169298](#), Norfolk, Virginia)**

April 22, 2020 – An AWC was issued in which Clark-Kocinski was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Clark-Kocinski consented to the sanction and to the entry of findings that she refused to appear for on-the-record testimony requested by FINRA in connection with its investigation into whether or not she misused her insurance customers' funds. ([FINRA Case #2018059685701](#))



**Jonathan Scot Zwickel ([CRD #1724322](#), Houston, Texas)**

April 23, 2020 – An AWC was issued in which Zwickel was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Zwickel consented to the sanction and to the entry of findings that he refused to provide on-the-record testimony requested by FINRA during its investigation into, among other things, whether he violated FINRA rules by engaging in a potential undisclosed outside business activity. ([FINRA Case #2020065586401](#))

**Bryan Edwin Benson ([CRD #807506](#), Tucson, Arizona)**

April 27, 2020 – An AWC was issued in which Benson was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Benson consented to the sanction and to the entry of findings that he refused to provide documents and information requested by FINRA in connection with its investigation into an investment-related customer complaint. ([FINRA Case #2019061374201](#))

**Charles Lawrence Doraine ([CRD #70411](#), Corpus Christi, Texas)**

April 27, 2020 – An AWC was issued in which Doraine was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Doraine consented to the sanction and to the entry of findings that he refused to provide on-the-record testimony requested by FINRA in connection with its investigation of his suspected unsuitable recommendations of short-term trading in mutual fund A shares, short-term trading of Puerto Rican municipal bonds, and overconcentration of customer accounts in Puerto Rican municipal bonds. ([FINRA Case #2018059323201](#))

**Louis Ottimo ([CRD #2606438](#), Syosset, New York)**

April 27, 2020 – Ottimo has appealed a NAC decision to the SEC. Ottimo was barred from association with any FINRA member in all capacities. The NAC imposed the sanction following an SEC remand order to reconsider the sanctions. The bar was based on findings that Ottimo willfully violated Section 10(b) of the Securities Exchange Act of 1934, Exchange Act Rule 10b-5, and FINRA Rules 2020 and 2010 by fraudulently omitting material information in his private placement memorandum (PPM) biography in the offer and sale of securities related to a private jet charter company he co-owned. The SEC affirmed the NAC's findings in this regard, but set aside findings that Ottimo's omissions of negative information concerning Wheatley Capital, Inc., constituted fraud. The SEC also affirmed the NAC's findings that Ottimo repeatedly failed to timely and accurately report material information on his Form U4 and that his violations were willful. As a result, Ottimo is statutorily disqualified on both grounds. The SEC remanded the case to the NAC to re-determine the sanctions because it had set aside a portion of the fraud findings.

The bar is in effect pending review. ([FINRA Case #2009017440201](#))

**Torrey Brent Sattof ([CRD #5851586](#), Pennsdale, Pennsylvania)**

April 27, 2020 – An AWC was issued in which Sattof was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Sattof consented to the sanction and to the entry of findings that he converted \$1,091.24 from his member firm's affiliated insurance company. The findings stated that FINRA began an investigation into this matter after receiving a Form U5 filed by Sattof's firm disclosing that he was terminated for being involved in a scheme to defraud the affiliate. Sattof caused the affiliate to reimburse him for gift cards that he purchased and purportedly awarded to the winners of insurance sales and training contests when, in fact, he had fabricated the contests and kept the gift cards for his personal use. In each instance, Sattof directed an assistant, who was unaware that the contest had been fabricated, to prepare the reimbursement request form that Sattof then signed in his capacity as a supervisor. Sattof had previously directed employees to pre-sign blank award forms that were then used with the reimbursement request. The affiliate approved the requests and deposited the reimbursement funds directly into Sattof's personal bank account. ([FINRA Case #2018058977001](#))

**James Garland Kennedy Jr. ([CRD #1527660](#), Madison, Mississippi)**

April 28, 2020 – An AWC was issued in which Kennedy was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Kennedy consented to the sanction and to the entry of findings that he failed to provide documents and information requested by FINRA in connection with its investigation initiated based on a tip received. The findings stated that Kennedy provided partial but incomplete responses to FINRA's initial requests, but subsequently ceased cooperating with its investigation and refused to produce additional documents and information. ([FINRA Case #2019062489101](#))

## Individuals Suspended

**Jacqueline Maria Jacobsen ([CRD #2504257](#), Clinton, Washington)**

April 1, 2020 – An AWC was issued in which Jacobsen was fined \$5,000 and suspended from association with any FINRA member in all capacities for six months. Without admitting or denying the findings, Jacobsen consented to the sanctions and to the entry of findings that she misused funds belonging to her member firm by using the funds from her account in a manner inconsistent with the firm's permitted use. The findings stated that Jacobsen requested that the firm disburse \$3,221.91, the amount remaining in her account, as a year-end bonus to a client service associate at the firm. Contrary to Jacobsen's representations to the firm, however, and without notice to or permission from it, she asked the client service associate to give approximately \$1,200 of the account bonus funds to her. Jacobsen did not use these funds for any approved business-related purpose.

The suspension is in effect from May 4, 2020, through November 3, 2020. ([FINRA Case #2018059949701](#))

**Barry Robert Bode (CRD #1203578, Greeley, Colorado)**

April 2, 2020 – An AWC was issued in which Bode was assessed a deferred fine of \$5,000 and suspended from association with any FINRA member in all capacities for two months. Without admitting or denying the findings, Bode consented to the sanctions and to the entry of findings that he did not seek his member firm's approval or provide it with written notice before engaging in outside business activities. The findings stated that Bode engaged in a consulting business, contracted with an individual to market the mineral rights she owned in connection with a property, and solicited purchase offers from energy and mineral companies through a limited liability company (LLC) that he established with two individuals who were not associated with a firm. After Bode had been conducting business through the LLC for approximately 10 months and had been soliciting offers for the individual's mineral rights for approximately one month, he submitted an outside business activity disclosure form to the firm. Bode stated on the form that he would buy and sell real estate, including water and mineral rights. However, Bode did not disclose the existence of the LLC or his role in it, or that he had entered into a contract with the individual through the LLC or that he had marketed the individual's mineral rights. Subsequently, the individual accepted one of the purchase offers Bode solicited and paid Bode \$12,000 through the LLC, pursuant to the terms of the contract. Later, the firm located a copy of the LLC's contract with the individual and marketing materials for the sale of mineral rights in Bode's firm email account. In response to subsequent inquiries from the firm about these documents, Bode submitted a written statement to the firm inaccurately stating that the individual had not paid any fee or compensation to him for his work. Bode later acknowledged that the individual had paid a fee to him of \$12,000.

The suspension was in effect from April 6, 2020, through June 5, 2020. ([FINRA Case #2019061490801](#))

**Clare Marie Cail (CRD #2398511, Manchester, New Hampshire)**

April 2, 2020 – An AWC was issued in which Cail was assessed a deferred fine of \$5,000 and suspended from association with any FINRA member in all capacities for three months. Without admitting or denying the findings, Cail consented to the sanctions and to the entry of findings that she altered account documents previously signed by customers of her member firm to supply information missing from the forms or amend forms rejected by the firm. The findings stated that Cail filled in missing information, such as the address or telephone number, or checked boxes signifying beneficiary or disbursement decisions, among other things. In addition, when a customer's new account form was rejected, Cail falsified the form by combining an updated version of the form with the customer's prior signature page. By altering the signed customer documents, Cail also caused her firm to maintain inaccurate books and records.

The suspension is in effect from April 6, 2020, through July 5, 2020. ([FINRA Case #2019062856101](#))

**Alexander Jon James (CRD #5630825, Royal Palm Beach, Florida)**

April 2, 2020 – An AWC was issued in which James was assessed a deferred fine of \$10,000 and suspended from association with any FINRA member in all capacities for one year. Without admitting or denying the findings, James consented to the sanctions and to the entry of findings that he engaged in an outside business activity without providing prior written notice to his member firm. The findings stated that James and two other individuals, who were not associated with any member firms, formed and incorporated a company that charged users a monthly subscription fee for access to a website that subscribers could use to seek funding for various projects or ventures. James helped run the day-to-day operations of the company and assisted in business development and marketing. For his work, James was paid a total of \$16,000. The findings also stated that to raise money for the outside business activity, James participated in private securities transactions with firm customers without providing prior written notice to the firm. James solicited customers to invest in the company by purchasing shares of it. James introduced the customers to the potential investments and helped facilitate the transactions by meeting with them to discuss the investments and providing them with the purchase agreements. The firm customers' investments totaled \$667,000. In addition, James falsely stated on the firm's annual compliance questionnaires that he had reported all outside business activities and all private securities transactions to the firm.

The suspension is in effect from April 6, 2020, through April 5, 2021. ([FINRA Case #2018058026701](#))

**Mack Leon Miller (CRD #2822317, Brooklyn, New York)**

April 9, 2020 – An AWC was issued in which Miller was suspended from association with any FINRA member in all capacities for five months and ordered to pay \$2,500, plus interest, in partial restitution to a customer. In light of Miller's financial status, no monetary sanction has been imposed. Without admitting or denying the findings, Miller consented to the sanctions and to the entry of findings that he engaged in quantitatively unsuitable trading in the account of a customer who was over 79 years old and retired at the outset of the trading. The findings stated that Miller recommended virtually all of the trading in the customer's account. The customer lacked sophistication as an investor and routinely followed Miller's recommendations and as a result, Miller exercised de facto control over the customer's account. Miller actively traded the customer's account, resulting in a high turnover rate and cost-to-equity ratio, as well as significant losses. The trading was unsuitable given the customer's investment profile. Miller typically purchased and held different stocks for short periods, including for under one week. The costs of the trading strategy, in the form of mounting commissions and fees, made it difficult for the customer to profit from the trades. Later, Miller recommended even more active trading in the customer's account including instances of Miller purchasing and selling securities within a few days, resulting in thousands of dollars of losses after subtracting the associated sales

charges. The accumulating costs of Miller's trading, including commissions and margin interest, made it virtually impossible for the customer to break even, much less profit from the trading. As a result of Miller's trading, the customer lost \$69,633.

The suspension is in effect from May 4, 2020, through October 3, 2020. ([FINRA Case #2018057302701](#))

**R. James Richards (CRD #3120249, La Crescenta, California)**

April 9, 2020 – An AWC was issued in which Richards was fined \$7,500 and suspended from association with any FINRA member in any principal capacity for three months. Without admitting or denying the findings, Richards consented to the sanctions and to the entry of findings that he failed to take reasonable action to bring a customer, a senior officer of his member firm, into compliance with FINRA Rule 4210(c). The findings stated that Richards was responsible for enforcing the firm's WSPs relating to providing margin credit to its customers, including the requirement that customers trading on margin maintain at least the amount of equity mandated by FINRA Rule 4210. Despite knowing the magnitude of margin deficits in the customer's accounts, Richards failed to cause the firm's credit department to issue margin calls and liquidate collateral from the customer's accounts, or to take reasonable steps to investigate or to bring the customer's accounts and the firm into margin compliance.

The suspension is in effect from May 4, 2020, through August 3, 2020. ([FINRA Case #2018058202901](#))

**Marjorie Ann Ruediger (CRD #2496694, Kennebunk, Maine)**

April 9, 2020 – An AWC was issued in which Ruediger was assessed a deferred fine of \$5,000 and suspended from association with any FINRA member in all capacities for three months. Without admitting or denying the findings, Ruediger consented to the sanctions and to the entry of findings that she photocopied previously signed customer forms, added new information, and submitted them to her member firm and an insurance provider as original and authentic.

The suspension is in effect from April 20, 2020, through July 19, 2020. ([FINRA Case #2018059211601](#))

**William Andrew Wimberly (CRD #1157038, Madison, Mississippi)**

April 10, 2020 – An AWC was issued in which Wimberly was assessed a deferred fine of \$5,000 and suspended from association with any FINRA member in all capacities for three months. Without admitting or denying the findings, Wimberly consented to the sanctions and to the entry of findings that he engaged in an outside business activity without providing prior written notice to his member firm. The findings stated that Wimberly and a friend created an LLC to invest in a technology company. Wimberly served as an

officer and director of the LLC and contributed \$50,000 to it. The findings also stated that Wimberly participated in private securities transactions through the LLC without providing prior written notice to the firm when the LLC purchased a convertible promissory note from the technology company. Later, Wimberly contributed an additional \$20,000 to the LLC and thereafter purchased additional shares of the technology company on behalf of the LLC. In addition, Wimberly signed and submitted annual compliance questionnaires to the firm in which he failed to disclose the LLC and the transactions.

The suspension is in effect from April 20, 2020, through July 19, 2020. ([FINRA Case #2018060317901](#))

**Lillian DeGasperis (CRD #2363667, Ramsey, New Jersey)**

April 16, 2020 – An AWC was issued in which DeGasperis was suspended from association with any FINRA member in all capacities for two months. In light of DeGasperis' financial status, no monetary sanction has been imposed. Without admitting or denying the findings, DeGasperis consented to the sanction and to the entry of findings that she failed to amend her Form U4 to disclose certain material information that she was required to disclose. The findings stated that DeGasperis did not disclose the events to anyone at her member firm until she learned that the firm would be running a background check in connection with her promotion, even though the firm's written policies and procedures required her to report the events to it immediately upon learning about them. After DeGasperis disclosed the events to the firm, it terminated her employment. The findings also stated that DeGasperis responded falsely to a firm compliance questionnaire and a firm attestation that asked whether certain reportable events had occurred and also reminded her of her reporting obligations.

The suspension is in effect from May 18, 2020, through July 17, 2020. ([FINRA Case #2018060306301](#))

**Joseph John Mauro (CRD #2046076, Indiana, Pennsylvania)**

April 16, 2020 – An AWC was issued in which Mauro was assessed a deferred fine of \$5,000 and suspended from association with any FINRA member in all capacities for one month. Without admitting or denying the findings, Mauro consented to the sanctions and to the entry of findings that he falsified three customers' signatures on variable annuity withdrawal forms after the customers requested those withdrawals. The findings stated that each of the withdrawal forms resulted in the movement of funds from the customer's variable annuity to the customer's personal bank account. Two of the customers authorized Mauro to sign their names to the forms.

The suspension was in effect from April 20, 2020, through May 19, 2020. ([FINRA Case #2018060749801](#))

**Robert Francis Costello ([CRD #4624197](#), Purchase, New York)**

April 20, 2020 – An AWC was issued in which Costello was assessed a deferred fine of \$5,000 and suspended from association with any FINRA member in all capacities for four months. Without admitting or denying the findings, Costello consented to the sanctions and to the entry of findings that he mismarked corporate bond positions to improperly inflate the value of his portfolio by almost \$1 million, thereby falsifying firm records. The findings stated that the mismarks in these positions, whether long or short, increased the profitability of Costello's portfolio. Indeed, in each instance, Costello's valuations were always greater for long positions or lower for short positions than both the average independent price and the prices displayed on the Trade Reporting and Compliance Engine (TRACE®). The findings also stated that Costello's erroneous pricing of the corporate bond positions in his portfolio resulted in the firm recording inaccurate prices for corporate bonds in its books and records.

The suspension is in effect from April 20, 2020, through August 19, 2020. ([FINRA Case #2019061050401](#))

**Brian Douglas Engstrom ([CRD #1838926](#), Tampa, Florida)**

April 20, 2020 – An AWC was issued in which Engstrom was assessed a deferred fine of \$5,000 and suspended from association with any FINRA member in all capacities for three months. Without admitting or denying the findings, Engstrom consented to the sanctions and to the entry of findings that he engaged in an unsuitable pattern of short-term trading of unit investment trusts (UITs) in customer accounts. The findings stated that Engstrom recommended that his customers roll over UITs before their maturity dates in order to purchase a subsequent series of the same UIT that generally had the same or similar investment objectives and strategies as the prior series. Engstrom's recommendations caused his customers to incur unnecessary sales charges and were unsuitable in view of the frequency and cost of the transactions. Engstrom's customers received reimbursement of these excess sales charges from his member firm in connection with FINRA's separate settlement with it.

The suspension is in effect from April 20, 2020, through July 19, 2020. ([FINRA Case #2018057247101](#))

**Jeffrey Hall Heely ([CRD #1188842](#), Tiburon, California)**

April 21, 2020 – An AWC was issued in which Heely was assessed a deferred fine of \$5,000 and suspended from association with any FINRA member in all capacities for two months. Without admitting or denying the findings, Heely consented to the sanctions and to the entry of findings that he engaged in an undisclosed outside business activity for which he received compensation. The findings stated that without providing prior written notice to his member firm, Heely registered and incorporated a company. The company, through Heely, then entered into a contract with another business to raise money through a private placement offering of senior secured notes. Heely solicited potential investors, none



of whom were firm clients, to invest in the offering. Although Heely's outside business activities did not result in any investments, Heely received \$17,000 as compensation for his work. Heely actively concealed his involvement with the company and the offering by conducting those activities through a personal email address and by falsely denying engaging in any outside business activities in communications with his firm.

The suspension is in effect from May 4, 2020, through July 3, 2020. ([FINRA Case #2019063224501](#))

**Owen Arthur May (CRD #1404710, Kerhonkson, New York)**

April 21, 2020 – An AWC was issued in which May was fined \$5,000 and suspended from association with any FINRA member in all capacities for two months. Without admitting or denying the findings, May consented to the sanctions and to the entry of findings that he failed to timely amend his Form U4 to disclose tax liens totaling approximately \$400,000.

The suspension is in effect from May 18, 2020, through July 17, 2020. ([FINRA Case #2018058940701](#))

**David Weisberg (CRD #5610111, Brooklyn, New York)**

April 22, 2020 – An AWC was issued in which Weisberg was assessed a deferred fine of \$7,500, suspended from association with any FINRA member in all capacities for 11 months, ordered to pay deferred disgorgement of ill-gotten gains in restitution to a customer in the amount of \$55,627, plus interest, ordered to pay deferred disgorgement of commissions received, in excess of the restitution ordered, to be paid to FINRA in the amount of \$20,011, plus interest, and required to complete 10 hours of continuing education about excessive trading. Without admitting or denying the findings, Weisberg consented to the sanctions and to the entry of findings that he engaged in excessive and unsuitable trading in the account of an elderly customer. The findings stated that the day after the firm opened the customer's account, Weisberg began soliciting stock trades, based on tips from a certain stock-picking website and other sources. Some of Weisberg's recommendations involved in-and-out trading and many of them used margin. The customer relied on Weisberg's advice, accepting all of his recommendations and in virtually every case, the customer purchased or sold exactly the quantity of shares that Weisberg suggested. The customer did not make any unsolicited purchases. The trading generated commissions of approximately \$75,638 for Weisberg while the customer lost approximately \$55,627. Weisberg did not track the trading costs or take them into consideration when making recommendations to the customer. The findings also stated that Weisberg used discretion to place trades in customer accounts without written authorization from the customers and without his member firm having accepted their accounts for discretionary trading.

The suspension is in effect from May 4, 2020, through April 3, 2021. ([FINRA Case #2019063442701](#))

**Paul David Weiss ([CRD #1849504](#), Miami, Florida)**

April 22, 2020 – An AWC was issued in which Weiss was assessed a deferred fine of \$20,000 and suspended from association with any FINRA member in all capacities for 10 months. Without admitting or denying the findings, Weiss consented to the sanctions and to the entry of findings that he engaged in undisclosed outside business activities while registered through his member firm. The findings stated that Weiss became a principal in an LLC in order to market and raise funds for the purchase of a property. To effect the purchase of the property, Weiss arranged for a loan of \$800,125 from a fund that customers of his firm were invested in. After the purchase of the property, Weiss obtained \$119,000 in connection with the purchase and remained an indirect owner of the entity that purchased the property. In addition, Weiss facilitated and processed payments for a nursing home that a firm customer owned. For this activity, Weiss received compensation of approximately \$1,222 per month. Weiss did not provide any notice of these outside business activities to his firm, even though he received the firm's annual certification that requested registered representatives identify all of their outside business activities. The findings also stated that in connection with one of his outside business activities, Weiss sent a promotional email to a potential investor that failed to comply with FINRA's content standards for member communications with the public. Weiss sent the email in an effort to have an investment advisor invest or raise funds to purchase the property. The email did not provide a fair and balanced discussion of potential risks arising from the potential investment and it also contained unwarranted and/or promissory claims. The investment advisor who received Weiss' email did not invest himself or obtain any other investments for the purchase of the property.

The suspension is in effect from May 4, 2020, through March 3, 2021. ([FINRA Case #2018058537301](#))

**James Lee ([CRD #1874132](#), Valley Stream, New York)**

April 23, 2020 – An AWC was issued in which Lee was assessed a deferred fine of \$5,000 and suspended from association with any FINRA member in all capacities for 15 business days. Without admitting or denying the findings, Lee consented to the sanctions and to the entry of findings that he impersonated customers on telephone calls made to an insurance company affiliated with his member firm. The findings stated that during these calls, Lee obtained information about how a customer could repay a loan that he had taken from his retirement account and discussed a potential rollover from that customer's retirement account. The customer authorized Lee to obtain this information and to impersonate him on the calls. In addition, Lee impersonated another customer on telephone calls to the insurance affiliate. Lee obtained information about the customer's ability to withdraw funds from a retirement account. Lee also requested that the insurance affiliate cancel a rollover check that the customer previously requested that had not yet arrived in the mail and reissue the check on an expedited basis. Although this customer gave Lee permission to request the cancellation and reissuance of the check, he did not authorize Lee to impersonate him.

The suspension was in effect from May 4, 2020, through May 22, 2020. ([FINRA Case # 2019064508201](#))

**Steven Todd Gary (CRD #3006884, Burleson, Texas)**

April 24, 2020 – An AWC was issued in which Gary was assessed a deferred fine of \$12,500 and suspended from association with any FINRA member in all capacities for one year. Without admitting or denying the findings, Gary consented to the sanctions and to the entry of findings that he forged the signature endorsements of his parents on checks totaling \$332,650 that represented loans on their life insurance policies. The findings stated that Gary was the insurance agent responsible for his parents' life insurance policies. With his parents' consent, Gary processed requests to borrow funds from his parents' life insurance policies. Gary issued loan disbursement checks that were made payable to his parents and endorsed the checks by signing his parents' names on the back. Gary then deposited the checks into his personal bank account. The findings also stated that Gary provided falsified and backdated power of attorney forms for his parents and wife to his insurance company employer during an investigation into his forgery. In connection with its investigation, the company asked Gary whether his parents or wife had given him power of attorney over their finances. In response to the company's request, Gary provided it with falsified power of attorney forms for his parents and wife, which he created. Gary also arranged for employees in his office to sign witness certifications that falsely attested to the fact that the power of attorney forms had been executed on the dates provided. The falsified power of attorney forms for Gary's parents and wife purported to give him power of attorney over their financial affairs, including the authority to negotiate and endorse checks. Gary had a genuine power of attorney for his wife but did not provide the company with this until after it discovered that he had provided a falsified form. Gary did not have power of attorney for either of his parents. The findings also included that Gary impersonated his father during calls with a bank affiliated with the insurance company. During the calls, Gary misrepresented that he was his father in order to request monetary transfers from his father's bank account to Gary's bank account. Gary engaged in this conduct with his father's knowledge and consent.

The suspension is in effect from May 4, 2020, through May 3, 2021. ([FINRA Case #2018060221201](#))

**Sandra Gose Stevens (CRD #1153600, Darien, Illinois)**

April 24, 2020 – An AWC was issued in which Stevens was fined \$5,000 and suspended from association with any FINRA member in all capacities for three months. Without admitting or denying the findings, Stevens consented to the sanctions and to the entry of findings that as an accommodation to her customers, she falsified documents, including IRA distribution forms, IRA designation of beneficiary forms and variable annuity replacement or insurance change forms, by copying, cutting and then pasting customer

signatures onto documents. The findings stated that Stevens also had customers sign blank documents required to open accounts or effect variable annuity or insurance transactions, so that she could complete them at a later time.

The suspension is in effect from May 18, 2020, through August 17, 2020. ([FINRA Case #2018058123701](#))

**Linda C. Milberger (CRD #4939206, Orlando, Florida)**

April 29, 2020 – A NAC decision became final in which Milberger was suspended from association with any FINRA member in all capacities for one year. The NAC affirmed the findings and modified the sanction imposed by OHO. The sanction was based on findings that Milberger twice falsified a wire request form she had received from a customer and then, in order to complete the wire transfer, submitted the falsified forms to the customer's broker-dealer as if they were authentic. Milberger's actions facilitated the conversion of the customer's funds by her boss, a registered principal at the firm. The findings stated that Milberger caused her member firm's books and records to be inaccurate by providing these forms to the firm during its investigation. The findings also stated that Milberger provided false and misleading documents and information to FINRA in connection with its investigation of private securities transactions and the conversion. Milberger produced a bank statement to FINRA that she, under her boss' direction, altered to remove the investor's name as the originator of a \$100,000 wire transfer that was related to the boss' undisclosed private securities transaction with the investor.

The suspension is in effect from May 4, 2020, through May 3, 2021. ([FINRA Case #2015047303901](#))

**Robert G. Nash (CRD #718820, Deltona, Florida)**

April 29, 2020 – A NAC decision became final in which Nash was fined \$47,500, suspended from association with any FINRA member in any principal and supervisory capacity for ten months, suspended from association with any FINRA member in any principal capacity for one year, to run concurrently with the 10 month suspension, and required to requalify by examination as a General Securities Principal before again acting in that capacity. The NAC modified the sanctions after the SEC remanded this matter back to it for reconsideration. Nash had appealed the original NAC decision to the SEC and in its subsequent decision, the SEC set aside a finding that Nash failed to establish a supervisory system reasonably designed to ensure appropriate review and supervision of investment-related websites as advertising. The sanctions were based on the findings that Nash failed to maintain a reasonable supervisory system and adequate WSPs with respect to the deposit of low-priced securities and the supervision of a foreign finder. The findings stated that Nash's member firm designated him as the supervisor responsible for the review of securities transactions, including the deposit of low-priced securities not listed on a national securities exchange (penny stocks). The firm used a form provided by its

clearing firm to determine whether a deposited penny stock was qualified for resale either because the stock was registered or because it qualified for a valid exemption from registration. An assistant to a registered representative at the firm falsified these forms by photocopying the representative's and Nash's signatures on the forms. The falsifications of these documents resulted in expediting the deposit and clearing process. After learning that the assistant had falsified the forms, Nash did not take any additional steps to investigate the scope and impact of her misconduct, did not make any written record of the incident, and, other than verbally warning her, did not take any disciplinary action against her. The assistant's falsification of the forms and the lack of supervision resulted in the firm facilitating the unregistered sale of shares of a penny stock without any available exemption from registration, and the production of these falsified forms to FINRA without informing FINRA that they had been falsified. The findings also stated that Nash was responsible for drafting the firm's WSPs and reviewing its supervisory practices and procedures. When the firm entered into a foreign finder agreement, its WSPs contained no procedures for the supervision of foreign finders. Nash did not adopt any procedures until six months after the firm entered into the foreign finder agreement, when the firm adopted a one-page procedure. That procedure, however, identified neither who would supervise foreign finder activities nor how those activities would be supervised.

The suspension in any principal and supervisory capacity is in effect from May 18, 2020, through March 18, 2021. The suspension in any principal capacity is in effect from May 18, 2020, through May 17, 2021. ([FINRA Case #2011027666902](#))

## Complaints Filed

FINRA issued the following complaints. Issuance of a disciplinary complaint represents FINRA's initiation of a formal proceeding in which findings as to the allegations in the complaint have not been made, and does not represent a decision as to any of the allegations contained in the complaint. Because these complaints are unadjudicated, you may wish to contact the respondents before drawing any conclusions regarding the allegations in the complaint.

### **Chams Khwaja ([CRD #6906622](#), Syosset, New York)**

April 1, 2020 – Khwaja was named a respondent in a FINRA complaint alleging that he failed to provide information and documents requested by FINRA during the course of its investigation of another individual registered with FINRA. The complaint alleges that during FINRA's investigation, the other individual testified that Khwaja, to whom he was related, had conducted business activities through two companies. Khwaja did not disclose any outside business activities to his member firm, including any activities involving the companies. ([FINRA Case #2019063626701](#))

**James William Flower ([CRD #2817701](#), Melville, New York)**

April 10, 2020 – Flower was named a respondent in a FINRA complaint alleging that he willfully violated Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder, and violated FINRA Rule 2020 by churning customer accounts. The complaint alleges that Flower controlled the trading in the customer accounts, decided what securities to buy and sell, the quantity of each transaction and the timing of each transaction. Flower also made unauthorized trades in a customer's account. Flower's trading in the accounts was grossly excessive and quantitatively unsuitable for the customers, as evidenced by extremely high annualized turnover and cost-to-equity ratios, the frequency of the transactions and the transaction costs incurred. Flower's trading in the customer accounts resulted in realized losses totaling over \$220,000 while generating more than \$210,000 in commissions and fees. Flower's churning and excessive trading made it virtually impossible for any of the customers to make a profit. The complaint also alleges that Flower executed trades in a customer's non-discretionary account without first obtaining the customer's required authorization or consent. The complaint further alleges that Flower caused inaccuracies in his member firm's books and records by mismarking solicited sales transactions in those accounts as unsolicited. ([FINRA Case #2017052701101](#))

**Fusion Analytics Securities LLC ([CRD #124245](#), Coral Springs, Florida)**

April 10, 2020 – The firm was named a respondent in a FINRA complaint alleging that it willfully violated Section 15(c) of the Securities Exchange Act of 1934 and Rule 15c3-1 thereunder by conducting a securities business while failing to maintain the minimum required net capital. The complaint alleges that the firm held customer securities, without promptly forwarding or delivering them. As a result, the firm was required to maintain \$250,000 minimum net capital but failed to do so. The complaint also alleges that the firm willfully violated Section 17(a) of the Exchange Act and Rule 17a-11 thereunder by failing to provide notice of its net capital deficiencies to the SEC or FINRA on days that it was net capital deficient. The complaint further alleges that the firm willfully violated Section 17(a) of the Exchange Act and Rule 17a-5 thereunder by filing inaccurate quarterly Financial and Operational Combined Uniform Single (FOCUS) reports. The firm inaccurately recorded its minimum net capital requirement, inaccurately recorded its shares of a stock as an allowable asset and did not accrue expenses for its email retention provider, for a market data subscription and order entry system, certain legal expenses, certain salaries and one of its offices. In addition, the complaint alleges that the firm willfully violated Section 17(a) of the Exchange Act and Rule 17a-3 thereunder by making and preserving inaccurate books and records. The firm made and preserved inaccurate balance sheets, trial balances, general ledgers and net capital computations. ([FINRA Case #2018058871601](#))

**Integrity Brokerage Services, Inc. ([CRD #117589](#), Oceanside, California), Joshua Nathan Helmle ([CRD #2195760](#), Oceanside, California), Marc Nathan Jaffe ([CRD #2187547](#), Carmel, Indiana) and Andrea Wood ([CRD #2000589](#), Avon, Indiana)**

April 22, 2020 – The firm, Helmle, Jaffe and Wood were named respondents in a FINRA complaint alleging that Jaffe associated with the firm and engaged in its securities business despite being statutorily disqualified. The complaint alleges that during this time, the NAC rejected the firm’s MC-400 application to register Jaffe despite his disqualification, in part because of his improper association with the firm. Undeterred, Jaffe continued to improperly associate with the firm with the assistance of its owner and chief executive officer, Joshua Helmle, and firm registered representative Andrea Wood. The complaint also alleges that while not registered with FINRA in any capacity, Jaffe engaged in the firm’s investment banking or securities business. Jaffe performed functions of a General Securities Representative by, among other things, communicating with members of the public to determine their interest in making investments, communicating with customers in an effort to maintain their accounts at the firm, discussing the nature or details of particular securities or investment vehicles, recommending the purchase or sale of securities through Wood, and receiving compensation for, and in connection with, securities transactions of firm customers. The complaint further alleges that the firm and Helmle each permitted and enabled Jaffe to associate with the firm and engage in its securities business despite his disqualified status and without being appropriately registered. In addition, the complaint alleges that Wood took affirmative steps to permit and enable Jaffe’s continued association with the firm that disguised the actual nature of Jaffe’s continued association, including by entering into and amending an analyst agreement and office sharing agreement, and by paying Jaffe directly and indirectly in connection with the firm’s securities business through those agreements. Wood permitted and enabled Jaffe to improperly associate with the firm and engage in its securities business despite his disqualified status and without being appropriately registered. ([FINRA Case #2018056436001](#))

**Sean Michael Refsnider ([CRD #4762963](#), Collingswood, New Jersey)**

April 28, 2020 – Refsnider was named a respondent in a FINRA complaint alleging that he converted approximately \$42,000 from an elderly customer of his member firm. The complaint alleges that at the time, Refsnider’s finances were in disarray, so he procured a check from the customer in the amount of \$20,000 and he then used the funds to pay his mortgage and other personal expenses. Without the customer’s authorization, Refsnider also had the firm issue a debit card linked to the customer’s firm account and then used the debit card to make purchases totaling approximately \$17,317 and to make \$4,300 in cash withdrawals. Refsnider also transferred an additional \$475 in cash from the customer’s firm account to himself. In addition, Refsnider stopped paper or mail delivery of all documents associated with the customer’s firm account, including her account statements and trade confirmations. Refsnider arranged for these account documents to be sent to the customer



by e-delivery, even though he knew she would be unable to access and review her account documents. Refsnider linked the customer's firm account to her personal checking accounts that she held away from the firm by electronically signing her name to the required forms outside of her presence. The customer did not request any of these changes to her firm account and Refsnider made these changes without her knowledge or approval. When the firm became aware of Refsnider's actions, it questioned him regarding his use of the customer's firm account. In response, Refsnider falsely represented to the firm that all of the purchases on the customer's debit card were made by the customer, that he delivered the \$4,300 in cash that he withdrew from the customer's firm account to the customer at her home, and that the customer set up the mobile payment account so she could send him additional cash. The complaint also alleges that in connection with FINRA's investigation into his conversion of the customer's funds, Refsnider failed to provide it with all of the documents and information that it had requested. ([FINRA Case #2019063790901](#))

---

**Firm Cancelled for Failure to Pay FINRA Dues, Fees and Other Charges Pursuant to FINRA Rule 9553**

**TMR Bayhead Securities, LLC (CRD #137264)**  
 Poughkeepsie, New York  
 (April 16, 2020)

---

**Firms Suspended for Failure to Provide Information or Keep Information Current Pursuant to FINRA Rule 9552**

(The date the suspension began is listed after the entry. If the suspension has been lifted, the date follows the suspension date.)

**Aldwych Securities LLC (CRD #167980)**  
 Stamford, Connecticut  
 (April 27, 2020)

**Crowdfunder Financial Services Inc. dba CFI Securities (CRD #284750)**  
 Los Angeles, California  
 (April 27, 2020 – May 18, 2020)

**G.F. Investment Services, LLC (CRD #132939)**  
 McDonough, Georgia  
 (April 27, 2020)

**Hamerslag Sulzberger Borg Capital Markets, Inc. (CRD #103460)**  
 New York, New York  
 (April 27, 2020 – May 12, 2020)

**Kipling Jones & Co., Ltd. (CRD #144730)**  
 Houston, Texas  
 (April 27, 2020)

**Metric Financial Inc. (CRD #33324)**  
 Atlanta, Georgia  
 (April 27, 2020 – May 27, 2020)

**Potomac Capital Markets, LLC (CRD #39800)**  
 Frederick, Maryland  
 (April 27, 2020)

**PTX Securities, LLC (CRD #7735)**  
 Plano, Texas  
 (April 27, 2020)

**Sandlapper Securities, LLC (CRD #137906)**  
 Greenville, South Carolina  
 (April 27, 2020)

**TR Capital Group, LLC dba Titus Rockefeller, LLC (CRD #43608)**  
 Westport, Connecticut  
 (April 27, 2020)

---

**Firm Suspended for Failure to Pay FINRA Dues, Fees and Other Charges Pursuant to FINRA Rule 9553**

(The date the suspension began is listed after the entry. If the suspension has been lifted, the date follows the suspension date.)

**TR Capital Group, LLC dba Titus Rockefeller, LLC (CRD #43608)**  
 Westport, Connecticut  
 (April 22, 2020)

---

**FINRA Arbitration Case #19-03517 Individuals Barred for Failure to Provide Information or Keep Information Current Pursuant to FINRA Rule 9552(h)**

(If the bar has been vacated, the date follows the bar date.)

**Timothy A. Crowley (CRD #5712791)**  
 Chicago, Illinois  
 (April 16, 2020)  
 FINRA Case #2018059605401

**Christian Murray Evans (CRD #6325180)**

Dallas, Texas  
(April 30, 2020)  
FINRA Case #2019064102501

**Randy Leon Jackson (CRD #6505262)**

McDonough, Georgia  
(April 27, 2020)  
FINRA Case #2019062824001

**Fernando Atienza Landicho (CRD #4448966)**

S. San Francisco, California  
(April 9, 2020)  
FINRA Case #2018060894701

**Grizelle Elizabeth Perez (CRD #2890759)**

Houston, Texas  
(April 27, 2020)  
FINRA Case #2019064437801

**John Charles Wyshak (CRD #1272260)**

Calabasas, California  
(April 13, 2020)  
FINRA Case #2018057445601

---

**Individuals Suspended for Failure to Provide Information or Keep Information Current Pursuant to FINRA Rule 9552(d)**

(The date the suspension began is listed after the entry. If the suspension has been lifted, the date follows the suspension date.)

**Joanna Abdelhadi (CRD #5239825)**

Chicago, Illinois  
(April 13, 2020)  
FINRA Case #2019064942201

**Kenneth Butschek (CRD #1388190)**

Hallettsville, Texas  
(April 20, 2020)  
FINRA Case #2019061653401

**Nathaniel Royce Clay (CRD #4525541)**

New York, New York  
(April 13, 2020)  
FINRA Case #2020065912101

**Alan Nga-Lun Lau (CRD #4704018)**

Elk Grove, California  
(April 13, 2020)  
FINRA Case #2019063665801

**Scott Jordan Levine (CRD #4401053)**

Waxhaw, North Carolina  
(February 3, 2020 – April 17, 2020)  
FINRA Case #2019061938601

**Stefano Mario Listella (CRD #6054564)**

West Linn, Oregon  
(April 6, 2020)  
FINRA Case #2019063921401

**Stanley Newcomb Martin (CRD #1476211)**

Tampa, Florida  
(April 6, 2020)  
FINRA Case #2019063637101

**Scott Mason (CRD #3207386)**

Larkspur, Colorado  
(April 20, 2020)  
FINRA Case #2018058924501

**Jon Curt Scheier (CRD #5726216)**

Denison, Texas  
(April 10, 2020)  
FINRA Case #2020065089001

**Scott Travis Snelling (CRD #2765986)**

Webster Groves, Missouri  
(April 23, 2020)  
FINRA Case #2019064798401

**Elizabeth Ann Sollars (CRD #6606776)**

West Terre Haute, Indiana  
(April 20, 2020)  
FINRA Case #2020065292101

**Marc Winters (CRD #4053113)**  
Chatsworth, California  
(April 13, 2020)  
FINRA Case #2019061943701

---

**Individuals Suspended for Failure to Comply with an Arbitration Award or Related Settlement or an Order of Restitution or Settlement Providing for Restitution Pursuant to FINRA Rule Series 9554**

(The date the suspension began is listed after the entry. If the suspension has been lifted, the date follows the suspension date.)

**Eric Christopher Barbour (CRD #5750236)**  
Alpharetta, Georgia  
(April 7, 2020)  
FINRA Arbitration Case #19-01314

**David Charles Cannata (CRD #2408845)**  
Smithtown, New York  
(April 14, 2020)  
FINRA Arbitration Case #19-01955

**Mark Steven Garfinkel (CRD #711322)**  
West Palm Beach, Florida  
(April 17, 2020)  
FINRA Arbitration Case #17-03322

**Jeffrey Alan Hill (CRD #2204945)**  
Bemidji, Minnesota  
(April 24, 2020)  
FINRA Arbitration Case #19-02837

**Tracy Ann Kirby (CRD #3122227)**  
Chestertown, Maryland  
(April 24, 2020)  
FINRA Arbitration Case #19-01840

**David Alan Moxom (CRD #4514581)**  
Whitefish Bay, Wisconsin  
(April 7, 2020)  
FINRA Arbitration Case #19-02873

**Brent Morgan Porges (CRD #4002626)**  
New York, New York  
(April 14, 2020)  
FINRA Arbitration Case #19-01955

**David Jay Schrank (CRD #2489542)**  
Goshen, New York  
(April 17, 2020)  
FINRA Case #20200653336/ARB200003/  
Arbitration Case #19-01705

**Stephen Paul Seglund (CRD #2807970)**  
Bend, Oregon  
(April 16, 2020)  
FINRA Case #20190647595/ARB190040/  
Arbitration Case #18-02348

**Kenneth Kirk Vaishville (CRD #2286184)**  
New Marlborough, Massachusetts  
(April 14, 2020)  
FINRA Arbitration Case #19-01739