

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2013037604101**

TO: Department of Enforcement
Financial Industry Regulatory Authority (“FINRA”)

RE: Louis Anthony Tinoco Jr. (“Tinoco”), Respondent
General Securities Representative
CRD No. 2941445

Pursuant to FINRA Rule 9216 of FINRA’s Code of Procedure, I submit this Letter of Acceptance, Waiver and Consent (“AWC”) for the purpose of proposing a settlement of the alleged rule violations described below. This AWC is submitted on the condition that, if accepted, FINRA will not bring any future actions against me alleging violations based on the same factual findings described herein.

I.

ACCEPTANCE AND CONSENT

- A. I hereby accept and consent, without admitting or denying the findings, and solely for the purposes of this proceeding and any other proceeding brought by or on behalf of FINRA, or to which FINRA is a party, prior to a hearing and without an adjudication of any issue of law or fact, to the entry of the following findings by FINRA:

BACKGROUND

Tinoco entered the securities industry in August 1997 and has been associated with several FINRA-regulated broker-dealers. In September 1997, Tinoco became registered as a Series 7 General Securities Representative and a Series 63 Uniform Securities Agent.

In March 2011, Tinoco became associated as a registered representative with Barclays Capital Inc. (the “Firm”), a FINRA-regulated broker-dealer. In a Uniform Termination Notice for Securities Industry Registration (“Form U5”) dated July 12, 2013, the Firm reported that on June 14, 2013, Tinoco’s association with the Firm had been terminated due to “sales practice concerns involving certain accounts.” On October 17, 2013, the Firm filed an amendment to the Form U5 to disclose a new customer complaint alleging that Tinoco engaged in “unsuitable investments and unauthorized trading.”

Tinoco is not currently associated with a FINRA-regulated broker-dealer. However, pursuant to Article V, Section 4 of FINRA’s By-Laws, Tinoco remains

subject to FINRA's jurisdiction.

RELEVANT DISCIPLINARY HISTORY

Tinoco has no disciplinary history in the securities industry.

OVERVIEW

In February 2013, Tinoco violated FINRA Rule 2010 by providing his Firm customer with a false account summary that concealed trading losses in the account by overstating the value of the customer's account by more than \$200,000. Tinoco also violated FINRA Rules 8210 and 2010 by failing to respond to a FINRA request to appear and provide testimony.

FACTS AND VIOLATIVE CONDUCT

Providing a False and Misleading Account Summary to a Customer

FINRA Rule 2010 requires the observance of "high standards of commercial honor and just and equitable principles of trade." Providing a customer with a false and misleading account summary violates FINRA Rule 2010.

During a meeting with a Firm customer in February 2013, Tinoco provided the customer with a one-page chart that purported to reflect the monthly value of the customer's Firm account. The chart, which Tinoco prepared, overstated the account's actual value for the month ending on January 31, 2013 by more than \$200,000. By providing the customer with the false and misleading account summary, Tinoco concealed losses from the customer that were incurred by Tinoco's trading activity.

By virtue of the aforementioned conduct, Tinoco violated FINRA Rule 2010.

Failure to Comply with a FINRA 8210 Request for Testimony

FINRA Rule 8210(a)(1) states, in relevant part, that FINRA staff have the right to "require a member, person associated with a member, or any other person subject to FINRA's jurisdiction to provide information orally, in writing, or electronically ... with respect to any matter involved in the investigation." FINRA Rule 8210(c) states that "[n]o member or person shall fail to provide information or testimony or to permit an inspection and copying of books, records, or accounts pursuant to this Rule." A violation of FINRA Rule 8210 is also a violation of FINRA Rule 2010.

On June 26, 2015, FINRA's Department of Enforcement ("Enforcement") sent a letter to Tinoco requesting pursuant to FINRA Rule 8210 that he appear and provide testimony at FINRA's offices on July 6, 2015. Tinoco failed to appear

and provide the testimony as requested in Enforcement's Rule 8210 letter. Tinoco notified Enforcement during a phone call on June 26, 2015 and by e-mail on July 2, 2015 that he received Enforcement's Rule 8210 letter and that he will not provide the requested testimony and will not cooperate further with Enforcement's investigation.

By failing to appear and provide testimony as requested pursuant to FINRA Rule 8210, Tinoco violated FINRA Rules 8210 and 2010.

B. I also consent to the imposition of the following sanctions:

A bar from association with any FINRA-regulated broker-dealer in any capacity.

I understand that if I am barred or suspended from associating with any FINRA member, I become subject to a statutory disqualification as that term is defined in Article III, Section 4 of FINRA's By-Laws, incorporating Section 3(a)(39) of the Securities Exchange Act of 1934. Accordingly, I may not be associated with any FINRA member in any capacity, including clerical or ministerial functions, during the period of the bar or suspension (see FINRA Rules 8310 and 8311).

The sanctions imposed herein shall be effective on a date set by FINRA staff. A bar or expulsion shall become effective upon approval or acceptance of this AWC.

II.

WAIVER OF PROCEDURAL RIGHTS

I specifically and voluntarily waive the following rights granted under FINRA's Code of Procedure:

- A. To have a Complaint issued specifying the allegations against me;
- B. To be notified of the Complaint and have the opportunity to answer the allegations in writing;
- C. To defend against the allegations in a disciplinary hearing before a hearing panel, to have a written record of the hearing made and to have a written decision issued; and
- D. To appeal any such decision to the National Adjudicatory Council ("NAC") and then to the U.S. Securities and Exchange Commission and a U.S. Court of Appeals.

Further, I specifically and voluntarily waive any right to claim bias or prejudgment of the Chief Legal Officer, the NAC, or any member of the NAC, in connection with such person's or body's

participation in discussions regarding the terms and conditions of this AWC, or other consideration of this AWC, including acceptance or rejection of this AWC.

I further specifically and voluntarily waive any right to claim that a person violated the ex parte prohibitions of FINRA Rule 9143 or the separation of functions prohibitions of FINRA Rule 9144, in connection with such person's or body's participation in discussions regarding the terms and conditions of this AWC, or other consideration of this AWC, including its acceptance or rejection.

III.

OTHER MATTERS

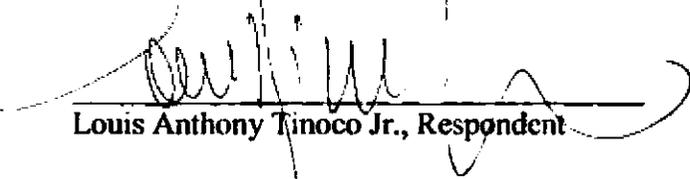
I understand that:

- A. Submission of this AWC is voluntary and will not resolve this matter unless and until it has been reviewed and accepted by the NAC, a Review Subcommittee of the NAC, or the Office of Disciplinary Affairs ("ODA"), pursuant to FINRA Rule 9216;
- B. If this AWC is not accepted, its submission will not be used as evidence to prove any of the allegations against me; and
- C. If accepted:
 - 1. this AWC will become part of my permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against me;
 - 2. this AWC will be made available through FINRA's public disclosure program in accordance with FINRA Rule 8313;
 - 3. FINRA may make a public announcement concerning this agreement and the subject matter thereof in accordance with FINRA Rule 8313; and
 - 4. I may not take any action or make or permit to be made any public statement, including in regulatory filings or otherwise, denying, directly or indirectly, any finding in this AWC or create the impression that the AWC is without factual basis. I may not take any position in any proceeding brought by or on behalf of FINRA, or to which FINRA is a party, that is inconsistent with any part of this AWC. Nothing in this provision affects my: (i) testimonial obligations; or (ii) right to take legal or factual positions in litigation or other legal proceedings in which FINRA is not a party.

I certify that I have read and understand all of the provisions of this AWC and have been given a

full opportunity to ask questions about it; that I have agreed to its provisions voluntarily; and that no offer, threat, inducement, or promise of any kind, other than the terms set forth herein and the prospect of avoiding the issuance of a Complaint, has been made to induce me to submit it.

07/21/2015
Date (mm/dd/yyyy)


Louis Anthony Tinoco Jr., Respondent

Accepted by FINRA:

8/3/2015
Date

Signed on behalf of the
Director of ODA, by delegated authority


Richard Chin, Chief Counsel
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