

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

DEPARTMENT OF ENFORCEMENT,

Complainant,

v.

RICHARD D. JAMEISON, JR.
(CRD No. 2567029),

Respondent.

Disciplinary Proceeding
No. 2012033364501

Hearing Officer—LBB

DEFAULT DECISION

January 14, 2014

**Respondent is barred for converting funds, in violation of FINRA Rule 2010.
Respondent is separately barred for failing to respond to requests for
documents and information, in violation of FINRA Rules 8210 and 2010.**

Appearances

Thomas M. Huber, Esq., for the Department of Enforcement.

No appearance by or for Respondent.

DECISION

The Department of Enforcement (“Enforcement”) filed the two-cause Complaint in this disciplinary proceeding on September 3, 2013, charging Respondent Richard D. Jameison, Jr. with conversion of funds, in violation of FINRA Rule 2010, and failure to respond to four Rule 8210 requests for information, in violation of FINRA Rules 8210 and 2010. Despite being properly served with the Complaint, Notice of Complaint, and Second Notice of Complaint, Respondent has not filed an answer or otherwise responded to the Complaint.

Enforcement filed a Motion for Entry of a Default Decision on November 26, 2013. Respondent did not file a response to Enforcement’s motion. For the reasons set forth below,

Enforcement's motion is granted. Accordingly, pursuant to FINRA Rules 9215(f) and 9269, the allegations of the Complaint are deemed admitted.¹

I. Respondent and Jurisdiction

Respondent was first registered with a FINRA member firm in 1995, and was registered continuously with FINRA member firms until July 2012. He was registered with FINRA member firm Blackrock Investments, LLC, from June 2009 until August 17, 2012. Decl. ¶¶ 6, 7; CX-1. Blackrock filed a Uniform Termination Notice for Securities Industry Registration (Form U5) for Respondent on August 17, 2012, reporting that Respondent's employment had been terminated on July 18, 2012, for violating the firm's policies and procedures. Decl. ¶ 8; CX-1.² Respondent has not been registered with any FINRA member firm since he left Blackrock. Decl. ¶ 9; CX-1.

Pursuant to Article V, Section 4 of FINRA's By-Laws, Respondent is subject to FINRA's jurisdiction because the Complaint was filed within two years after the termination of his registration with a member firm, and the Complaint charges him with violations that occurred while he was registered with a member firm, and with failure to respond to requests for information issued within two years after the termination of his registration with a member firm.

II. Respondent's Default

On September 3, 2013, Enforcement served the First Notice of Complaint and Complaint on Respondent at his residential address as listed in the Central Registration Depository ("CRD"), and at an alternate address, by first-class and certified mail. In addition, Enforcement

¹ The factual determinations in this decision are based on the allegations of the attached Complaint and the materials Enforcement filed with its default motion, which included the Declaration of Thomas M. Huber in Support of Motion for Entry of Default Decision, and supporting documentation that was attached to counsel's Declaration. Counsel's Declaration is cited herein as "Decl. ¶ __." The supporting documentation is cited as "CX-__."

² FINRA Staff commenced the investigation that led to the filing of the Complaint based on the filing of the Form U5. Decl. ¶ 25.

served the Complaint on Respondent's attorney by first-class mail. Decl. ¶¶ 10, 11; CX-2. The Complaint sent to Respondent's CRD address was not returned to Enforcement, but Enforcement did not receive the return receipt confirming delivery to the CRD address. For the mailing to the alternate address, Enforcement received a return receipt that had been signed with an initial and the name "Jameison," although it was unclear who the person was. The first-class mailing to Respondent's attorney was not returned to Enforcement. Decl. ¶¶ 12-14; CX-2. Respondent did not answer the Complaint by October 1, 2013, the date by which he was required to answer. Decl. ¶¶ 15, 16.

On October 3, 2013, Enforcement served a Second Notice of Complaint and Complaint on Respondent at his CRD address and the alternate address by first-class and certified mail, and on his attorney by first-class mail. Complaint ¶¶ 17, 18; CX-2. Neither the mailings to the CRD address nor the return receipt for the certified mailing to the CRD address were returned to Enforcement. The first-class mailing to the alternate address was not returned to Enforcement, but the certified mailing to the alternate address was returned, marked "Return to Sender." Decl. ¶¶ 19, 20. The first-class mailing to the attorney was not returned to Enforcement. Decl. ¶ 21.³ Respondent has not answered or otherwise responded to the Complaint. Decl. ¶ 24.

Despite being properly served with the Complaint, Notice of Complaint, and Second Notice of Complaint, Respondent has not answered or otherwise responded to the Complaint. By failing to file a response to the Complaint, he defaulted.

³ On October 24, 2013, the attorney contacted Enforcement by e-mail. He represented that he had not been able to reach Respondent, and asked for an extension of time to answer. Enforcement suggested that the attorney contact the Case Administrator assigned to this case at the Office of Hearing Officers. Decl. ¶ 21 n.1; CX-3. The attorney has not contacted the Case Administrator, nor has the attorney or Respondent filed a request for an extension of time.

III. First Cause of Action: Respondent Violated FINRA Rule 2010 by Converting Funds

The First Cause of Action charges Respondent with converting \$150,000 from RD, an acquaintance who was not a Blackrock customer. “Conversion is the wrongful exercise of dominion over the personal property of another” and violates the ethical mandate of FINRA Rule 2010.⁴ FINRA Rule 2010 requires associated persons to “observe high standards of commercial honor and just and equitable principles of trade.” FINRA’s disciplinary authority under Rule 2010 encompasses business-related conduct that is inconsistent with just and equitable principles of trade, even if that activity does not involve a security. Conversion or misappropriation of funds from someone who is not a customer of the registered representative may violate FINRA Rule 2010.⁵

In June 2011, Respondent told RD about an opportunity to invest, alongside a small group of other investors, in a business enterprise that was being formed. Complaint ¶ 8. Respondent represented that the business would sell annuities, which would be sold to an insurance company at a premium once a multi-hundred million dollar portfolio had been built. Complaint ¶ 9. Respondent told RD that Blackrock was not involved with raising the money for the enterprise and that any investment in the enterprise would not be made through Blackrock. Respondent also told RD that he intended to invest in the enterprise. Complaint ¶ 10. RD

⁴ *Dep’t of Enforcement v. Mullins*, No. 20070094345, 2011 FINRA Discip. LEXIS 61, at *21 (N.A.C. Feb. 24, 2011) *aff’d in part*, Exchange Act Rel. No. 66373, 2012 SEC LEXIS 464 (Feb. 10, 2012) (quoting *Dep’t of Enforcement v. Paratore*, No. 2005002570601, 2008 FINRA Discip. LEXIS 1, at *10 (N.A.C. Mar. 7, 2008)); *see also* FINRA Sanction Guidelines 38 n.2 (2011), *available at* www.finra.org/sanctionguidelines (Conversion is “an intentional and unauthorized taking of and/or exercise of ownership over property by one who neither owns the property nor is entitled to possess it.”).

⁵ *Vail v. SEC*, 101 F.3d 37, 39 (5th Cir. 1996) (per curiam) (affirming SEC’s finding that representative violated just and equitable principles of trade by misappropriating funds belonging to a political club while serving as that organization’s treasurer); *see also Daniel D. Manoff*, Exchange Act Rel. No. 46708, 2002 SEC LEXIS 2684, at *11 (Oct. 23, 2002) (finding that registered representative who used a co-worker’s credit card without authorization violated NASD Rule 2110, the predecessor to FINRA Rule 2010).

decided to invest in the enterprise, in part because he understood that Respondent would also be investing. Complaint ¶ 11.

On about June 21, 2011, acting pursuant to Respondent's instructions, RD wired \$150,000 into a securities account that Respondent owned jointly with his wife at FI (the "FI Account"), a large financial services firm. At the end of the day on June 21, 2011, the FI Account held about \$154,128. Complaint ¶ 13. Respondent and his wife primarily used the FI Account to pay household and other personal expenses. Complaint ¶ 14. Respondent never invested any of RD's funds. He converted the bulk of the funds for his own use and benefit, as described below. Complaint ¶ 15.

On about June 2, 2011, almost three weeks before RD wired funds to the FI Account, Respondent wrote a check from the account for \$105,000, payable to "RSHC," a private school. The balance in the account was only \$19,800, and the check was dishonored. Complaint ¶¶ 16, 17. After RD wired his funds into the FI Account, the \$105,000 check to RSHC was again presented for payment, and was paid on about June 30, 2011. Complaint ¶ 18. In addition, from about June 22 to June 30, 2011, various personal expenses for RD and his wife were paid from the FI Account. Complaint ¶ 19. The balance in the account as of June 30, 2011, was about \$32,000. Complaint ¶ 20. From July 2011 through August 2012, the account had balances ranging from about \$287 to \$31,651. Complaint ¶ 21.

Late in 2011 or early in 2012, Respondent falsely told RD that RD had realized a profit on his investment. On several occasions in early 2012, RD asked Respondent to return the funds that RD had given to Respondent, along with the earnings on RD's investment. Complaint ¶ 22. On April 11, April 16, and May 3, 2012, Respondent wrote checks drawn against joint accounts that Respondent maintained with his wife, each for \$198,000, and delivered the checks to RD.

Complaint ¶ 23. Respondent represented to RD that the checks represented the return of RD's \$150,000 investment plus the purported return on investment. The checks were drawn against accounts that contained insufficient funds, and were dishonored. Complaint ¶ 24.

Blackrock terminated Respondent's employment on July 18, 2012. RD and his wife filed a lawsuit against Respondent on August 27, 2012. Respondent paid RD and his wife \$165,000 on September 19, 2012. Complaint ¶ 25.

These allegations, which are deemed admitted, are sufficient to establish, for purposes of this default decision, that Respondent violated FINRA Rule 2010 by converting funds from RD, thereby violating FINRA Rule 2010.

IV. Second Cause of Action: Respondent Violated FINRA Rules 8210 and 2010 by Failing to Respond to Four Requests for Information

On October 18, 2012, FINRA Staff sent a letter to Respondent's attorney that requested, pursuant to FINRA Rule 8210, documents and information relating to Respondent's dealings with RD. Among other things, the letter requested an accounting of how the \$150,000 that RD had wired to Respondent and his wife had been used. The letter requested a response by November 1, 2012. Complaint ¶ 32. On November 2, 2012, Respondent's attorney sent an e-mail to FINRA Staff in which he requested additional time to respond, representing that Respondent had been living at the Jersey Shore, which had been hit by Super Storm Sandy, and needed additional time to respond. FINRA Staff gave Respondent an additional two weeks to respond, until November 16, 2012. Respondent did not respond by November 16, 2012. Complaint ¶¶ 33-35.

FINRA Staff sent a second Rule 8210 letter to Respondent's counsel and to Respondent on November 26, 2012, reiterating the requests in the October 18 letter, and requesting a response by December 3. Respondent's counsel responded by e-mail on November 28, 2012,

again requesting an extension of time due to the impact of Super Storm Sandy. The Staff granted another extension, until December 5. Respondent did not respond by December 5, 2012.

Complaint ¶¶ 36-40.

FINRA Staff sent a third Rule 8210 letter to Respondent on December 21, 2012, addressed to Respondent at his CRD address and at an alternate address in Lavallette, New Jersey, on the Jersey Shore. The Staff also sent a copy to Respondent's counsel. The letter requested a response by December 31, 2012. Complaint ¶¶ 41-45. Respondent's counsel sent an e-mail to FINRA Staff on December 21, saying he had spoken to Respondent, who was still not able to get into his storm-damaged house, where his files were stored. The attorney said he wanted to discuss a realistic extension of time to respond after the holiday. The attorney did not contact the Staff after the holiday, and the Staff left several messages for the attorney, which he did not return. Complaint ¶¶ 46, 47. Neither Respondent nor his attorney provided any documents or information in response to the December 21, 2012 letter. Complaint ¶ 48.

On January 24, 2013, FINRA Staff sent a fourth Rule 8210 request for documents and information to Respondent and his attorney. The letter required a response by February 1, 2013. On January 24, 2013, Respondent's attorney sent an e-mail to FINRA Staff, saying that he understood that FINRA Staff had received the "salient documents that you needed" from counsel for RD and his wife. Staff responded on January 25, 2013, informing the attorney that Respondent was obligated to provide documents and information, regardless of what might have been received from other sources. Complaint ¶¶ 51-52. Neither Respondent nor his attorney has provided FINRA Staff with any of the documents or information requested in the four FINRA Rule 8210 requests. Complaint ¶¶ 52-53.

These allegations, which are deemed admitted, are sufficient to establish, for purposes of this default decision, that Respondent failed respond to four requests for documents and information despite being properly served with Rule 8210 requests, in violation of FINRA Rule 8210. A violation of FINRA Rule 8210 is also a violation of FINRA Rule 2010.⁶

V. Sanctions

The Hearing Officer imposes separate bars for the conversion charged in the First Cause of Action, and the Rule 8210 violation charged in the Second Cause of Action.

For conversion, FINRA's Sanction Guidelines recommend a bar regardless of the amount converted.⁷ Here, there are no mitigating factors, and a bar is the appropriate sanction.

For a complete failure to respond to a request for information pursuant to FINRA Rule 8210, a bar is standard.⁸ Here, Respondent failed to respond to four requests for documents and information. Although Respondent, through counsel, represented that the effects of the hurricane interfered with his ability to respond to the requests, the Staff made four separate requests for the documents and information and gave Respondent several extensions. While some delay in responding is understandable, the complete failure to respond over an extended period is not. Respondent is barred for violating Rules 8210 and 2010.

VI. Conclusion

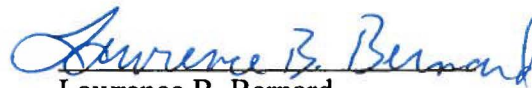
For conversion of funds, in violation of FINRA Rule 2010, Respondent Richard D. Jameison, Jr. is barred from associating with any member firm in any capacity. Respondent is also barred for failing to respond to requests for documents and information, in violation of FINRA Rules 8210 and 2010.

⁶ *Dep't of Enforcement v. Hoeper*, No. C02000037, 2001 NASD Discip. LEXIS 37, at *5 (N.A.C. Nov. 2, 2001) (violation of NASD Procedural Rule 8210 was a violation of NASD Conduct Rule 2110).

⁷ FINRA Sanction Guidelines at 36.

⁸ FINRA Sanction Guidelines at 33.

The bars will be effective immediately if this decision becomes FINRA's final disciplinary action in this proceeding.



Lawrence B. Bernard
Hearing Officer

Copies to: Richard D. Jameison, Jr. (via overnight courier and first-class mail)
Mark T. Sophocles, Esq. (via first-class mail)
Thomas M. Huber, Esq. (via first-class and electronic mail)
Mark P. Dauer, Esq. (via electronic mail)
Jeffrey D. Pariser, Esq. (via electronic mail)

FINANCIAL INDUSTRY REGULATORY AUTHORITY
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Department of Enforcement,

Complainant,

v.

Richard D. Jameison, Jr.
(CRD No. 2567029),

Respondent.

DISCIPLINARY PROCEEDING
No. 2012033364501

COMPLAINT

The Department of Enforcement alleges:

SUMMARY

1. In June 2011, RD, an individual who was not a customer of the member firm that employed Respondent Richard D. Jameison, Jr., caused \$150,000 to be wired to a securities account that Jameison jointly owned with his wife. RD intended for the funds to be invested in a purported incipient business enterprise that Jameison had told him about. Jameison never invested any of the funds on RD's behalf but instead converted the bulk of the funds to his own use and benefit.
2. After RD requested the return of his funds, Jameison on three separate occasions in April and May 2012, issued a personal check to RD in an amount exceeding \$150,000. Each check was drawn on an account that contained insufficient funds and was not honored. In September 2012, after RD had filed a civil lawsuit against him, Jameison finally returned RD's money.

3. In addition, Jameison failed to respond to four letters FINRA Staff sent to him that requested information pursuant to FINRA Rule 8210.
4. Based on the foregoing, Jameison violated FINRA Rules 2010 and 8210.

RESPONDENT AND JURISDICTION

5. On March 24, 1995, Jameison first became registered with FINRA through an association with a member firm as an Investment Company and Variable Contracts Products Representative. From June 16, 2009 to August 17, 2012, he was registered with FINRA as a General Securities Principal and in other capacities through an association with Blackrock Investments, LLC (BD No. 38642) ("Blackrock" or the "Firm"). On August 17, 2012, the Firm filed a Uniform Termination Notice for Securities Industry Registration (Form U5) stating that Jameison was terminated. The Firm reported on the Form U5 that Jameison had "Violated Firm's Policies and Procedures." Jameison's last date of employment with the Firm was July 18, 2012.
6. Jameison is not currently associated with a FINRA member firm. Although Respondent is no longer registered or associated with a FINRA member, he remains subject to FINRA's jurisdiction for purposes of this proceeding, pursuant to Article V, Section 4 of FINRA's By-Laws, because (1) the Complaint was filed within two years after the effective date of termination of Respondent's registration with the Firm, namely, August 17, 2012, and (2) the Complaint charges him with misconduct committed while he was registered or associated with a FINRA member and with failing to respond to FINRA requests for information during the two-year period after the date upon which he ceased to be registered or associated with a FINRA member.

FIRST CAUSE OF ACTION

(Conversion)

(Rule 2010)

7. The Department realleges and incorporates by reference paragraphs 1 and 2 above.
8. In or about early June 2011, Jameison told RD, an acquaintance who was not a Blackrock customer, about an opportunity to invest, alongside a small group of other investors, in a business enterprise that was being formed.
9. The plan was that the business would sell annuities and, once a multi-hundred million dollar portfolio had been built, it would be sold to an insurance company at a premium.
10. Jameison told RD that Blackrock had no involvement with raising money for the enterprise and that any investment in the enterprise would *not* be made through Blackrock. Jameison further told RD that he (Jameison) intended to invest in the enterprise.
11. RD decided to make an investment based on, among other things, the understanding that Jameison would also be investing in the enterprise.
12. On or about June 21, 2011, acting pursuant to Jameison's instructions, RD wired \$150,000 (or caused that amount to be wired) into a securities account that Jameison owned jointly with his wife at FI, a large financial services firm (the "FI Account").
13. At the end of the day on June 21, 2011, the FI Account held about \$154,128.
14. Jameison and his wife primarily used the FI Account to pay various household and other personal expenses. The FI Account had check writing privileges and it had associated "Visa Gold Check Cards" (i.e., debit cards) that Jameison and his wife used to pay for personal expenses.

15. After RD wired the \$150,000 to the FI Account, Jameison never invested any of the funds on RD's behalf. Instead, Jamieson converted the bulk of the funds to his own use and benefit, as described below.
16. About three weeks earlier, on or about June 2, 2011, Jameison wrote a check (No. 1354) against the FI Account for \$105,000 payable to "RSHC." The ending balance in the FI Account on June 2, 2011, however, was only about \$19,800. As a result, the check was dishonored after being deposited and presented for payment.
17. The RSHC web site reveals that it is a private school that provides education through eighth grade.
18. After RD wired his funds to the FI Account on June 21, 2011, the \$105,000 check to RS11C was re-deposited or otherwise again presented for payment and it was paid on about June 30, 2011.
19. In addition, over the nine day period from June 22 to June 30, 2011, various personal expenses of Jameison and his wife were paid using the funds in the FI Account. Among other things, from June 21, 2011 to June 30, 2011 the FI Account was used for purchases at grocery stores, gas stations, wine stores and department stores, and for mortgage payments and a dental bill.
20. The ending balance in the FI Account as of June 30, 2011, just over a week after RD wired \$150,000 to it, was about \$32,000 even though Jameison had not invested any of the \$150,000.
21. The approximate month-end balances in the FI Account between July 2011 through August 2012 ranged from a low of 287.67 (August 2012) and a high of \$31,651.55 (February 2012).

22. Late in 2011 or in early 2012, Jameison falsely told RD, in substance, that a profit had been realized on the purported investment made with his money. On several occasions through the first three months of 2012, RD asked Jameison to return the funds he (RD) had given Jameison for investment and the earnings that had resulted from the purported investment made with the funds.
23. On or about April 11, 2012, April 16, 2012, and May 3, 2012, Jameison wrote three separate checks drawn against other joint accounts he and his wife maintained, each for \$198,000 payable to RD, and gave or otherwise delivered the checks to RD.
24. Jameison represented expressly or impliedly that the checks comprised the return of RD's \$150,000 and the purported return that had been earned on his investment, although Jameison had not invested the funds. The accounts the checks were drawn against contained insufficient funds and the checks were dishonored when presented for payment. Jameison knew the accounts the checks were drawn against did not contain sufficient funds for the checks to be honored or issued the checks in reckless disregard of whether the accounts contained sufficient funds for the checks to be honored.
25. On or about July 18, 2012, Blackrock terminated Jameison. On or about August 27, 2012, some 14 months after RD wired his money to Jameison, RD and his wife filed a civil lawsuit against Jameison and his wife in the Delaware County, Pennsylvania Court of Common Pleas.
26. On or about September 19, 2012, Jameison paid RD and his wife \$165,000.
27. By reason of the foregoing, Jameison violated FINRA Rule 2010.

SECOND CAUSE OF ACTION
(Failure to Respond to Written Requests for Information
(Rule 8210)

28. The Department realleges and incorporates by reference paragraphs 1 through 26 above.
29. On or about date, attorney "MTS" informed FINRA Staff that he would be representing Jameison in connection with FINRA's investigation.
30. At all relevant times (and currently), Jameison's residential address as shown in FINRA's CRD System was 321 Exeter Road, Devon, Pennsylvania 19333 (hereinafter the "CRD Address").
31. When FINRA's investigation began, Jameison also had a home in Lavallette, New Jersey of which FINRA Staff, at that time, had no knowledge. Lavallette is at the New Jersey shore north of Atlantic City and was impacted by Super Storm Sandy in late October 2012.

First Letter

32. On October 18, 2012, FINRA Staff sent a letter addressed to MTS, Jameison's attorney, that requested, pursuant to FINRA Rule 8210, documents and information concerning Jameison's dealings with RD. Among other things, the letter requested an accounting of how the \$150,000 received from RD and his wife had been used. The Staff sent the letter to MTS by First Class Mail and by email. The letter requested a response by November 1, 2012.
33. On about November 2, 2012, MTS sent the Staff an email in which he requested an extension of time to respond. He stated in the email, "My client has been living at the Jersey shore [which] got hammered by the hurricane and actually has not contacted me this week (I understand that his area was hit especially hard) - so we need more time as I am sure you can understand."

34. On November 2, the Staff sent MTS an email advising him that Jameison's response would now be due on November 16.

35. No response to the October 18th letter was received from either Jameison or his attorney by November 16, 2012.

Second Letter

36. On November 26, 2012, the Staff sent a second letter addressed to MTS that requested, pursuant to Rule 8210, the information that had been requested in the first letter. The Staff sent the letter to MTS by First Class Mail and email and sent a copy of the letter by First Class and Certified Mail to Jameison's CRD Address. The letter requested a response by December 3, 2012.

37. The mailing sent to Jameison's CRD Address by First Class Mail was not returned to the Staff. The mailing sent to Jameison's CRD Address by Certified Mail was returned to the Staff with a label affixed to it dated 12/17/12 that read, "Return to Sender Not Deliverable as Addressed Unable to Forward."

38. On November 28, 2012, MTS sent the Staff an email in which he requested, on Jameison's behalf, an extension of time to respond, again citing the impact of Super Storm Sandy.

39. On November 28, the Staff sent MTS an email granting Jameison an extension to December 5 to respond.

40. No response to the November 26th letter was received from either Jameison or his attorney by December 5, 2012.

Third Letter

41. On December 21, 2012, the Staff sent a third letter, addressing it to Jameison, that requested, pursuant to Rule 8210, information concerning his dealings with RD. The letter requested a response by December 31, 2012. As of that date, the Staff had obtained the address for Jameison's home in Lavallette, New Jersey (337 W. Bayview Drive, Lavallette, NJ 08735) (hereinafter "Lavallette Address").
42. Accordingly, the Staff sent the letter by First Class Mail and Certified Mail to both Jameison's CRD Address and the Lavallette Address. The Staff also sent a courtesy copy of the letter to MTS by Certified Mail and by email.
43. Neither mailing sent to Jameison by First Class Mail was returned to the Staff.
44. The Staff received an unsigned certified mail return receipt card for the certified mailing to the Lavallette Address. Neither the mailing nor the certified mail return receipt card for the certified mailing to the CRD Address was returned to the Staff.
45. The Staff received a signed certified mail return receipt card for the certified mailing to the MTS.
46. On December 21, 2012, MTS sent an email to the Staff stating that he (MTS) was away for the Christmas holiday but had spoken to Jameison, who said he still had not been able to get into his storm-damaged house where his files were stored. In his email, MTS stated that he wanted to discuss, after the holiday, "a realistic extended period of time to respond."
47. MTS did not contact the Staff in any manner through January 2, 2013. On January 3, 2013 and on several occasions thereafter, the Staff unsuccessfully attempted to contact MTS, leaving several messages which MTS did not return.

48. As of January 23, 2013, neither Jameison nor his attorney had provided the Staff any documents or information in response to the Staff's December 21, 2012 request letter.

Fourth Letter

49. On January 24, 2013, the Staff sent a fourth letter, addressing it to Jameison, requesting documents and information pursuant to Rule 8210. The letter requested a response by February 1, 2013. The Staff sent the letter by First Class Mail and Certified Mail to both the CRD Address and the Lavallette Address. The Staff also sent a courtesy copy of the letter to MTS by First Class Mail and email.
50. Neither mailing sent to Jameison by First Class Mail was returned to the Staff. Neither the mailing nor the certified mail return receipt card for the certified mailing to the CRD Address was returned to the Staff. The certified mailing sent to the Lavallette Address was returned to the Staff with a label affixed to it on which was written "unclaimed."
51. On January 24, 2013, MTS sent the Staff an email that stated, "As you know my client was severely impacted by hurricane sandy [sic] and my recollection was that you have reached out to counsel for the [investors] who sent you the salient documents that you needed. I was out of state and missed your call sorry."
52. On January 25, 2013, the Staff sent MTS an email stating:

Mr. Jameison has a separate and independent obligation to respond completely to FINRA's written requests for information and to provide all documents and information requested. Our efforts to obtain documents and information regarding the matter from other persons and sources has [sic] no bearing upon his obligation to respond fully and to

provide all requested information. He remains obligated to respond to our request by February 1.

53. Thereafter, neither Jameison nor MTS provided the Staff any of the information and documents the Staff had requested and, to date, Jameison has not responded to the Staff's written requests for information.

54. By reason of the foregoing, Jameison violated FINRA Rules 8210 and 2010.

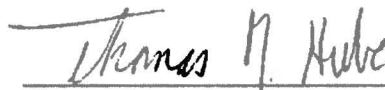
RELIEF REQUESTED

WHEREFORE, the Department respectfully requests that the Panel:

- A. make findings of fact and conclusions of law that Respondent committed the violations charged and alleged herein;
- B. order that one or more of the sanctions provided under FINRA Rule 8310(a), including monetary sanctions, be imposed; and
- C. order that Respondent bear such costs of the proceeding as are deemed fair and appropriate under the circumstances in accordance with FINRA Rule 8330.

FINRA DEPARTMENT OF ENFORCEMENT

Date: September 3, 2013


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