

## BrokerCheck Report

# SPENCER CLARKE LLC

CRD# 41316

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When communicating online or investing with any professional, make sure you know who you're dealing with. [Imposters](#) might link to sites like BrokerCheck from [phishing](#) or similar scam websites, or through [social media](#), trying to steal your personal information or your money.

Please contact FINRA with any concerns.

## About BrokerCheck®



BrokerCheck offers information on all current, and many former, registered securities brokers, and all current and former registered securities firms. FINRA strongly encourages investors to use BrokerCheck to check the background of securities brokers and brokerage firms before deciding to conduct, or continue to conduct, business with them.

- **What is included in a BrokerCheck report?**

- BrokerCheck reports for individual brokers include information such as employment history, professional qualifications, disciplinary actions, criminal convictions, civil judgments and arbitration awards. BrokerCheck reports for brokerage firms include information on a firm's profile, history, and operations, as well as many of the same disclosure events mentioned above.

- Please note that the information contained in a BrokerCheck report may include pending actions or allegations that may be contested, unresolved or unproven. In the end, these actions or allegations may be resolved in favor of the broker or brokerage firm, or concluded through a negotiated settlement with no admission or finding of wrongdoing.

- **Where did this information come from?**

- The information contained in BrokerCheck comes from FINRA's Central Registration Depository, or CRD® and is a combination of:
  - information FINRA and/or the Securities and Exchange Commission (SEC) require brokers and brokerage firms to submit as part of the registration and licensing process, and
  - information that regulators report regarding disciplinary actions or allegations against firms or brokers.

- **How current is this information?**

- Generally, active brokerage firms and brokers are required to update their professional and disciplinary information in CRD within 30 days. Under most circumstances, information reported by brokerage firms, brokers and regulators is available in BrokerCheck the next business day.

- **What if I want to check the background of an investment adviser firm or investment adviser representative?**

- To check the background of an investment adviser firm or representative, you can search for the firm or individual in BrokerCheck. If your search is successful, click on the link provided to view the available licensing and registration information in the SEC's Investment Adviser Public Disclosure (IAPD) website at <https://www.adviserinfo.sec.gov>. In the alternative, you may search the IAPD website directly or contact your state securities regulator at <http://www.finra.org/Investors/ToolsCalculators/BrokerCheck/P455414>.

- **Are there other resources I can use to check the background of investment professionals?**

- FINRA recommends that you learn as much as possible about an investment professional before deciding to work with them. Your state securities regulator can help you research brokers and investment adviser representatives doing business in your state.

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**Thank you for using FINRA BrokerCheck.**



Using this site/information means that you accept the FINRA BrokerCheck Terms and Conditions. A complete list of Terms and Conditions can be found at

[brokercheck.finra.org](http://brokercheck.finra.org)



For additional information about the contents of this report, please refer to the User Guidance or [www.finra.org/brokercheck](http://www.finra.org/brokercheck). It provides a glossary of terms and a list of frequently asked questions, as well as additional resources.

[For more information about FINRA, visit www.finra.org.](http://www.finra.org)

**SPENCER CLARKE LLC**

CRD# 41316

SEC# 8-49362

**Main Office Location**

1801 N.E. 123RD ST.  
SUITE 314  
NORTH MIAMI, FL 33181  
Regulated by FINRA Florida Office

**Mailing Address**

1801 N.E. 123RD ST.  
SUITE 314  
NORTH MIAMI, FL 33181

**Business Telephone Number**

305-600-3268

**Report Summary for this Firm**

This report summary provides an overview of the brokerage firm. Additional information for this firm can be found in the detailed report.

**Firm Profile**

This firm is classified as a limited liability company.  
This firm was formed in New York on 10/28/1998.  
Its fiscal year ends in March.

**Firm History**

Information relating to the brokerage firm's history such as other business names and successions (e.g., mergers, acquisitions) can be found in the detailed report.

**Firm Operations****This firm is registered with:**

- the SEC
- 1 Self-Regulatory Organization
- 32 U.S. states and territories

Is this brokerage firm currently suspended with any regulator? **No**

This firm conducts 1 type of business.

This firm is affiliated with financial or investment institutions.

This firm does not have referral or financial arrangements with other brokers or dealers.

**Disclosure Events**

Brokerage firms are required to disclose certain criminal matters, regulatory actions, civil judicial proceedings and financial matters in which the firm or one of its control affiliates has been involved.

Are there events disclosed about this firm? **Yes**

**The following types of disclosures have been reported:**

Type	Count
Regulatory Event	4



## Firm Profile

This firm is classified as a limited liability company.

This firm was formed in New York on 10/28/1998.

Its fiscal year ends in March.

## Firm Names and Locations

This section provides the brokerage firm's full legal name, "Doing Business As" name, business and mailing addresses, telephone number, and any alternate name by which the firm conducts business and where such name is used.

### **SPENCER CLARKE LLC**

**Doing business as SPENCER CLARKE LLC**

**CRD#** 41316

**SEC#** 8-49362

### **Main Office Location**

1801 N.E. 123RD ST.  
SUITE 314  
NORTH MIAMI, FL 33181

**Regulated by FINRA Florida Office**

### **Mailing Address**

1801 N.E. 123RD ST.  
SUITE 314  
NORTH MIAMI, FL 33181

### **Business Telephone Number**

305-600-3268



## Firm Profile

This section provides information relating to all direct owners and executive officers of the brokerage firm.

### Direct Owners and Executive Officers

<b>Legal Name &amp; CRD# (if any):</b>	SPENCER CLARKE MANAGEMENT LLC
<b>Is this a domestic or foreign entity or an individual?</b>	Domestic Entity
<b>Position</b>	HOLDING COMPANY
<b>Position Start Date</b>	01/1999
<b>Percentage of Ownership</b>	75% or more
<b>Does this owner direct the management or policies of the firm?</b>	Yes
<b>Is this a public reporting company?</b>	No

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<b>Legal Name &amp; CRD# (if any):</b>	DRESCHER, REID HOWARD 2115274
<b>Is this a domestic or foreign entity or an individual?</b>	Individual
<b>Position</b>	PRESIDENT & CEO, MANAGING MEMBER
<b>Position Start Date</b>	05/1999
<b>Percentage of Ownership</b>	Less than 5%
<b>Does this owner direct the management or policies of the firm?</b>	Yes
<b>Is this a public reporting company?</b>	No

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<b>Legal Name &amp; CRD# (if any):</b>	NIXON, JON ALAN 4710715
<b>Is this a domestic or foreign entity or an individual?</b>	Individual
<b>Position</b>	FINOP
<b>Position Start Date</b>	11/2025

**Firm Profile****Direct Owners and Executive Officers (continued)**

**Percentage of Ownership** Less than 5%

**Does this owner direct the management or policies of the firm?** No

**Is this a public reporting company?** No

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**Legal Name & CRD# (if any):** SMULEVITZ, CHARLES DAVID  
5099387

**Is this a domestic or foreign entity or an individual?** Individual

**Position** CHIEF COMPLIANCE OFFICER

**Position Start Date** 05/2018

**Percentage of Ownership** Less than 5%

**Does this owner direct the management or policies of the firm?** No

**Is this a public reporting company?** No

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## Firm Profile

This section provides information relating to any indirect owners of the brokerage firm.

### Indirect Owners

<b>Legal Name &amp; CRD# (if any):</b>	DRESCHER, REID HOWARD 2115274
<b>Is this a domestic or foreign entity or an individual?</b>	Individual
<b>Company through which indirect ownership is established</b>	SPENCER CLARKE MANAGEMENT LLC
<b>Relationship to Direct Owner</b>	OWNER
<b>Relationship Established</b>	06/1999
<b>Percentage of Ownership</b>	75% or more
<b>Does this owner direct the management or policies of the firm?</b>	Yes
<b>Is this a public reporting company?</b>	No

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## **Firm History**

This section provides information relating to any successions (e.g., mergers, acquisitions) involving the firm.

No information reported.





## Firm Operations

### Registrations

This section provides information about the regulators (Securities and Exchange Commission (SEC), self-regulatory organizations (SROs), and U.S. states and territories) with which the brokerage firm is currently registered and licensed, the date the license became effective, and certain information about the firm's SEC registration.

**This firm is currently registered with the SEC, 1 SRO and 32 U.S. states and territories.**

Federal Regulator	Status	Date Effective
SEC	Approved	05/20/1997

### SEC Registration Questions

This firm is registered with the SEC as:

A broker-dealer: Yes

A broker-dealer and government securities broker or dealer: No

A government securities broker or dealer only: No

This firm has ceased activity as a government securities broker or dealer: No

Self-Regulatory Organization	Status	Date Effective
FINRA	Approved	05/20/1997



## Firm Operations

### Registrations (continued)

U.S. States & Territories	Status	Date Effective
Alabama	Approved	02/09/2021
Arizona	Approved	10/11/2017
California	Approved	01/28/1999
Colorado	Approved	04/25/2024
Connecticut	Approved	10/03/2017
Delaware	Approved	05/16/2024
Florida	Approved	07/22/2016
Georgia	Approved	02/04/2021
Hawaii	Approved	05/30/2019
Illinois	Approved	04/23/2019
Indiana	Approved	10/10/2017
Maryland	Approved	09/28/2017
Massachusetts	Approved	10/13/2017
Michigan	Approved	10/17/2017
Minnesota	Approved	04/03/2025
Missouri	Approved	05/10/2019
Nevada	Approved	08/09/2018
New Jersey	Approved	10/23/2017
New York	Approved	02/21/1997
North Carolina	Approved	01/20/2021
North Dakota	Approved	01/25/2021
Ohio	Approved	07/20/2016
Oklahoma	Approved	01/14/2026
Oregon	Approved	04/08/2024
Pennsylvania	Approved	03/29/2018
South Carolina	Approved	01/26/2021
Tennessee	Approved	06/24/2026
Texas	Approved	07/19/2016
Utah	Approved	04/24/2019
Virginia	Approved	06/21/2018
Washington	Approved	01/21/2021
Wyoming	Approved	04/08/2025

## Firm Operations



### Types of Business

This section provides the types of business, including non-securities business, the brokerage firm is engaged in or expects to be engaged in.

**This firm currently conducts 1 type of business.**

### Types of Business

Private placements of securities

## **Firm Operations**



### **Clearing Arrangements**

**This firm does not hold or maintain funds or securities or provide clearing services for other broker-dealer(s).**

### **Introducing Arrangements**

**This firm does not refer or introduce customers to other brokers and dealers.**

## **Firm Operations**

### **Industry Arrangements**



**This firm does not have books or records maintained by a third party.**

**This firm does not have accounts, funds, or securities maintained by a third party.**

**This firm does not have customer accounts, funds, or securities maintained by a third party.**

### **Control Persons/Financing**

**This firm does not have individuals who control its management or policies through agreement.**

**This firm does not have individuals who wholly or partly finance the firm's business.**



## Firm Operations

### Organization Affiliates

This section provides information on control relationships the firm has with other firms in the securities, investment advisory, or banking business.

**This firm is, directly or indirectly:**

- in control of
  - controlled by
  - or under common control with
- the following partnerships, corporations, or other organizations engaged in the securities or investment advisory business.

**CAPE ONE ADVISORS LLC is under common control with the firm.**

<b>Business Address:</b>	1801 N.E. 123RD ST. SUITE 314 NORTH MIAMI, FL 33181
<b>Effective Date:</b>	05/15/2013
<b>Foreign Entity:</b>	No
<b>Country:</b>	
<b>Securities Activities:</b>	No
<b>Investment Advisory Activities:</b>	Yes
<b>Description:</b>	REID DRESCHER IS AN OWNER AND CONTROL PERSON OF THIS ENTITY. THIS ENTITY WAS CREATED TO PROVIDE INVESTMENT ADVISORY SERVICES.

**CAPE ONE MANAGEMENT LLC is under common control with the firm.**

<b>Business Address:</b>	1801 N.E. 123RD ST. SUITE 314 NORTH MIAMI, FL 33181
<b>Effective Date:</b>	07/06/2016
<b>Foreign Entity:</b>	No
<b>Country:</b>	
<b>Securities Activities:</b>	No
<b>Investment Advisory Activities:</b>	Yes
<b>Description:</b>	REID DRESCHER IS AN OWNER AND CONTROL PERSON OF THIS ENTITY. THIS ENTITY WAS CREATED TO PROVIDE INVESTMENT ADVISORY

## Firm Operations



### Organization Affiliates (continued)

SERVICES.

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**HUDSIE HARVER LLC is under common control with the firm.**

**Business Address:** 1801 N.E. 123RD ST.  
SUITE 314  
NORTH MIAMI, FL 33181

**Effective Date:** 07/01/2016

**Foreign Entity:** No

**Country:**

**Securities Activities:** No

**Investment Advisory  
Activities:** Yes

**Description:** REID DRESCHER IS AN OWNER AND CONTROL PERSON OF THIS ENTITY.  
THIS ENTITY WAS CREATED TO PROVIDE INVESTMENT ADVISORY  
SERVICES.

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**This firm is not directly or indirectly, controlled by the following:**

- bank holding company
- national bank
- state member bank of the Federal Reserve System
- state non-member bank
- savings bank or association
- credit union
- or foreign bank



## Disclosure Events

All firms registered to sell securities or provide investment advice are required to disclose regulatory actions, criminal or civil judicial proceedings, and certain financial matters in which the firm or one of its control affiliates has been involved. For your convenience, below is a matrix of the number and status of disclosure events involving this brokerage firm or one of its control affiliates. Further information regarding these events can be found in the subsequent pages of this report.

	<b>Pending</b>	<b>Final</b>	<b>On Appeal</b>
Regulatory Event	0	4	0

## Disclosure Event Details

### What you should know about reported disclosure events:

1. **BrokerCheck provides details for any disclosure event that was reported in CRD. It also includes summary information regarding FINRA arbitration awards in cases where the brokerage firm was named as a respondent.**
2. **Certain thresholds must be met before an event is reported to CRD, for example:**
  - A law enforcement agency must file formal charges before a brokerage firm is required to disclose a particular criminal event.
3. **Disclosure events in BrokerCheck reports come from different sources:**
  - Disclosure events for this brokerage firm were reported by the firm and/or regulators. When the firm and a regulator report information for the same event, both versions of the event will appear in the BrokerCheck report. The different versions will be separated by a solid line with the reporting source labeled.
4. **There are different statuses and dispositions for disclosure events:**
  - A disclosure event may have a status of *pending*, *on appeal*, or *final*.
    - A "pending" event involves allegations that have not been proven or formally adjudicated.
    - An event that is "on appeal" involves allegations that have been adjudicated but are currently being appealed.
    - A "final" event has been concluded and its resolution is not subject to change.
  - A final event generally has a disposition of *adjudicated*, *settled* or *otherwise resolved*.
    - An "adjudicated" matter includes a disposition by (1) a court of law in a criminal or civil matter, or (2) an administrative panel in an action brought by a regulator that is contested by the party charged with some alleged wrongdoing.
    - A "settled" matter generally involves an agreement by the parties to resolve the matter. Please note that firms may choose to settle customer disputes or regulatory matters for business or other reasons.
    - A "resolved" matter usually involves no payment to the customer and no finding of wrongdoing on the part of the individual broker. Such matters generally involve customer disputes.
5. **You may wish to contact the brokerage firm to obtain further information regarding any of the disclosure events contained in this BrokerCheck report.**

### Regulatory - Final

This type of disclosure event involves (1) a final, formal proceeding initiated by a regulatory authority (e.g., a state securities agency, self-regulatory organization, federal regulator such as the U.S. Securities and Exchange Commission, foreign financial regulatory body) for a violation of investment-related rules or regulations; or (2) a revocation or suspension of the authority of a brokerage firm or its control affiliate to act as an attorney, accountant or federal contractor.

#### Disclosure 1 of 4

**Reporting Source:** Regulator

**Current Status:** Final



**Allegations:** SEC RULES 15C3-1, 17A-3, FINRA RULE 2010: THE FIRM ENGAGED IN A SECURITIES BUSINESS WHILE FAILING TO MAINTAIN ITS MINIMUM NET CAPITAL REQUIREMENT. THE NET CAPITAL VIOLATION MAINLY RESULTED FROM THE FACT THAT THE FIRM IMPROPERLY INCLUDED AMOUNTS HELD IN A BROKERAGE ACCOUNT AS AN ALLOWABLE ASSET EVEN THOUGH THE FIRM DID NOT HAVE A PROPRIETARY ACCOUNTS OF INTRODUCING BROKER/DEALER (PAIB) AGREEMENT. AS A RESULT, THESE AMOUNTS SHOULD HAVE BEEN CLASSIFIED AS NON-ALLOWABLE ASSETS. IN ADDITION TO THE FIRM'S IMPROPER ASSET CLASSIFICATION ARISING FROM THE LACK OF A PAIB AGREEMENT, THE FIRM ALSO FAILED TO ACCRUE CERTAIN EXPENSES IN ITS NET CAPITAL CALCULATIONS. THE FIRM'S FINANCIAL BOOKS AND RECORDS, INCLUDING THE FIRM'S GENERAL LEDGER AND NET CAPITAL CALCULATIONS WERE INACCURATE. THE FIRM IMPROPERLY INCLUDED AMOUNTS HELD IN A BROKERAGE ACCOUNT AS AN ALLOWABLE ASSET EVEN THOUGH THE FIRM DID NOT HAVE A PAIB AGREEMENT AND FAILED TO ACCRUE CERTAIN EXPENSES.

**Initiated By:** FINRA

**Date Initiated:** 07/31/2012

**Docket/Case Number:** 2011025824201

**Principal Product Type:** No Product

**Other Product Type(s):**

**Principal Sanction(s)/Relief Sought:** Other

**Other Sanction(s)/Relief Sought:** N/A

**Resolution:** Acceptance, Waiver & Consent(AWC)

**Resolution Date:** 07/31/2012

**Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct?** No

**Sanctions Ordered:** Censure  
Monetary/Fine \$5,000.00

**Other Sanctions Ordered:**

**Sanction Details:** WITHOUT ADMITTING OR DENYING THE FINDINGS, THE FIRM CONSENTED TO THE DESCRIBED SANCTIONS AND TO THE ENTRY OF FINDINGS;

THEREFORE IT IS CENSURED AND FINED \$5,000. FINRA IMPOSED A LOWER FINE IN THIS CASE AFTER IT CONSIDERED, AMONG OTHER THINGS, THE FIRM'S REVENUES AND FINANCIAL RESOURCES. FINE PAID IN FULL ON 08/15/2012.

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**Reporting Source:** Firm

**Current Status:** Final

**Allegations:** THE FIRM ENGAGED IN A SECURITIES BUSINESS WHILE FAILING TO MAINTAIN ITS MINIMUM NET CAPITAL REQUIREMENT. THE FIRM'S MINIMUM NET CAPITAL WAS \$100,000.00, PURSUANT TO SEC RULE 15C3-1(A)(2)(III). ON MAY 31, 2011, THE FIRM'S ACTUAL NET CAPITAL WAS \$65,374.79, A DEFICIENCY OF \$34,625.21. THE NET CAPITAL VIOLATION RESULTED MAINLY FROM THE FACT THAT THE FIRM IMPROPERLY INCLUDED AMOUNTS HELD IN A BROKERAGE ACCOUNT AS AN ALLOWABLE ASSET EVEN THOUGH THE FIRM DID NOT HAVE A PAIB AGREEMENT. BY REASON OF THE FOREGOING, THE FIRM VIOLATED SEC RULES 15C3-1 AND 17A-3 AND FINRA RULE 2010.

**Initiated By:** FINANCIAL INDUSTRY REGULATORY AUTHORITY

**Date Initiated:** 07/12/2012

**Docket/Case Number:** 20110258242

**Principal Product Type:** No Product

**Other Product Type(s):**

**Principal Sanction(s)/Relief Sought:** Censure

**Other Sanction(s)/Relief Sought:** FINE IN THE AMOUNT OF \$5000.00

**Resolution:** Acceptance, Waiver & Consent(AWC)

**Resolution Date:** 07/31/2012

**Sanctions Ordered:** Censure  
Monetary/Fine \$5,000.00

**Other Sanctions Ordered:**

**Sanction Details:** FIRM WAS CENSURED AND FINED IN THE AMOUNT OF \$5000; WHICH WAS PAID ON 7/31/2012.

**Firm Statement** AWC WAS ACCEPTED BY FINRA ON JULY 31, 2012.



## Disclosure 2 of 4

<b>Reporting Source:</b>	Regulator
<b>Current Status:</b>	Final
<b>Allegations:</b>	RESPONDENT'S REGISTRATION AS A DEALER IN THE STATE OF ILLINOIS IS SUBJECT TO DENIAL PURSUANT TO SECTIONS 8.E(1)(G) AND (H) OF THE ACT. RESPONDENT ENGAGED IN THE OFFER OR SALE OF SECURITIES TO ILLINOIS RESIDENTS WITHOUT BEING PROPERLY REGISTERED IN THIS STATE. QUESTION 4A BD APPLICATION/FORM STATED IT HAD NOT ENGAGED IN THE OFFER OR SALE OF SECURITIES TO ILLINOIS RESIDENTS.
<b>Initiated By:</b>	ILLINOIS
<b>Date Initiated:</b>	03/22/2011
<b>Docket/Case Number:</b>	1000223
<b>URL for Regulatory Action:</b>	
<b>Principal Product Type:</b>	No Product
<b>Other Product Type(s):</b>	
<b>Principal Sanction(s)/Relief Sought:</b>	Denial
<b>Other Sanction(s)/Relief Sought:</b>	
<b>Resolution:</b>	Order
<b>Resolution Date:</b>	05/05/2011
<b>Sanctions Ordered:</b>	Monetary/Fine \$1,750.00
<b>Other Sanctions Ordered:</b>	ON MAY 5TH, 2011 RESPONDENT IS FINED IN THE AMOUNT OF ONE THOUSAND DOLLAR (\$1,000.00), PAYABLE TO THE OFFICE OF THE SECRETARY OF STATE, SECURITIES AUDIT AND ENFORCEMENT FUND, WHICH HAS BEEN PAID. RESPONDENT IS LEVIED COSTS OF INVESTIGATION IN THIS MATTER IN THE AMOUNT OF SEVEN HUNDRED FIFTY DOLLARS (\$750.00), PAYABLE TO THE OFFICE OF THE SECRETARY OF STATE, SECURITIES AUDIT AND ENFORCEMENT FUND, WHICH HAS BEEN PAID.
<b>Sanction Details:</b>	ON MAY 5TH, 2011 RESPONDENT IS FINED IN THE AMOUNT OF ONE THOUSAND DOLLAR (\$1,000.00), PAYABLE TO THE OFFICE OF THE SECRETARY OF STATE, SECURITIES AUDIT AND ENFORCEMENT FUND, WHICH HAS BEEN PAID. RESPONDENT IS LEVIED COSTS OF INVESTIGATION IN THIS MATTER IN THE AMOUNT OF SEVEN HUNDRED FIFTY DOLLARS (\$750.00), PAYABLE TO THE OFFICE OF THE SECRETARY



OF STATE, SECURITIES AUDIT AND ENFORCEMENT FUND, WHICH HAS BEEN PAID.

**Regulator Statement**

THE FORMAL HEARING THAT WAS SCHEDULED ON THIS MATTER FOR JUNE 8TH, 2011@TIME 10:00A.M., IS HEREBY DISMISSED WITHOUT FURTHER PROCEEDINGS. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT ATTORNEY DANIEL A. TUNICK (312) 793-3384.

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**Reporting Source:**

Firm

**Current Status:**

Final

**Allegations:**

ILLINOIS ALLEGED THAT APPLICANT ENGAGED IN THE OFFER OR SALE OF SECURITIES WITHOUT IT'S REGISTRATION WITH THE STATE BEING COMPLETE; SPECIFICALLY, THAT APPLICANT WAS SUBJECT TO DENIAL OF REGISTRATION PURSUANT TO SECTION 8.E(1)(G) AND (H) OF THE ILLINOIS STATE SECURITIES ACT BY RESPONDING TO QUESTION 4A OF ILLINOIS BD APPLICATION THAT IT HAD NOT ENGAGED IN THE OFFER OR SALE OF SECURITIES TO ILLINOIS RESIDENTS. IN ADDITION, THE ORDER STATES THAT APPLICANT VIOLATED SECTIONS 12.A AND 12.C OF THE ACT AND THAT APPLICANT IS SUBJECT TO A FINE PURSUANT TO SECTIONS 12.A, 12.C AND 11.E(4) OF THE ACT.



ILLINOIS ALLEGES THAT THE APPLICANT ENGAGED IN THE OFFER OR SALE OF SECURITIES WITHOUT IT'S REGISTRATION BEING COMPLETE.

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**Initiated By:** ILLINOIS

**Date Initiated:** 03/22/2011

**Docket/Case Number:** 1000223

**Principal Product Type:** No Product

**Other Product Type(s):**

**Principal Sanction(s)/Relief Sought:** Civil and Administrative Penalt(ies) /Fine(s)

**Other Sanction(s)/Relief Sought:**

**Resolution:** Order

**Resolution Date:** 05/05/2011

**Sanctions Ordered:** Monetary/Fine \$1,750.00

**Other Sanctions Ordered:**

**Sanction Details:** FINE (\$1,000.00) AND INVESTIGATION COSTS (\$750.00) WERE LEVIED BY ILLINOIS, PURSUANT TO SECTIONS 12.A, 12.C AND 11.E(4) OF THE ILLINOIS STATE SECURITIES ACT, RESOLVING THE MATTER.

**Firm Statement** FINE HAS BEEN PAID BY APPLICANT, AND ILLINOIS HAS APPROVED APPLICANT'S APPLICATION FOR REGISTRATION IN ILLINOIS AS OF 05/10/2011

#### Disclosure 3 of 4

**Reporting Source:** Regulator

**Current Status:** Final

**Allegations:** NASD RULE 2110, 3010(B) - RESPONDENT MEMBER FAILED TO ESTABLISH, MAINTAIN, AND ENFORCE WRITTEN SUPERVISORY PROCEDURES REASONABLY DESIGNED TO ACHIEVE COMPLIANCE WITH APPLICABLE



SECURITIES LAWS, REGULATIONS, AND NASD RULES WITH RESPECT TO THE REPORTING OF SHORT SALES BY THE FIRM'S ELECTRONIC COMMUNICATIONS NETWORK THROUGH WHICH THE FIRM ROUTED CERTAIN SHORT SALES.

**Initiated By:** NASD

**Date Initiated:** 02/14/2003

**Docket/Case Number:** C8B030005

**Principal Product Type:** No Product

**Other Product Type(s):**

**Principal Sanction(s)/Relief Sought:**

**Other Sanction(s)/Relief Sought:**

**Resolution:** Acceptance, Waiver & Consent(AWC)

**Resolution Date:** 02/14/2003

**Sanctions Ordered:** Monetary/Fine \$5,000.00

**Other Sanctions Ordered:**

**Sanction Details:** WITHOUT ADMITTING OR DENYING THE ALLEGATIONS, SPENCER CLARKE LLC CONSENTED TO THE DESCRIBED SANCTION AND TO THE ENTRY OF FINDINGS, THEREFORE, THE FIRM IS FINED \$5,000.

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**Reporting Source:** Firm

**Current Status:** Final

**Allegations:** VIOLATION OF NASD RULES 2110 AND 3010(B)

**Initiated By:** NASD REGULATION

**Date Initiated:** 02/04/2003

**Docket/Case Number:** C8B030005

**Principal Product Type:** Equity - OTC

**Other Product Type(s):**

**Principal Sanction(s)/Relief Sought:** Censure


**Other Sanction(s)/Relief Sought:**

**Resolution:** Acceptance, Waiver & Consent(AWC)  
**Resolution Date:** 02/18/2003  
**Sanctions Ordered:** Censure  
 Monetary/Fine \$5,000.00  
**Other Sanctions Ordered:** NONE  
**Sanction Details:** \$5,000.00 FINE AND CENSURE ALL VS APPLICANT  
 TO BE PAID UPON NOTIFICATION OF NASD FINANCE DEPT

**Disclosure 4 of 4**

**Reporting Source:** Regulator  
**Current Status:** Final  
**Allegations:** 02-20-01, SEC RULE 10B-10(A),11AC1-4,NASD RULES 2110,3370(B)(4), 6130(D)(6),6130(D)(7),IM-2110-2 - RESPONDENT MEMBER FAILED TO REPORT NASDAQ NATIONAL MARKET SECURITIES TRANSACTIONS THROUGH ACT WITH THE CORRECT CAPACITY CODE;HELD AN UNEXECUTED CUSTOMER LIMIT ORDER AND CONTINUED TO TRADE THE SUBJECT SECURITY FOR THE FIRM'S MARKET-MAKING ACCOUNT AT PRICES THAT WOULD HAVE SATISFIED THE CUSTOMER'S LIMIT ORDER WITHOUT EXECUTING THE CUSTOMER'S LIMIT ORDER;FAILED TO DISPLAY CUSTOMER LIMIT ORDERS IN NASDAQ SECURITIES IN ITS PUBLIC QUOTATION WHEN EACH SUCH ORDER WAS AT A PRICE THAT WOULD HAVE IMPROVED THE FIRM'S BID OR OFFER IN EACH SUCH SECURITY OR WHEN THE ORDER WAS PRICED EQUAL TO THE FIRM'S BID OR OFFER AND THE NATIONAL BEST BID OR OFFER FOR EACH SUCH SECURITY, AND THE SIZE OF THE ORDER REPRESENTED MORE THAN A DE MINIMUS CHANGE IN RELATION TO THE SIZE ASSOCIATED WITH THE FIRM'S BID OR OFFER IN EACH SUCH SECURITY;FAILED TO TIMELY EXECUTE CUSTOMER LIMIT ORDERS;FAILED TO PROPERLY REPORT TO ACT PROPRIETARY SHORT SALE TRANSACTIONS WITH THE .S OR .X MODIFIER AND FAILED TO MAKE THE REQUIRED AFFIRMATIVE DETERMINATION NOTATION IN SHORT SALE TRANSACTIONS WHERE THE FIRM WAS NOT ACTING AS A MARKET MAKER; AND PREPARED CUSTOMER TRANSACTION CONFIRMATIONS IN CONTRAVENTION OF SEC RULE 10B-10(A).  
**Initiated By:** NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.  
**Date Initiated:** 02/12/2001  
**Docket/Case Number:** C05010007



**Principal Product Type:** Other  
**Other Product Type(s):**  
**Principal Sanction(s)/Relief Sought:**  
**Other Sanction(s)/Relief Sought:**

**Resolution:** Acceptance, Waiver & Consent(AWC)  
**Resolution Date:** 02/12/2001  
**Sanctions Ordered:** Censure  
 Monetary/Fine \$9,000.00  
**Other Sanctions Ordered:**  
**Sanction Details:** CENSURED AND FINED \$9,000

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**Reporting Source:** Firm  
**Current Status:** Final  
**Allegations:** VIOLATIONS OF NASD CONDUCT RULE 2110, 6130(D)7 & SEC RULE 10B-10(A), 11AC1-4  
**Initiated By:** NASD REGULATION  
**Date Initiated:** 01/26/2001  
**Docket/Case Number:** CO5010007  
**Principal Product Type:** Equity - OTC  
**Other Product Type(s):**  
**Principal Sanction(s)/Relief Sought:** Censure  
**Other Sanction(s)/Relief Sought:**

**Resolution:** Acceptance, Waiver & Consent(AWC)  
**Resolution Date:** 02/12/2001  
**Sanctions Ordered:** Censure  
 Monetary/Fine \$9,000.00  
**Other Sanctions Ordered:** NONE



**Sanction Details:**

CENSURE AND MONETARY FINE OF \$9000.00

**End of Report**



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