

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2014043846601**

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

RE: Alex P. Anderson, Respondent
CRD No. 4243107

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

Alex P. Anderson ("Anderson" or "Respondent") entered the securities industry when he became associated with an NASD member firm in July 2000. In January 2002, Anderson became registered with this NASD member firm as an Investment Company/Variable Contracts Products Limited Representative (Series 6 license). Anderson remained registered with this NASD member firm until he became registered with FINRA member firm Cetera Financial Specialists LLC (the "Firm") in June 2004.

On December 18, 2014, the Firm filed a Form U5 Uniform Termination Notice for Securities Industry Registration with FINRA disclosing that Anderson's employment with the Firm was terminated on December 16, 2014. Anderson's registration with the Firm ended on December 18, 2014.

Anderson is not currently associated with a FINRA member firm, but remains subject to FINRA's jurisdiction pursuant to Article V, Section 4 of FINRA's By-Laws.

RELEVANT DISCIPLINARY HISTORY

Anderson has no prior relevant disciplinary history.

OVERVIEW

Anderson misused at least \$75,500 from a Firm customer's retail bank account for his own use and benefit, in violation of FINRA Rules 2510 and 2010.

FACTS AND VIOLATIVE CONDUCT

On April 27, 2011, Anderson was appointed Power of Attorney ("POA") over a 94-year-old individual ("Customer AB"), which provided him with broad authority over Customer AB's financial affairs. As of September 2013, Customer AB was a customer of the Firm and Anderson was Customer AB's registered representative. On May 20, 2014, management of Customer AB's Firm securities account was transferred from Anderson to another registered representative of the Firm.

Between May 21, 2014 and November 14, 2014, Anderson arranged for nine checks to be issued from Customer AB's bank account, payable to a company that Anderson controlled. Anderson deposited the nine checks, totaling \$75,500, into a bank account under his control for his own use and benefit.

FINRA Rule 2150(a) states that "[n]o member or person associated with a member shall make improper use of a customer's securities or funds."

FINRA Rule 2010 provides that "[a] member, in the conduct of its business, shall observe high standards of commercial honor and just and equitable principles of trade."

Because Anderson misused customer funds totaling \$75,500 for his own use and benefit, he violated FINRA Rules 2150(a) and 2010.

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

A bar from associating with any FINRA member 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. Pursuant to FINRA Rule 8313(e), 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 prejudice 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:

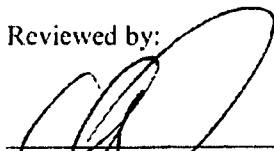
- B. If this AWC is not accepted, its submission will not be used as evidence to prove any of the allegations against me; and
- C. If accepted:
 - 1. this AWC will become part of my permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against 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.

March 13, 2015
Date


Alex P. Anderson, Respondent

Reviewed by:



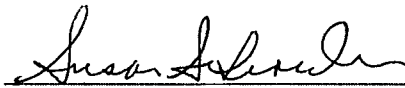
David M. Duwel, Esq.
Counsel for Respondent
Duwel Law

130 W. Second Street, Suite 2101
Dayton, Ohio 45402
Tel: 937-297-1154

Accepted by FINRA:

4/22/15
Date

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



Susan Schroeder
Senior Vice President and Counsel
FINRA Department of Enforcement
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New York, NY 10281-1003
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