

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
OFFICE OF HEARING OFFICERS**

DEPARTMENT OF ENFORCEMENT,

Complainant,

v.

TREVOR MICHAEL SALIBA
(CRD No. 2692057),

SPERRY RANDALL YOUNGER
(CRD No. 2771029),

RICHARD DANIEL TABIZON
(CRD No. 2601208),

and

ARTHUR MANSOURIAN
(CRD No. 5252154),

Respondents.

Disciplinary Proceeding
No. 2013037522501

Hearing Officer—DMF

ORDER ADMITTING ADDITIONAL EXHIBIT INTO EVIDENTIARY RECORD

Respondent Mansourian testified at the hearing in this matter. During his testimony, the Department of Enforcement questioned him at length about alleged inconsistencies between his testimony at the hearing and his on-the-record (“OTR”) testimony during Enforcement’s investigation. Enforcement’s questions generally included references to portions of his OTR testimony in Enforcement’s Exhibit (“CX-”) 176 that Enforcement asserted were inconsistent with his hearing testimony, and Enforcement showed relevant portions of CX-176 to the Panel during the questioning to assist the Panel in evaluating whether there were inconsistencies. At the conclusion of Mansourian’s testimony, however, no party moved for the admission of CX-176 in evidence.

In the Order (1) Granting Enforcement’s Motion to File Supplemental and Revised Proposed Exhibits and a Revised Exhibit List and (2) Deferring Rulings on Respondents’ Objections to Enforcement’s Proposed Exhibits and Witness that I issued on July 20, 2017, I

noted, "Ordinarily ... I do not admit the transcripts of prior testimony [in evidence]. There may, however, be exceptions to that practice in particular circumstances, particularly if a witness's hearing testimony varies so greatly from prior testimony, that the transcript of the prior testimony is helpful to the Panel." Upon reviewing the record of this proceeding, I have concluded that this is such a case, in that CX-176 will be helpful to the Panel and to any reviewing body in evaluating the credibility of Mansourian's hearing testimony. Accordingly, pursuant to FINRA Rule 9235(a), CX-176 is hereby admitted in evidence and made a part of the evidentiary record of this proceeding.

SO ORDERED.

David M. FitzGerald
Hearing Officer

Dated: November 21, 2017

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