

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2016048768101**

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

RE: Thomas James Stewart, Respondent
Former Registered Representative
CRD No. 5425478

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

Thomas James Stewart ("Stewart") entered the securities industry in July 2007 when he became associated with a FINRA member firm. He obtained his Series 7 in December 2007, his Series 63 in January 2008, his Series 10 in February 2012, his Series 9 in March 2012, his Series 65 in August 2013, and his Series 66 and 99 in February 2014. Stewart was registered with Wells Fargo Advisors, LLC ("Wells Fargo" or the "Firm") from August 29, 2013 to February 3, 2016, when his registration was terminated. Although Stewart is no longer associated with a FINRA member firm, he remains subject to FINRA's jurisdiction pursuant to Article V, Section 4 of the FINRA By-Laws.

OVERVIEW

Between July 16, 2015 and November 25, 2015 (the "Relevant Period"), Stewart used the Firm's parking garage stamp without authorization to validate 50 parking garage tickets worth \$731 to pay for his daily parking. As a result, Stewart converted \$731 of the

Firm's funds for his own benefit in violation of FINRA Rule 2010.

FACTS AND VIOLATIVE CONDUCT

Wells Fargo paid for employee parking at Stewart's office location under certain circumstances by validating parking garage tickets using a parking stamp. When approved, a manager or other designated employee signed or initialed the back of the parking garage ticket. During the Relevant Period, Stewart, without authorization, validated his daily parking garage ticket on 50 separate days by stamping the parking garage ticket with the Firm's parking stamp and forging a manager's or other employee's signature or initials on the back of the ticket. The total value of the falsely validated parking garage tickets was \$731. By using the falsely validated parking garage tickets to pay for parking expenses to which he was not entitled and that Wells Fargo did not authorize, Stewart converted \$731 of the Firm's funds for his own benefit.

By converting Firm funds for his personal use, Stewart failed to observe high standards of commercial honor and just and equitable principals of trade in violation of FINRA Rule 2010.

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

A bar from associating with any FINRA member firm in all capacities.

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.¹

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;

¹ See FINRA Rules 8310 and 8311.

- 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:

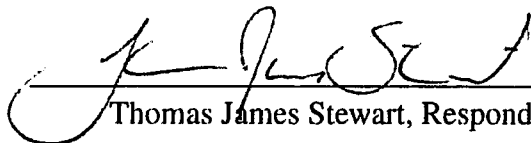
- A. Submission of this AWC is voluntary and will not resolve this matter unless and until it has been reviewed and accepted by the NAC, a Review Subcommittee of the NAC, or the Office of Disciplinary Affairs (“ODA”), pursuant to FINRA Rule 9216;
- B. If this AWC is not accepted, its submission will 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 understand and acknowledge that FINRA does not represent or advise me and I cannot rely on FINRA or FINRA staff members for legal advice; 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.

02/03/2017

Date (mm/dd/yyyy)

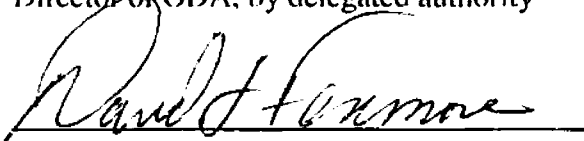


Thomas James Stewart, Respondent

Accepted by FINRA:

February 17, 2017
Date

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

A handwritten signature in cursive script, appearing to read "David L. Fenimore", written over a horizontal line.

David L. Fenimore
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FINRA Department of Enforcement
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