

## BrokerCheck Report

**THOMAS JOSEPH GORTER**

CRD# 1008601

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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.

**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).



**THOMAS J. GORTER**  
CRD# 1008601

This broker is not currently registered.

Report Summary for this Broker

This report summary provides an overview of the broker's professional background and conduct. Additional information can be found in the detailed report.

Broker Qualifications

This broker is not currently registered.

This broker has passed:

- 0 Principal/Supervisory Exams
- 1 General Industry/Product Exam
- 1 State Securities Law Exam

Registration History

This broker was previously registered with the following securities firm(s):

- B** **BROOKSTONE SECURITIES, INC.**  
CRD# 13366  
EVANSVILLE, IN  
02/2008 - 11/2009
- B** **QUESTAR CAPITAL CORPORATION**  
CRD# 43100  
LOUISVILLE, KY  
05/2001 - 01/2008
- B** **CONSECO SECURITIES, INC.**  
CRD# 29367  
CARMEL, IN  
08/1998 - 05/2001

Disclosure Events

This broker has been involved in one or more disclosure events involving certain final criminal matters, regulatory actions, civil judicial proceedings, or arbitrations or civil litigations.

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

The following types of disclosures have been reported:

Type	Count
Regulatory Event	4

## Broker Qualifications



### Registrations

This section provides the self-regulatory organizations (SROs), states and U.S. territories the broker is currently registered and licensed with, the category of each registration, and the date on which the registration became effective. This section also provides, for each firm with which the broker is currently employed, the address of each branch where the broker works.

This broker is not currently registered.



## Broker Qualifications

### Industry Exams this Broker has Passed

This section includes all securities industry exams that the broker has passed. Under limited circumstances, a broker may attain a registration after receiving an exam waiver based on exams the broker has passed and/or qualifying work experience. Any exam waivers that the broker has received are not included below. A passed exam or exam waiver does not permit a broker to do business without an active SRO or state registration.

**This individual has passed 0 principal/supervisory exams, 1 general industry/product exam, and 1 state securities law exam.**

### Principal/Supervisory Exams

Exam	Category	Date
No information reported.		

### General Industry/Product Exams

Exam	Category	Date
<b>B</b> Investment Company Products/Variable Contracts Representative Examination	Series 6	10/30/1981

### State Securities Law Exams

Exam	Category	Date
<b>B</b> Uniform Securities Agent State Law Examination	Series 63	12/11/1981

Additional information about the above exams or other exams FINRA administers to brokers and other securities professionals can be found at [www.finra.org/brokerqualifications/registeredrep/](http://www.finra.org/brokerqualifications/registeredrep/).

## Broker Qualifications



## Professional Designations

This section details that the representative has reported **0** professional designation(s).

No information reported.



## Registration and Employment History

### Registration History

The broker previously was registered with the following securities firms:

Registration Dates	Firm Name	CRD#	Branch Location
<b>B</b> 02/2008 - 11/2009	BROOKSTONE SECURITIES, INC.	13366	EVANSVILLE, IN
<b>B</b> 05/2001 - 01/2008	QUESTAR CAPITAL CORPORATION	43100	LOUISVILLE, KY
<b>B</b> 08/1998 - 05/2001	CONSECO SECURITIES, INC.	29367	CARMEL, IN
<b>B</b> 01/1988 - 08/1998	CONSECO FINANCIAL SERVICES, INC.	629	CARMEL, IN
<b>B</b> 11/1981 - 03/1988	N.I.S. FINANCIAL SERVICES, INC.	5361	

### Employment History

This section provides up to 10 years of an individual broker's employment history as reported by the individual broker on the most recently filed Form U4.

**Please note that the broker is required to provide this information only while registered with FINRA or a national securities exchange and the information is not updated via Form U4 after the broker ceases to be registered. Therefore, an employment end date of "Present" may not reflect the broker's current employment status.**

Employment	Employer Name	Position	Investment Related	Employer Location
01/2008 - Present	BROOKSTONE SECURITIES, INC.	REGISTERED REPRESENTATIVE	Y	LAKELAND, FL, United States
05/2001 - Present	QUESTAR CAPITAL CORPORATION	REGISTERED REPRESENTATIVE	Y	ANN ARBOR, MI, United States
02/1982 - Present	WESTERN POINEER LIFE	OTHER - MANAGER	N	LOUISVILLE, KY, United States

## Disclosure Events



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

- 1. Disclosure events in BrokerCheck reports come from different sources:**
  - As mentioned at the beginning of this report, information contained in BrokerCheck comes from brokers, their employing firms, and regulators. When more than one source reports information for the same disclosure event, all versions of the event will appear in the BrokerCheck report. The different versions are separated by a solid line with the reporting source labeled.

For your convenience, below is a matrix of the number and status of regulatory disclosure events involving this broker. Further information regarding these events can be found in the subsequent pages of this report. You also may wish to contact the broker to obtain further information regarding these events.

	Final	On Appeal
Regulatory Event	4	0





## Disclosure Event Details

This report provides the information exactly as it was reported to CRD and therefore some of the specific data fields contained in the report may be blank if the information was not provided to CRD.

### Regulatory - Final

This type of disclosure event involves a final, formal proceeding initiated by a regulatory authority (e.g., a state securities agency, self-regulatory organization, federal regulator such as the Securities and Exchange Commission, foreign financial regulatory body) for a violation of investment-related rules or regulations.

#### Disclosure 1 of 4

<b>Reporting Source:</b>	Regulator
<b>Regulatory Action Initiated By:</b>	FINRA
<b>Sanction(s) Sought:</b>	Other: N/A
<b>Date Initiated:</b>	04/08/2011
<b>Docket/Case Number:</b>	<a href="#">2009019837302</a>
<b>Employing firm when activity occurred which led to the regulatory action:</b>	BROOKSTONE SECURITIES, INC.
<b>Product Type:</b>	Other: FIXED INCOME INSTRUMENTS
<b>Allegations:</b>	FINRA RULES 2010, 8210, NASD RULES 2110, 3040, 3110 - THOMAS J. GORTER ENGAGED, FOR COMPENSATION, IN PRIVATE SECURITIES TRANSACTIONS BY PARTICIPATING IN THE SALE OF APPROXIMATELY \$3.1 MILLION IN A LIMITED LIABILITY COMPANY'S SECURITIES TO INVESTORS AND FAILED TO GIVE WRITTEN NOTICE TO, OR RECEIVE WRITTEN APPROVAL FROM, HIS MEMBER FIRM PRIOR TO ENGAGING IN SUCH ACTIVITIES. GORTER REFERRED INVESTORS AND OTHER REGISTERED REPRESENTATIVES TO OTHER REPRESENTATIVES FOR THE POSSIBLE PURCHASE OF THE COMPANY'S STOCK; RECOMMENDED THE SALE OF THE STOCK WHEN ASKED BY POTENTIAL INVESTORS; AND ASSISTED INVESTORS IN COMPLETING THE PAPERWORK NECESSARY TO INVEST IN THE COMPANY AND FORWARDING THE DOCUMENTATION TO THE COMPANY. IT WAS NOT UNTIL A LATER DATE THAT GORTER'S MEMBER FIRM APPROVED THE SALE OF THE SECURITIES TO INVESTORS. GORTER ALSO FAILED TO ENSURE THAT THE SALES IN WHICH HE PARTICIPATED, AND TOTALED APPROXIMATELY \$600,311, WERE RECORDED ON THE FIRM'S BOOKS AND RECORDS. GORTER, AS A RESULT OF HIS FAILURE TO ENSURE SALES OF THE SECURITIES WERE RECORDED ON THE FIRM'S BOOKS AND RECORDS, CAUSED THE FIRM'S BOOKS AND RECORDS TO BE



INACCURATE, IN CONTRAVENTION OF FINRA RULE 3110 AND SECURITIES EXCHANGE ACT OF 1934 RULE 17A-3. GORTER FAILED TO TIMELY RESPOND TO FINRA REQUESTS FOR INFORMATION AND DOCUMENTS AND TO TIMELY APPEAR FOR AN ON-THE-RECORD INTERVIEW.

<b>Current Status:</b>	Final
<b>Action Appealed To:</b>	SRO
<b>Date Appeal filed:</b>	10/05/2012
<b>Appeal Limitation Details:</b>	
<b>Resolution:</b>	Decision & Order of Offer of Settlement
<b>Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct?</b>	No
<b>Resolution Date:</b>	04/15/2013
<b>Sanctions Ordered:</b>	Bar (Permanent)
<b>If the regulator is the SEC, CFTC, or an SRO, did the action result in a finding of a willful violation or failure to supervise?</b>	No



**(1) willfully violated any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, the Commodity Exchange Act, or any rule or regulation under any of such Acts, or any of the rules of the Municipal Securities Rulemaking Board, or to have been unable to comply with any provision of such Act, rule or regulation?**

**(2) willfully aided, abetted, counseled, commanded, induced, or procured the violation by any person of any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, the Commodity Exchange Act, or any rule or regulation under any of such Acts, or any of the rules of the Municipal Securities Rulemaking Board? or**



**(3) failed reasonably to supervise another person subject to your supervision, with a view to preventing the violation by such person of any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, the Commodity Exchange Act, or any rule or regulation under any such Acts, or any of the rules of the Municipal Securities Rulemaking Board?**

#### **Sanction 1 of 1**

**Sanction Type:** Bar (Permanent)

**Capacities Affected:** All Capacities

**Duration:** Indefinite

**Start Date:** 04/15/2013

**End Date:**

#### **Regulator Statement**

HEARING PANEL DECISION RENDERED SEPTEMBER 20, 2012 WHEREIN GORTER IS BARRED FROM ASSOCIATION WITH ANY FINRA MEMBER IN ANY CAPACITY FOR ENGAGING IN PRIVATE SECURITIES TRANSACTIONS IN VIOLATION OF FINRA RULE 2010 AND NASD RULES 2110 AND 3040; CAUSING INACCURATE ENTRIES TO BE MADE IN THE BOOKS AND RECORDS OF A FINRA MEMBER FIRM IN VIOLATION OF FINRA RULE 2010 AND NASD RULE 3110; AND FAILING TO RESPOND TO REQUESTS FOR INFORMATION AND TESTIMONY ISSUED PURSUANT TO FINRA RULE 8210 IN VIOLATION OF FINRA RULES 2010 AND 8210. ON OCTOBER 5, 2012, GORTER APPEALED THE DECISION TO THE NATIONAL ADJUDICATORY COUNCIL (NAC). ON FEBRUARY 22, 2013, GORTER SUBMITTED AN OFFER OF SETTLEMENT WHICH THE NAC ACCEPTED. WITHOUT ADMITTING OR DENYING THE ALLEGATIONS OF THE COMPLAINT AND THE HEARING PANEL DECISION, AS AMENDED BY THE OFFER, GORTER CONSENTED TO THE SANCTION AND TO THE ENTRY OF FINDINGS THAT HE FAILED TO TIMELY RESPOND TO FINRA REQUESTS FOR INFORMATION AND FAILED TO TIMELY APPEAR FOR A FINRA-REQUESTED ON-THE-RECORD INTERVIEW.



THE CAUSES OF ACTION THAT GORTER ENGAGED IN PRIVATE SECURITIES TRANSACTIONS AND CAUSED HIS FIRM'S BOOKS AND RECORD TO BE INACCURATE WERE DISMISSED.

#### Disclosure 2 of 4

<b>Reporting Source:</b>	Regulator
<b>Regulatory Action Initiated By:</b>	FINRA
<b>Sanction(s) Sought:</b>	Suspension
<b>Date Initiated:</b>	01/25/2010
<b>Docket/Case Number:</b>	2010021430501
<b>Employing firm when activity occurred which led to the regulatory action:</b>	
<b>Product Type:</b>	No Product
<b>Allegations:</b>	RESPONDENT FAILED TO RESPOND TO FINRA REQUEST FOR INFORMATION
<b>Current Status:</b>	Final
<b>Resolution:</b>	LETTER
<b>Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct?</b>	No
<b>Resolution Date:</b>	02/18/2010
<b>Sanctions Ordered:</b>	Suspension
<b>If the regulator is the SEC, CFTC, or an SRO, did the action result in a finding of a willful violation or failure to supervise?</b>	No



**(1) willfully violated any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, the Commodity Exchange Act, or any rule or regulation under any of such Acts, or any of the rules of the Municipal Securities Rulemaking Board, or to have been unable to comply with any provision of such Act, rule or regulation?**

**(2) willfully aided, abetted, counseled, commanded, induced, or procured the violation by any person of any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, the Commodity Exchange Act, or any rule or regulation under any of such Acts, or any of the rules of the Municipal Securities Rulemaking Board? or**



(3) failed reasonably to supervise another person subject to your supervision, with a view to preventing the violation by such person of any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, the Commodity Exchange Act, or any rule or regulation under any such Acts, or any of the rules of the Municipal Securities Rulemaking Board?

#### Sanction 1 of 1

**Sanction Type:** Suspension

**Capacities Affected:** ALL CAPACITIES

**Duration:** N/A

**Start Date:** 02/18/2010

**End Date:** 09/09/2010

#### Regulator Statement

PURSUANT TO FINRA RULE 9552 AND IN ACCORDANCE WITH FINRA'S INTENT TO SUSPEND DATED JANUARY 25, 2010, RESPONDENT IS SUSPENDED ON FEBRUARY 18, 2010 FROM ASSOCIATING WITH ANY FINRA MEMBER FIRM IN ANY CAPACITY. IF RESPONDENT FAILS TO REQUEST TERMINATION OF THE SUSPENSION WITHIN SIX MONTHS OF THE DATE OF THE NOTICE OF INTENT, HE WILL AUTOMATICALLY BE BARRED ON JULY 28, 2010 FROM ASSOCIATION WITH ANY FINRA MEMBER IN ANY CAPACITY PURSUANT TO FINRA RULE 9552(H).  
SUSPENSION LIFTED SEPTEMBER 9, 2010.

#### Disclosure 3 of 4

**Reporting Source:** Regulator

**Regulatory Action Initiated By:** KENTUCKY DIVISION OF SECURITIES

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

**Other Sanction(s) Sought:****Date Initiated:** 02/05/2008**Docket/Case Number:** 2008-AH-014**Employing firm when activity occurred which led to the regulatory action:** BROOKSTONE SECURITIES, INC.**Product Type:** No Product**Other Product Type(s):****Allegations:** THE DIVISION RECEIVED AN APPLICATION TO REGISTER MR. GORTER AS AN AGENT OF BROOKSTONE SECURITIES, INC. ON 2/5/2008. THE DIVISION ISSUED A NOTICE OF INTENT TO DENY THE APPLICATION BASED ON RECENT DISHONEST AND UNETHICAL PRACTICES.**Current Status:** Final**Resolution:** Order**Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct?** No**Resolution Date:** 08/26/2008**Sanctions Ordered:** Monetary/Fine \$2,500.00  
Suspension**Other Sanctions Ordered:****Sanction Details:** SIX MONTH SUSPENSION FROM 2/15/08 TO 8/15/08. FINE TO BE PAID IN EQUAL OR ROUGHLY EQUAL INSTALLMENTS OVER A SIX MONTH PERIOD OF TIME.**Regulator Statement** MR. GORTER MAY SEEK TO BECOME REGISTERED REPRESENTATIVE OF A BROKER-DEALER UNDER A CONDITIONAL REGISTRATION REQUIRING HEIGHTENED SUPERVISION. MR. GORTER CANNOT AND MAY NOT ACT AS AN INVESTMENT ADVISER, INVESTMENT ADVISER REPRESENTATIVE, OR SOLICITOR UNTIL HE IS SO QUALIFIED. MR. GORTER MAY NOT SERVE IN A SUPERVISORY OR MANAGERIAL POSITION.





**Reporting Source:** Firm

**Regulatory Action Initiated By:** KENTUCKY DIVISION OF SECURITIES

**Sanction(s) Sought:** Suspension

**Other Sanction(s) Sought:** \$2,500.00 FINE

**Date Initiated:** 08/26/2008

**Docket/Case Number:** 2008-AH-014

**Employing firm when activity occurred which led to the regulatory action:** QUESTAR CAPITAL CORPORATION

**Product Type:** No Product

**Other Product Type(s):**

**Allegations:** THE DIVISION RECEIVED AN APPLICATION TO REGISTER MR. GORTER AS AN AGENT OF BROOKSTONE SECURITIES, INC. ON 02/05/2008. THE DIVISION ISSUED A NOTICE OF INTENT TO DENY THE APPLICATION BASED ON RECENT DISHONEST AND UNETHICAL PRACTICES.

**Current Status:** Final

**Resolution:** Order

**Resolution Date:** 08/26/2008

**Sanctions Ordered:** Monetary/Fine \$2,500.00  
Suspension

**Other Sanctions Ordered:**

**Sanction Details:** SIX MONTH SUSPENSION FROM 02/15/2008 TO 08/15/2008. FINE TO BE PAID IN EQUAL OR ROUGHLY EQUAL INSTALLMENTS OVER A SIX MONTH PERIOD OF TIME.

**Firm Statement** MR. GORTER MAY SEEK TO BECOME REGISTERED REPRESENTATIVE OF A BROKER-DEALER UNDER A CONDITIONAL REGISTRATION REQUIRING HEIGHTENED SUPERVISION. MR. GORTER CANNOT AND MAY NOT ACT AS AN INVESTMENT ADVISER, INVESTMENT ADVISER REPRESENTATIVE, OR SOLICITOR UNTIL HE IS SO QUALIFIED. MR. GORTER MAY NOT SERVE IN A SUPERVISORY OR MANAGERIAL POSITION.

**Reporting Source:** Broker



<b>Regulatory Action Initiated By:</b>	KENTUCKY DIVISION OF SECURITIES
<b>Sanction(s) Sought:</b>	
<b>Other Sanction(s) Sought:</b>	
<b>Date Initiated:</b>	02/05/2008
<b>Docket/Case Number:</b>	2008-AH-014
<b>Employing firm when activity occurred which led to the regulatory action:</b>	BROOKSTONE SECURITIES, INC.
<b>Product Type:</b>	No Product
<b>Other Product Type(s):</b>	
<b>Allegations:</b>	THE DIVISION RECIEVED AN APPLICATION TO REGSTER MR. GORTER AS AN AGENT OF BROOKSTONE SECURITIES, INC. ON 2/5/2008. THE DIVISION ISSUED A NOTICE OF INTENT TO DENY THE APPLICATION BASED ON RECENT DISHONEST AND UNETHICAL PRACTICES.
<b>Current Status:</b>	Final
<b>Resolution:</b>	Order
<b>Resolution Date:</b>	08/26/2008
<b>Sanctions Ordered:</b>	Monetary/Fine \$2,500.00 Suspension
<b>Other Sanctions Ordered:</b>	
<b>Sanction Details:</b>	SIX MONTH SUSPENSION FROM 2/15/2008 TO 8/15/2008. FINE TO BE PAID IN EQUAL OR ROUGHLY EQUAL INSTALLMENTS OVER A SIX MONTH PERIOD OF TIME.
<b>Broker Statement</b>	MR. GORTER MAY SEEK TO BECOME REGISTERED REPRESENTATIVE OF A BROKER-DEALER UNDER A CONDITIONAL REGISTRATION REQUIRING HEIGHTENED SUPERVISION. MR. GORTER CANNOT ANY MAY NOT ACT AS AN INVESTMENT ADVISER, INVESTMENT ADVISER REPRESENTATIVE, OR SOLICITOR UNTIL HE IS SO QULIFIED. MR. GORTER MAY NOT SERVE IN A SUPERVISORY OR MANAGERIAL POSITION.

#### Disclosure 4 of 4

**Reporting Source:** Regulator



<b>Regulatory Action Initiated By:</b>	NASD
<b>Sanction(s) Sought:</b>	
<b>Date Initiated:</b>	12/14/2004
<b>Docket/Case Number:</b>	<a href="#">C8A040114</a>
<b>Employing firm when activity occurred which led to the regulatory action:</b>	CONSECO FINANCIAL SERVICES, INC., CONSECO SECURITIES, INC.
<b>Product Type:</b>	Investment Contract
<b>Allegations:</b>	NASD CONDUCT RULES 2110, 3040 & 3030 THOMAS J. GORTER PARTICIPATED, FOR COMPENSATION, IN PRIVATE SECURITIES TRANSACTIONS BY PARTICIPATING IN SALES TOTALING APPROXIMATELY \$981,585 OF SECURITIES. GORTER FAILED AND NEGLECTED TO GIVE WRITTEN NOTICE OF HIS INTENTION TO ENGAGE IN THE SALES OF SECURITIES AND FAILED TO RECEIVE WRITTEN APPROVAL FROM THE MEMBERS, PRIOR TO ENGAGING IN SUCH ACTIVITIES. IN ADDITION, GORTER ENGAGED IN OUTSIDE BUSINESS ACTIVITIES BY RECEIVING COMPENSATION FOR SELLING INVESTMENT CONTRACTS. GORTER FAILED AND NEGLECTED TO GIVE PROMPT WRITTEN NOTICE HIS ENGAGEMENT IN SUCH ACTIVITIES.
<b>Current Status:</b>	Final
<b>Resolution:</b>	Decision & Order of Offer of Settlement
<b>Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct?</b>	No
<b>Resolution Date:</b>	11/11/2005
<b>Sanctions Ordered:</b>	Civil and Administrative Penalty(ies)/Fine(s) Suspension
<b>Regulator Statement</b>	WITHOUT ADMITTING OR DENYING THE ALLEGATIONS, RESPONDENT CONSENTED TO THE DESCRIBED SANCTION AND TO THE ENTRY OF FINDINGS; THEREFORE, HE IS SUSPENDED FROM ASSOCIATION WITH ANY NASD MEMBER FIRM IN ANY CAPACITY FOR TWO MONTHS AND FINED \$5,000. HIS SUSPENSION SHALL BEGIN WITH THE OPENING OF BUSINESS ON DECEMBER 19, 2005 AND CONCLUDE ON FEBRUARY 18, 2006. FINE



PAID.

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**Reporting Source:** Broker

**Regulatory Action Initiated By:** NASD

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

**Other Sanction(s) Sought:** SUSPENSION

**Date Initiated:** 12/14/2004

**Docket/Case Number:** C8A040114/E8A2002095903

**Employing firm when activity occurred which led to the regulatory action:** CONSECO FINANCIAL SERVICES, INC., CONSECO SECURITIES, INC.

**Product Type:** Investment Contract(s)

**Other Product Type(s):**

**Allegations:** NASD ALLEGES VIOLATION OF NASD CONDUCT RULES 2110, 3040, AND 3030. REPRESENTATIVE FAILED AND NEGLECTED TO GIVE WRITTEN NOTICE OF HIS INTENTION TO ENGAGE IN THE SALES OF SECURITIES AND FAILED TO RECEIVE WRITTEN APPROVAL FROM THE MEMBERS, PRIOR TO ENGAGING IN SUCH ACTIVITIES. IN ADDITION, REPRESENTATIVE ENGAGED IN OUTSIDE BUSINESS ACTIVITIES BY RECEIVING COMPENSATION FOR SELLING INVESTMENT CONTRACTS. REPRESENTATIVE FAILED AND NEGLECTED TO GIVE PROMPT WRITTEN NOTICE OF HIS ENGAGEMENT OF SUCH ACTIVITIES.

**Current Status:** Final

**Resolution:** Decision & Order of Offer of Settlement

**Resolution Date:** 11/11/2005

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

**Other Sanctions Ordered:**

**Sanction Details:** WITHOUT ADMITTING OR DENYING ALLEGATIONS, REPRESENTATIVE CONSENTED TO THE DESCRIBED SANCTION AND TO THE ENTRY OF FINDINGS. REP IS SUSPENDED FROM ASSOCIATION WITH ANY NASD MEMBER FIRM IN ANY CAPACITY FOR TWO MONTHS AND FINED \$5,000. HIS SUSPENSION SHALL BEGIN ON 12/19/2005 AND CONCLUDE ON



2/18/2006.

## End of Report



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