

Disciplinary and Other FINRA Actions

Firm Fined, Individual Sanctioned

Quint Capital Corporation ([CRD #26586](#), New York, New York) and Alexander Norman Quint ([CRD #1012135](#), New York, New York) February 14, 2023 – A Letter of Acceptance, Waiver and Consent (AWC) was issued in which the firm was censured and fined \$35,000. Quint was fined \$10,000 and suspended from association with any FINRA member in any principal capacity for five months. Without admitting or denying the findings, the firm and Quint consented to the sanctions and to the entry of findings that they permitted an individual who was subject to a statutory disqualification to associate with the firm and to engage in activities requiring registration as a municipal securities representative. The findings stated that Quint, as the principal responsible for supervising the firm's compliance with licensing and registration matters, signed and submitted on behalf of the firm a Membership Continuance Application (MC-400 Application) seeking to permit the individual to associate with the firm despite the individual being statutorily disqualified due to a Securities and Exchange Commission (SEC) bar and a federal district court order enjoining the individual from violating various federal securities laws and regulations. FINRA's National Adjudicatory Counsel (NAC) issued a notice approving the application for the individual to associate with the firm as a general securities representative. However, as stated in the notice and in FINRA's letter to Quint and the firm accompanying the notice, the notice would become effective only after the issuance of an order from the SEC stating that it would not institute proceedings and that it will not direct otherwise. The SEC never issued such an order, and the notice never became effective. At a time when the notice was not effective and the individual was not registered as a municipal securities representative, Quint and the firm provided the individual with passwords and access to electronic systems and platforms at the firm to trade municipal bonds. With the firm's and Quint's knowledge, the individual referred four customers, including a married couple, to open accounts at the firm, discussed municipal securities transactions with those customers and effected municipal securities purchase and sale transactions for the customers' accounts. Later, Quint caused the firm to withdraw the MC-400 Application for the individual, and to file a Uniform Termination Notice for Securities Industry Registration (Form U5) terminating the individual's association with the firm.

The suspension is in effect from March 20, 2023, through August 19, 2023. ([FINRA Case #2021070418202](#))

Reported for April 2023

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).

Search for FINRA Disciplinary Actions

All formal disciplinary actions are made available through a publicly accessible online search tool called FINRA Disciplinary Actions Online shortly after they are finalized.

Visit www.finra.org/disciplinaryactions to search for cases using key words or phrases, specified date ranges or other criteria.

Firms Fined

UBS Securities LLC ([CRD #7654](#), New York, New York)

February 3, 2023 – An AWC was issued in which the firm was censured and fined \$475,000. Without admitting or denying the findings, the firm consented to the sanctions and to the entry of findings that it published inaccurate monthly statistics regarding execution of covered orders in violation of Rule 605 of Regulation NMS of the Securities Exchange Act of 1934 (Exchange Act). The findings stated that due to a coding error, the firm's alternative trading system's Rule 605 execution quality statistics were derived from the parent orders originated at the firm's broker-dealer, instead of the resulting child orders that the alternative trading system received. In addition, when the firm broker-dealer originated non-covered parent orders and then routed resulting covered child orders to the alternate trading system, its Rule 605 reports improperly excluded execution quality statistics for the covered child orders. As a result, the firm's monthly Rule 605 reports significantly underreported the number of covered orders and related shares it received, executed, and cancelled. In addition, a separate coding error caused the Rule 605 reports to double-count the number of cancel shares for certain covered orders. This resulted in the firm overreporting a portion of all covered cancel shares in the Rule 605 reports for approximately three years. The findings also stated that the firm's supervisory system was not reasonably designed to achieve compliance with Rule 605. The firm's supervisory reviews for compliance with Rule 605 consisted of manual retrieval and analysis by firm personnel of a sample of covered orders in the firm's Rule 605 reports. However, the firm's sample for supervisory reviews was unreasonably small. In addition, due to system limitations, cancelled covered orders were excluded from the firm's supervisory reviews. Therefore, the firm did not review canceled covered order statistics to determine whether the alternative trading system Rule 605 reports were accurate. As a result, the firm failed to detect that it was overreporting share quantities for certain cancelled covered orders in the Rule 605 reports for nearly two years. The firm also failed to reasonably investigate and act upon evidence of Rule 605 reporting deficiencies. The firm discovered the coding error relating to parent and child orders but did not correct the error until 17 months after the firm became aware of this coding error. ([FINRA Case #2019062435601](#))

BNA Wealth, Inc. ([CRD #39326](#), Rock Hill, South Carolina)

February 6, 2023 – An AWC was issued in which the firm was censured, fined \$45,000 and required to certify that it has remediated the issues identified in the AWC and either registered with the Municipal Securities Rulemaking Board (MSRB), employed a municipal securities principal, and implemented a supervisory system, including written supervisory procedures (WSPs), reasonably designed to achieve compliance with MSRB rules, or no longer engages in any municipal securities business, including but not limited to the receipt of any commissions in connection with municipal

securities. Without admitting or denying the findings, the firm consented to the sanctions and to the entry of findings that it conducted a municipal securities business without being registered to do so and failed to employ at least one qualified municipal principal to supervise that business. The findings stated that the firm sold 529 plans totaling approximately \$260,000 to customers despite being aware that it was required to register with the MSRB and employ a municipal securities principal before selling municipal securities or receiving commissions from the sale of such securities. Although the firm received no up-front commissions, it received trailing commissions relating to the 529 plans. The findings also stated that the firm failed to establish, maintain, and enforce a supervisory system, including WSPs, reasonably designed to ensure compliance with MSRB rules in connection with the sale of municipal securities. The firm's procedures failed to address the supervision of municipal securities, the firm employed no qualified municipal securities principal, and a registered representative who was not a qualified municipal securities principal reviewed and approved the firm's municipal securities transactions. The findings also included that the firm sold private placements prior to amending its membership application with FINRA. The firm sold private placements to customers when its membership agreement did not permit the firm to sell private placements. By doing so, the firm implemented a material change in its business operations. The firm did not amend its membership agreement with FINRA before selling those private placements. The firm later filed an application with FINRA seeking approval to engage in private placements, which FINRA granted. FINRA found that the firm failed to establish and maintain a reasonable supervisory system, including WSPs, with respect to its obligations to perform and document reasonable due diligence on private placement offerings the firm recommended to its customers. The firm's supervisory system contained no procedures relating to the sale of private placements or the firm's obligation to conduct due diligence for private placements. The firm has since amended its procedures to address the sale of private placements and the firm's related due diligence. ([FINRA Case #2020065178201](#))

Rosenblatt Securities Inc. ([CRD #18377](#), New York, New York)

February 7, 2023 – An AWC was issued in which the firm was censured and fined \$30,000. Without admitting or denying the findings, the firm consented to the sanctions and to the entry of findings that it failed to timely file with FINRA a private placement memorandum or any other offering document used in connection with private offerings sold by the firm's registered representatives. The findings stated that for the private offerings, the firm made the required regulatory filings on average approximately 400 days late. The findings also stated that the firm failed to establish and maintain a supervisory system and WSPs reasonably designed to achieve compliance with FINRA Rule 5123. The firm failed to make any reference to FINRA Rule 5123 in its WSPs and failed to establish any system or procedures for complying with the rule. Ultimately, the firm revised its WSPs and supervisory system to address the requirements of FINRA Rule 5123. ([FINRA Case #2021069319601](#))

SageTrader, LLC ([CRD #137862](#), Englewood, New Jersey)

February 7, 2023 – An AWC was issued in which the firm was censured, fined \$100,000 and required to certify that it has remediated the issues identified in the AWC and implemented a supervisory system, including WSPs, reasonably designed to achieve compliance with FINRA Rules 3310 regarding the issues identified in the AWC. Without admitting or denying the findings, the firm consented to the sanctions and to the entry of findings that it failed to establish and implement anti-money laundering (AML) policies and procedures reasonably expected to detect and cause the reporting of suspicious activity. The findings stated that the firm did not tailor its AML program to reasonably monitor for and report suspicious activity in light of the firm’s business model and customer base. The firm’s system for detecting and causing the reporting of suspicious activity was predicated on its review of alerts generated by its automated third-party surveillance system. The firm’s AML program directed all alerts to one individual compliance officer at the firm. The firm’s AML program relied on the one compliance officer to then determine whether alerts were indicative of suspicious or potentially manipulative activity. If so, the compliance officer would escalate the alerts to the firm’s alert review committee that met weekly, to review the alerts and consider further action. The compliance officer had no prior AML supervisory experience or training, and the firm’s written AML procedures and training materials did not provide reasonable guidance for determining whether the alerts required follow-up or could be disregarded. The firm failed to provide any guidance for determining whether it should file a Suspicious Activity Report (SAR) based on the alerts. The firm’s failure to develop a reasonable written AML program resulted in the firm creating a series of unwritten policies for addressing and escalating surveillance alerts. The firm did not typically consider filing a SAR if there were less than three valid alerts involving a single trader that were indicative of a pattern of potentially suspicious or manipulative activity. This policy, in combination with a series of subsequent policies that the firm created for addressing and escalating surveillance alerts, resulted in the firm failing to reasonably consider whether a particular alert warranted the filing of a SAR. ([FINRA Case #2022073705601](#))

Long Island Financial Group, Inc. ([CRD #31148](#), Roslyn, New York)

February 10, 2023 – An AWC was issued in which the firm was censured, fined \$35,000 and required to certify that it has remediated the issues identified in the AWC, implemented written policies and procedures reasonably designed to achieve compliance with Exchange Act Rule 15l-1 (Regulation Best Interest or Reg BI), and implemented a supervisory system, including WSPs, reasonably designed to achieve compliance with Exchange Act Rules 15l-1 and 17a-14 regarding the issues identified in the AWC. Without admitting or denying the findings, the firm consented to the sanctions and to the entry of findings that it failed to have written policies and procedures, and a supervisory system, reasonably designed to achieve compliance

with Reg BI. The findings stated that the firm failed to make any reference to Reg BI in its written policies and procedures. The firm later began to use written policies and procedures that contained general background information about Reg BI but still had no procedures to prevent, detect, or promptly correct violations of, or to otherwise achieve compliance with, Reg BI. The findings also stated that the firm failed to establish and maintain a supervisory system, including WSPs, reasonably designed to achieve compliance with Exchange Act Rule 17a-14 obligations to prepare, file, and deliver its client relationship summary (Form CRS). The firm failed to initially make any reference to Form CRS in its WSPs. The firm later began to use WSPs that contained general background information about Form CRS but still had no procedures regarding the preparation, filing, and distribution of the Form CRS, and subsequently went back to using WSPs that made no reference to Form CRS. ([FINRA Case #2021069365001](#))

Laidlaw & Company (UK) Ltd. ([CRD #119037](#), London, England)

February 17, 2023 – An AWC was issued in which the firm was censured, fined \$200,000 and required to certify that it has remediated the issues identified in the AWC and implemented a supervisory system, including WSPs, reasonably designed to achieve compliance with FINRA rules governing private placement due diligence regarding the issues identified in the AWC. Without admitting or denying the findings, the firm consented to the sanctions and to the entry of findings that it conducted a securities business while it failed to maintain the required net capital. The findings stated that the firm's net capital deficiencies occurred because it improperly included a certificate of deposit in its net capital computation as an allowable asset even though that certificate of deposit served as collateral for a line of credit. The deficiencies also resulted from the improper treatment of several items in the firm's net capital computations. Further, the firm failed to take a deduction for non-marketable shares of a company that it had received. The firm also improperly excluded its obligations under a lease agreement from its net capital calculations. The findings also stated that the firm failed to file timely and accurate notices of net capital deficiency. The firm filed a financial notification with the SEC and FINRA that incorrectly stated its net capital position. While the filing identified that the firm had overstated its net capital due to its treatment of the certificate of deposit as an allowable asset, the filing inaccurately understated the extent of its net capital deficiencies. In addition, despite receiving inquiries from FINRA about the firm's net capital deficiencies, it failed to file timely notices of net capital deficiencies. The findings also included that the firm failed to maintain accurate books and records concerning its net capital position. In addition, the firm filed inaccurate Financial and Operational Combined Uniform Single (FOCUS) reports that overstated the amount of the firm's net capital and excess net capital. FINRA found that the firm's supervisory system was not reasonably designed to achieve compliance with FINRA rules governing private placement due diligence. The firm's WSPs did not provide any

guidance regarding how representatives should document due diligence reviews, or who was responsible for ensuring that the firm had done so. In connection with private placements the firm recommended to customers, it failed to conduct and document reasonable investigation of the offerings. The firm relied almost exclusively on documentation and information the issuers of the offerings provided, and its due diligence files did not contain any evidence that the firm reviewed or analyzed those documents or conducted any other review of the issuers or their management. ([FINRA Case #2019060646801](#))

Fenix Securities, LLC ([CRD #159481](#), New York, New York)

February 28, 2023 – An AWC was issued in which the firm was censured, fined \$100,000 and required to certify that it has remediated the issues identified in the AWC and implemented a supervisory system, including WSPs, and a documented system of risk management controls, including pre-order erroneous order controls, reasonably designed to achieve compliance with Section 15(c)(3) of the Exchange Act and Rule 15c3-5, and FINRA Rule 3110. Without admitting or denying the findings, the firm consented to the sanctions and to the entry of findings that it failed to establish, document, and maintain a system of risk management controls reasonably designed to manage the financial risks of its market access business activity. The findings stated that the firm provided its customers direct access to multiple alternative trading systems (ATSS) through the firm's order management systems. However, the firm's pre-trade controls were not reasonably designed to prevent the entry of erroneous orders. The firm's single order size and price variance controls relied on static numbers that did not consider the individual trading characteristics of individual securities or customers, and that were too high to be reasonably designed to prevent the entry of erroneous orders absent additional reasonably designed controls, such as an ADV control that the firm did not have. The firm maintained no documentation of its rationale for setting those controls. Similarly, the firm relied on a price variance control that, once triggered, routed a warning message to a firm principal but did not stop the order from being routed to the market. The firm had no policies or procedures for how the warning messages should be reviewed or how such reviews should be documented and did not document such reviews. In addition, the firm, for some of its customers, relied on the pre-trade order price and size controls maintained by an ATS. The ATSS' price and size controls were unreasonable, in part because they relied on static numbers that were too high to be reasonably designed to prevent the entry of erroneous orders, absent additional reasonably designed controls. Further, the firm did not document for which customers it relied on such controls and had no process to determine or document whether such controls were reasonably designed for those customers. Further, the firm did not maintain accurate documentation of its pre-trade market access controls implemented within its systems or documentation of its rationale for selecting its pre-trade controls on a firm-wide or per-customer basis. The

findings also stated that the firm failed to conduct an annual review of the business activity of the firm related to market access to assure the overall effectiveness of its risk management controls and supervisory procedures. Likewise, the firm failed to complete the corresponding chief executive officer certifications that its risk management controls and supervisory procedures comply with Rules 15c3-5(b) and (c) of the Exchange Act, and that the firm conducted a review of the business activity of the firm related to market access. ([FINRA Case #2018057732801](#))

Firm Sanctioned

Fortune Financial Services, Inc. ([CRD #42150](#), Monaca, Pennsylvania)

February 10, 2023 – An AWC was issued in which the firm was censured, ordered to pay \$612,172.66, plus interest in the amount of \$25,183.21, in restitution to customers and required to retain an independent consultant to conduct a comprehensive review of the adequacy of the firm's compliance with applicable federal securities laws and FINRA rules. In determining the appropriate sanctions in this matter, FINRA considered, among other factors, that the firm has agreed to pay restitution to customers affected by one of its representative's unsuitable recommendations, the firm's current financial condition, and that, in lieu of a monetary fine, the firm will retain an independent consultant to review and revise its supervisory system and procedures. Without admitting or denying the findings, the firm consented to the sanctions and to the entry of findings that its supervisory system, including its WSPs, was not reasonably designed to achieve compliance with FINRA suitability requirements regarding the recommendation of variable annuities. The findings stated that the firm used external exception-reporting software to create alerts for potentially problematic variable annuity transactions. The firm elected which categories and parameters would be flagged in the exception alerts. The firm's configuration of these alerts did not flag inappropriate rates of variable annuity exchanges by the firm's associated persons or identify when customers had previously conducted an exchange within the preceding 36 months. The firm did not have any other surveillance tools for monitoring variable annuity exchanges other than the exception reporting software. Moreover, the firm's principals did not monitor for inappropriate rates of variable annuity exchanges when reviewing and approving individual exchange recommendations. The findings also stated that the firm failed to reasonably supervise a representative's variable annuity exchange recommendations and failed to investigate and act upon red flags. The representative engaged in a pattern of recommending that customers exchange variable annuities without considering whether such transactions were suitable in light of the substantial surrender charges that resulted from his recommendations. In total, as part of the representative's recommendations, customers who purchased variable annuities and took short-term withdrawals, sometimes less than one year after purchasing the variable annuity, incurred \$612,172.66 in surrender charges. In

addition, the firm failed to reasonably act upon information that the representative had arranged for certain customers to surrender their variable annuities directly with the issuer. One variable annuity issuer notified the firm that it had terminated its agency relationship with the representative because it found he had recommended the early liquidation of variable annuity contracts, which resulted in the imposition of \$108,000 in surrender fees. Despite this notification, the firm did not take reasonable steps to investigate the representative's recommendation and sale of variable annuities. Instead, over the year following the notification, the firm permitted the representative to continue to recommend variable annuity exchanges and approved new exchanges to some of the same customers. These new exchanges caused the customers to incur additional surrender fees. The findings also included that the firm failed to reasonably supervise the use of an unapproved email address to transmit securities-related documents to the firm's customers and failed to retain business-related email communications. Another representative at the firm and his support staff, acting at the other representative's direction, used outside email accounts to communicate with firm customers. Using these accounts, the other representative and his support staff forwarded new account applications, and forms for variable annuity exchanges and withdrawals, and requested that customers sign and return these documents. In many instances, these forms were blank or incomplete and the representative would complete the forms after they had already been signed and returned by the customers. The firm knew that the representative and his support staff used outside email accounts for business purposes, yet it failed to review or preserve these emails. ([FINRA Case #2020065435403](#))

Individuals Barred

Quang Vinh Mai ([CRD #6937503](#), Houston, Texas)

February 9, 2023 – An AWC was issued in which Mai was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Mai 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 the circumstances giving rise to the Form U5 filed by his member firm. The findings stated that the Form U5 stated that the firm had discharged Mai following allegations that he failed to disclose an outside business activity (OBA). ([FINRA Case #2022074465001](#))

Blake Eskew ([CRD #6959564](#), Atlanta, Georgia)

February 16, 2023 – An AWC was issued in which Eskew was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Eskew consented to the sanction and to the entry of findings that he refused to appear for on-the-record testimony requested by FINRA. The findings stated that this

matter originated from a tip made to FINRA and from FINRA's review of an amended Form U5 filed by Eskew's member firm. The Form U5 disclosed that at the time of his resignation, Eskew was the subject of an internal review that concluded that he had altered an email requested by the firm and accepted a trade without proper authorization. ([FINRA Case #2022074906201](#))

Bradley Carl Reifler ([CRD #1589414](#), Millbrook, New York)

February 16, 2023 – A NAC remand decision became final in which Reifler was barred from association with any FINRA member in all capacities. The NAC reaffirmed the sanctions imposed by the Office of Hearing Officers (OHO). The sanction was based on the findings that Reifler failed to respond fully to FINRA's requests for information and documents in connection with its investigation into a closed-end interval fund that he created and controlled. The findings stated that the request specifically asked about Reifler's roles and responsibilities at his member firm with respect to Forefront Income Trust (FIT) sales, including a \$10 million investment in FIT. The request also asked for information regarding the due diligence and supervisory review performed, and suitability determinations made, related to FIT sales. After obtaining a deadline extension, Reifler responded to the request with short, handwritten notations. Most of Reifler's notations either denied knowing about the firm's sales of FIT shares or disclaimed his role in, or responsibility for, the matters identified in the request. Reifler provided no response to the question concerning the \$10 million investment in FIT. Furthermore, Reifler did not provide any of the requested documents. The findings also stated that Reifler failed to respond completely to FINRA's questions during two on-the-record testimonies. During the first testimony, Reifler refused to answer questions in many instances, he primarily either answered or responded curtly that he did not know or remember the answers to the questions posed. During Reifler's second testimony, he provided more answers but still refused to answer several questions, stating that they pertained to matters currently in litigation. ([FINRA Case #2016050924601r](#))

Paul James Trone ([CRD #7097895](#), Oregon City, Oregon)

February 16, 2023 – An AWC was issued in which Trone was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Trone 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 the circumstances giving rise to a Form U5 filed by his member firm. The findings stated that according to the Form U5, the firm had discharged Trone because he accessed, without authorization, the computer system of his former employer and obtained information relating to account trading volume. ([FINRA Case #2022076230701](#))

Antoine Nabih Souma ([CRD #4210987](#), Glendale, California)

February 21, 2023 – An AWC was issued in which Souma was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Souma consented to the sanction and to the entry of findings that he refused to produce information and documents requested by FINRA in connection with its investigation into his compliance with FINRA Rule 3280 concerning participation in private securities transactions. The findings stated that FINRA sent an additional request to Souma seeking information and documents in connection with an ongoing customer arbitration filed against him. ([FINRA Case #2021071366301](#))

Tracy Lynn Morton ([CRD #4880691](#), Tulsa, Oklahoma)

February 27, 2023 – An AWC was issued in which Morton was barred from association with any FINRA member in all capacities. Without admitting or denying the findings, Morton 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 engaged in an undisclosed OBA. ([FINRA Case #2023077489001](#))

Individuals Suspended

Archie Abel Blood Jr. ([CRD #1861277](#), Holland, Michigan)

February 1, 2023 – An AWC was issued in which Blood 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, Blood consented to the sanctions and to the entry of findings that he participated in private securities transactions by facilitating the sale of \$400,000 of a security to two married couples who were customers of his member firm without providing prior written notice to the firm. The findings stated that Blood introduced the customers to an individual associated with a potential investment in a company that the firm had not approved for sale. The Unit Purchase Agreements for the offering identified the investment interests as unregistered securities. Blood participated in both customers' investments. After making the initial introductions, Blood sent one of the customers the Unit Purchase Agreement, told his contact that the customers would invest \$200,000 and ensured that the necessary funds were wired to complete the investment. In connection with the other customers, Blood provided their information and a non-disclosure agreement executed by the other customers that was necessary to complete the investment to his contact. The customers each invested \$200,000 in the company. Blood's participation in these transactions was outside the regular course and scope of his employment with his firm. In addition, Blood falsely attested to his firm that he did not assist, advise, or facilitate any private securities transactions.

The suspension is in effect from February 6, 2023, through June 5, 2023. ([FINRA Case #2021071992801](#))

Jong Ik Lee (CRD #7153846, New York, New York)

February 3, 2023 – 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 nine months. Without admitting or denying the findings, Lee consented to the sanctions and to the entry of findings that he improperly used his member firm's funds by receiving reimbursements totaling \$1,878.32 for meal and transportation expenses that he mischaracterized as business expenses. The findings stated that the expenses were in fact personal expenses that did not comply with the firm's travel and business expense policy. For example, Lee requested and received reimbursements for meal and transportation expenses using project codes he knew he was not entitled to use, either because the codes had expired or because they were from projects on which Lee was not staffed. In addition, Lee altered some receipts to make the meal and transportation expenses appear as if they were eligible for reimbursement under the firm's travel and business expense policy, such as by altering the time of the ride, pick-up location, drop-off location, or the map route on car service receipts. Lee then submitted those receipts to the firm, and it reimbursed him. Subsequently, Lee voluntarily repaid the firm for the expenses for which he was improperly reimbursed.

The suspension is in effect from February 6, 2023, through November 5, 2023. ([FINRA Case #2022074194701](#))

Adam James Makkai (CRD #4025159, Castle Rock, Colorado)

February 6, 2023 – A NAC decision became final in which Makkai was fined \$5,000 and suspended from association with any FINRA member in all capacities for 30 days. The NAC affirmed the findings and modified the sanctions imposed by the OHO. The sanctions are based on the findings that Makkai paid securities transaction-based compensation to an unregistered person. The findings stated that around the time that Makkai's member firm dismissed the person, he told Makkai that he planned to retire, and offered to sell Makkai his book of business that consisted of firm brokerage customers and investment adviser clients of an investment adviser firm where they were both registered as investment adviser representatives. Makkai orally agreed to buy the person's business production. Makkai and the person, however, continued to negotiate the terms of a formal purchase and sale agreement after the firm dismissed the person. The day after the firm dismissed the person, it assigned his brokerage accounts to Makkai. Makkai completed a hybrid-advisor compliance questionnaire in which he attested that the firm prohibited him from paying or otherwise directing securities transaction-based compensation to another person without prior firm approval. Nevertheless,

Makkai paid the person \$27,037.52 in commissions that the firm paid Makkai for securities transactions effected for the person's former firm brokerage customers. These commissions comprised both continuing commissions that the firm paid on the accounts and commissions that it paid Makkai for securities transactions that he effected for the accounts after it reassigned them to him. Makkai paid the person the commissions in several transactions. Makkai's supervisor and the firm's Strategic Business Solutions group were both aware that Makkai and the person were engaged in negotiations for his book of business. Makkai, however, never disclosed to anyone at the firm that he was paying the person commissions that Makkai received for securities transactions effected for the person's former firm brokerage customer accounts. Without advising his supervisor that he was already doing so, Makkai asked his supervisor whether he was permitted to pay the person the commissions that Makkai earned from these accounts. The supervisor told Makkai, unequivocally, that he was not allowed to share securities transaction-based commissions with an unregistered person and that he could make payments to the person only pursuant to a final, written contract to purchase his book of business that was approved by the firm. When Makkai completed a hybrid-advisor compliance questionnaire, he disclosed to the firm that he had entered into a written agreement to purchase the person's book of business. As a result of this disclosure, the firm directed Makkai to forward a copy of the written agreement to its Strategic Business Solutions group, which he did. Notwithstanding the guidance that Makkai received from his supervisor and the firm's Strategic Business Solutions group, four of the payments that Makkai made to the person for commissions generated by the accounts of his former firm brokerage customers occurred after Makkai was notified that he could not share commissions earned from firm brokerage accounts with the person after his license termination. Makkai ultimately decided to back out of his oral agreement to acquire the person's book of business, and they ceased their negotiations. Since Makkai and the person did not agree on the terms of a final purchase and sale agreement, at no time did they reduce any agreement to writing. Makkai did not ask the person to return any portion of the \$101,503.50 in securities brokerage commissions and investment adviser fees that Makkai paid the person. Makkai and the person never agreed, or even discussed, that these payments would be treated as part of the purchase price for the person's book of business. Consistent with his view that these payments represented a gesture of goodwill, Makkai intended to make them only until he and the person executed a formal purchase and sale agreement for his business production.

The suspension was in effect from March 6, 2023, through April 5, 2023. ([FINRA Case #2018058924502](#))

Robin Bailey Liebes ([CRD #2362467](#), Thousand Oaks, California)

February 7, 2023 – An AWC was issued in which Liebes was fined \$5,000 and suspended from association with any FINRA member in all capacities for 45 days. Without admitting or denying the findings, Liebes consented to the sanctions and to the entry of findings that she caused her member firm to maintain inaccurate books and records by changing the representative code for trades that caused the trade confirmations to show an inaccurate representative code. The findings stated that Liebes entered into an agreement through which she agreed to service certain customer accounts, including executing trades for those accounts, under a joint representative code that she shared with a retired representative who was part of her team. The agreement set forth what percentages of the commissions each representative would earn on trades placed using the joint representative code. Shortly thereafter, Liebes entered into an agreement with another representative on her team, but not the retired representative. Although the firm's system correctly prepopulated the trades with the applicable joint representative code for the first agreement, Liebes entered the transactions at issue under a joint representative code for the second agreement. Liebes negligently failed to verify whether the trades were made in an account that was subject to the first agreement. As a result, the firm's trade confirmations for the trades reflected an inaccurate representative code. Liebes' actions resulted in her receiving higher commissions from the trades than what she was entitled to receive pursuant to the first agreement. The firm has since reimbursed the retired representative.

The suspension is in effect from March 6, 2023, through April 19, 2023. ([FINRA Case #2020068820101](#))

Patrick Keith Sloan ([CRD #6466410](#), Kewanee, Illinois)

February 10, 2023 – An AWC was issued in which Sloan was assessed a deferred fine of \$10,000 and suspended from association with any FINRA member in all capacities for three months. Without admitting or denying the findings, Sloan consented to the sanctions and to the entry of findings that he falsified customer signatures on documents and caused his member firm to maintain inaccurate records. The findings stated that Sloan electronically signed, with prior permission, documents on behalf of customers, two of whom were seniors. The firm's policies and procedures prohibited signing a customer's name or initials regardless of the customer's knowledge or consent. Sloan also falsely attested in a compliance questionnaire that he had not signed or affixed another person's signature on a document. The findings also stated that Sloan exercised discretion in customer accounts without prior written authority from the customers or approval from his firm. Sloan made the trades pursuant to an investment strategy agreed to by the customers. No customer complained regarding Sloan's trades, and he did not receive any commissions from the trading. In addition, Sloan falsely stated in compliance questionnaires that he had not exercised discretionary authority over any brokerage accounts.

The suspension is in effect from February 21, 2023, through May 20, 2023. ([FINRA Case #2021070741501](#))

Lon Charles Faccini Jr. ([CRD #2736849](#), Manorville, New York)

February 16, 2023 – An AWC was issued in which Faccini was assessed a deferred fine of \$5,000, suspended from association with any FINRA member in all capacities for six months and ordered to pay \$18,770, plus interest, in deferred restitution to a customer. Faccini has separately settled an arbitration claim filed by the other customer agreeing to pay that customer restitution for his unsuitable securities recommendations. Without admitting or denying the findings, Faccini consented to the sanctions and to the entry of findings that he engaged in excessive and unsuitable trading, including using margin, in customers' accounts. The findings stated that Faccini recommended that the customers place trades in their accounts, most of which were executed using margin for one of the customers and all were executed using margin for the other customer. Both customers routinely accepted Faccini's recommendations. Although the customer's account had an average month-end equity of approximately \$116,900 for 19 months, Faccini recommended purchases with a total principal value of approximately \$2,410,300, which resulted in an annualized turnover rate in the account just over 13. As a result of Faccini's unsuitable recommendations, that customer had a loss of approximately \$36,700. Collectively, the trades that Faccini recommended caused that customer to pay approximately \$55,389 in commissions and fees and another \$12,997 in margin interest for a total of approximately \$68,385. In addition, although the other customer's account had an average month-end equity of approximately \$26,856 for 16 months, Faccini recommended purchases with a total principal value of approximately \$522,438, which resulted in an annualized turnover rate in the account of 14.59. As a result of Faccini's unsuitable recommendations, the other customer had a loss of approximately \$17,395. Collectively, the trades that Faccini recommended caused the other customer to pay approximately \$16,074 in commissions and fees and another \$2,696 in margin interest for a total of approximately \$18,770.

The suspension is in effect from February 21, 2023, through August 20, 2023. ([FINRA Case #2018056483903](#))

Jeremy David Jefferson ([CRD #4444433](#), Washington, DC)

February 21, 2023 – An AWC was issued in which Jefferson 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, Jefferson consented to the sanctions and to the entry of findings that he engaged in an OBA without notifying or obtaining approval from his member firm. The findings stated that Jefferson worked as a tax preparer outside of his employment at his firm without disclosing his tax preparation work to the firm. In addition, Jefferson

submitted inaccurate responses to the firm's annual compliance questionnaires indicating that he was not engaged in any OBA.

The suspension is in effect from February 21, 2023, through May 20, 2023. ([FINRA Case #2022075246601](#))

Thomas Michael O'Keefe (CRD #7421625, Denver, Colorado)

February 28, 2023 – An AWC was issued in which O'Keefe was assessed a deferred fine of \$5,000 and suspended from association with any FINRA member in all capacities for 18 months. Without admitting or denying the findings, O'Keefe consented to the sanctions and to the entry of findings that he possessed unauthorized materials while taking the FINRA Securities Industry Essentials (SIE) examination. The findings stated that O'Keefe sat for the SIE exam at his home using a remote delivery platform. Prior to the beginning of the exam, O'Keefe attested that he had read and would abide by the Rules of Conduct, which among other things, prohibit the use or attempted use of any electronic device or phone during the exam. The SIE Rules of Conduct also require candidates taking online exams to store all personal items outside the room in which they take the exam. During the exam, O'Keefe possessed and accessed his cellular phone in violation of the Rules of Conduct.

The suspension is in effect from March 6, 2023, through September 5, 2024. ([FINRA Case #2022074814601](#))

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 these allegations in the complaint.

Roger Lee Arnold (CRD #5284151, Salem, Oregon)

February 1, 2023 – Arnold was named a respondent in a FINRA complaint alleging that he failed to provide information and documents requested by FINRA in connection with its investigation into the circumstances surrounding his resignation from his member firm. The complaint alleges that Arnold's firm filed a Form U5, disclosing that it terminated its association with him because he admitted to redeeming money from his wife's account with the firm and transferring it to a joint bank account without his wife's permission. Arnold resigned while he was still under review by the firm. ([FINRA Case #2021072142202](#))

Michael Ciro Colletti ([CRD #4577898](#), Glen Head, New York)

February 15, 2023 – Colletti was named a respondent in a FINRA complaint alleging that he placed trades with total principal value of approximately \$157,231 in an elderly customer's account without the customer's prior authorization. The complaint alleges that the customer was an unsophisticated investor and outside of Colletti's excessive trading of his account, the customer mainly bought and held mutual funds and stocks of well-established companies. Colletti's unauthorized trading resulted in realized losses of \$5,417.17 in the customer's account. The complaint also alleges that Colletti unsuitably and excessively traded the customer's account by frequently purchasing and selling various equity positions that caused the customer to incur high cumulative costs. Colletti exercised de facto control over the account by placing trades without first obtaining the customer's authorization. Colletti effected securities transactions in the customer's account that generated \$4,981 in commissions and \$256 in other trading costs. Colletti's excessive trading in the customer's account resulted in a turnover rate of 10.28 (annualized to 12.33) and a cost-to-equity ratio of 72.14 percent (annualized to 86.57 percent). ([FINRA Case #2019061942901](#))

Firm Expelled for Failure to Provide Information or Keep Information Current Pursuant to FINRA Rule 9552

Richfield Orion International, Inc. (CRD #24433)
 Castle Rock, Colorado
 (February 16, 2023)

Individual Revoked for Failure to Pay Fines and/or Costs Pursuant to FINRA Rule 8320

(If the revocation has been rescinded, the date follows the revocation date.)

Ramiro Luis Colon III (CRD #1868710)
 Miami, Florida
 (February 22, 2023 – March 3, 2023)
 FINRA Case #2020066275801

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.)

William Casper (CRD #7144028)
 Sacramento, California
 (February 21, 2023)
 FINRA Case #2022075883501

Kevin W. Chiu (CRD #6819859)
 Brooklyn, New York
 (February 17, 2023)
 FINRA Case #2022075751501

Edward Joseph McMahon (CRD #1276905)
 Middle Village, New York
 (February 21, 2023)
 FINRA Case #2020066786001

Somboun Thao (CRD #6835349)
 Madison, Wisconsin
 (February 6, 2023)
 FINRA Case #2022074049801

Patrick Noel Thayer (CRD #5735955)
 Lebanon, Ohio
 (February 21, 2023)
 FINRA Case #2022076444201

Brian M. Wurdemann (CRD #4206425)
 Chatham, New Jersey
 (February 21, 2023)
 FINRA Case #2022075005001

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.)

Austin James Kiick (CRD #7356812)
 Fort Lauderdale, Florida
 (February 17, 2023)
 FINRA Case #2022075760201

Isaac LaFond (CRD #6707495)
 Louisville, Kentucky
 (February 17, 2023)
 FINRA Case #2022076722401

Steve Allen Moise (CRD #4995443)
 Bayside, New York
 (February 24, 2023)
 FINRA Case #2022073708201

David Jeffrey Morris (CRD #2522277)
 Chicago, Illinois
 (February 24, 2023)
 FINRA Case #2022076282101

Individual 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.)

John Anthony Orlando (CRD #2002197)
Oakland Park, Florida
(February 9, 2023 – February 15, 2023)
FINRA Arbitration Case #20-01721

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.)

Christine Callie Bourdelais (CRD #5382327)
Virginia Beach, Virginia
(February 16, 2023)
FINRA Arbitration Case #21-01391

Thomas Joseph Buck (CRD #1024868)
Carmel, Indiana
(February 8, 2023)
FINRA Arbitration Case #20-02468

Narongdej Jaroensabphayanont (CRD #5393272)
Seattle, Washington
(February 8, 2023)
FINRA Arbitration Case #22-00953

Richard A. Logalbo (CRD #3095858)
Oyster Bay, New York
(February 16, 2023 – March 21, 2023)
FINRA Arbitration Case #22-00157

Harold B. Ramsey (CRD #5065990)
Ridgewood, New Jersey
(May 23, 2022 – February 23, 2023)
FINRA Arbitration Case #21-00026

Michael Richard Rosalia (CRD #2323953)
Blue Point, New York
(February 8, 2023)
FINRA Arbitration Case #21-02186

Dana Bruce Vietor (CRD #873129)
Independence, Iowa
(February 8, 2023)
FINRA Arbitration Case #21-01564

Jamie John Worden (CRD #4637404)
Lloyd Harbor, New York
(February 8, 2023)
FINRA Arbitration Case #21-02356

Jamie John Worden (CRD #4637404)
Lloyd Harbor, New York
(February 8, 2023)
FINRA Arbitration Case #21-02186