

## BrokerCheck Report

**MICHAEL SIDNEY GILBURD**

CRD# 1299254

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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).



MICHAEL S. GILBURD

CRD# 1299254

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:

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

Registration History

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

- B EARNHARDT CO., INC.**  
CRD# 36209  
WESTFIELD, NJ  
05/2000 - 10/2000
- B EMPIRE CAPITAL GROUP, LLC**  
CRD# 47179  
PHOENIX, AZ  
11/1999 - 04/2000
- B AMERICAN EXPRESS FINANCIAL ADVISORS INC.**  
CRD# 6363  
MINNEAPOLIS, MN  
07/1995 - 10/1999

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	1

## 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 1 principal/supervisory exam, 1 general industry/product exam, and 2 state securities law exams.**

### Principal/Supervisory Exams

Exam	Category	Date
<b>B</b> General Securities Principal Examination	Series 24	02/18/1994

### General Industry/Product Exams

Exam	Category	Date
<b>B</b> General Securities Representative Examination	Series 7	12/19/1993

### State Securities Law Exams

Exam	Category	Date
<b>IA</b> Uniform Investment Adviser Law Examination	Series 65	08/29/1996
<b>B</b> Uniform Securities Agent State Law Examination	Series 63	12/23/1993

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> 05/2000 - 10/2000	EARNHARDT CO., INC.	36209	WESTFIELD, NJ
<b>B</b> 11/1999 - 04/2000	EMPIRE CAPITAL GROUP, LLC	47179	PHOENIX, AZ
<b>B</b> 07/1995 - 10/1999	AMERICAN EXPRESS FINANCIAL ADVISORS INC.	6363	MINNEAPOLIS, MN
<b>B</b> 07/1995 - 10/1999	IDS LIFE INSURANCE COMPANY	6321	MINNEAPOLIS, MN
<b>B</b> 09/1994 - 06/1995	CAPITAL SECURITIES INVESTMENT CORPORATION	5606	OAK BROOK, IL
<b>B</b> 02/1994 - 06/1994	WHALE SECURITIES CO., L.P.	13516	NEW YORK, NY
<b>B</b> 06/1988 - 01/1990	FIRM ONE SECURITIES, INCORPORATED	13531	
<b>B</b> 11/1987 - 05/1988	HUTCHISON FINANCIAL CORPORATION	14491	
<b>B</b> 09/1984 - 11/1987	BUTTONWOOD SECURITIES CORPORATION OF MASSACHUSETTS	7303	

### 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
10/2002 - Present	THE GILBURD COMPANY	CHAIRMAN	N	PARADISE VALLEY, AZ, United States
10/2002 - Present	WEST AMERICA SECURITIES CORP.	REGISTERED REPRESENTATIVE, GENERAL SECURITIES PRINCIPAL	Y	WESTLAKE VILLAGE, CA, United States



# Registration and Employment History

## Employment History, continued

Employment	Employer Name	Position	Investment Related	Employer Location
07/1995 - Present	AMERICAN EXPRESS FINANCIAL ADVISORS INC.	NOT PROVIDED	Y	LOMBARD, IL, United States
07/1995 - Present	IDS LIFE INSURANCE COMPANY	NOT PROVIDED	Y	BARRINGTON, IL, 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	1	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 1

<b>Reporting Source:</b>	Regulator
<b>Regulatory Action Initiated By:</b>	NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.
<b>Sanction(s) Sought:</b>	
<b>Other Sanction(s) Sought:</b>	
<b>Date Initiated:</b>	01/30/1990
<b>Docket/Case Number:</b>	KC-470
<b>Employing firm when activity occurred which led to the regulatory action:</b>	FIRM ONE SECURITIES, INC
<b>Product Type:</b>	
<b>Other Product Type(s):</b>	
<b>Allegations:</b>	
<b>Current Status:</b>	Final
<b>Resolution:</b>	Consent
<b>Resolution Date:</b>	02/20/1992
<b>Sanctions Ordered:</b>	Censure
<b>Other Sanctions Ordered:</b>	
<b>Sanction Details:</b>	
<b>Regulator Statement</b>	COMPLAINT NO. KC-470 FILED JANUARY 30, 1990 BY DISTRICT NO. 4 AGAINST RESPONDENTS FIRM ONE SECURITIES, INC., MICHAEL GILBURD AND STEPHEN ALLEN HERSH ALLEGING VIOLATIONS OF ARTICLE III, SECTIONS 1 AND 27 OF THE RULES OF FAIR PRACTICE IN THAT RESPONDENT MEMBER, ACTING THROUGH RESPONDENTS GILBURD AND



HERSH  
 CONDUCTED A SECURITIES BUSINESS WHILE FAILING TO MAINTAIN  
 MINIMUM REQUIRED NET CAPITAL; RESPONDENT HERSH FUNCTIONED AS  
 RESPONDENT MEMBER'S FINANCIAL AND OPERATIONS PRINCIPAL  
 WITHOUT  
 PROPER REGISTRATION WITH THE NASD; RESPONDENT MEMBER, ACTING  
 THROUGH RESPONDENT GILBURD FAILED TO PROPERLY SUPERVISE THE  
 ACTIVITIES OF RESPONDENT HERSH; AND, RESPONDENTS MEMBER AND  
 GILBURD FAILED TO RESPOND TO THE NASD'S REQUESTS FOR  
 INFORMATION MADE PURSUANT TO ARTICLE IV, SECTION 5 OF THE RULES  
 OF FAIR PRACTICE.

DECISION RENDERED FEBRUARY 20, 1992, (C04890004 - KC-470),  
 WHEREIN THE OFFER OF SETTLEMENT SUBMITTED BY RESPONDENT  
 GILBURD  
 WAS ACCEPTED; THEREFORE, HE IS CENSURED AND REQUIRED TO  
 REQUALIFY BY EXAMINATION AS A GENERAL SECURITIES PRINCIPAL  
 WITHIN 90 DAYS OF THE DATE OF ACCEPTANCE OF THIS DECISION OR  
 CEASE ASSOCIATION WITH ANY MEMBER FIRM IN THAT CAPACITY. THE  
 THIRD CAUSE OF COMPLAINT WAS DISMISSED IN THAT RESPONDENT  
 GILBURD LACKED AUTHORITY TO COMPEL EMPLOYEES TO GIVE  
 RECORDS TO  
 THE NASD AFTER THE APPOINTMENT OF A NEW PRESIDENT TO  
 RESPONDENT  
 MEMBER.

DECISION RENDERED FEBRUARY 20, 1992, WHEREIN RESPONDENT  
 HERSH  
 IS CENSURED AND FINED \$20,000 AND ASSESSED COSTS OF \$339.05.  
 THE COMMITTEE DETERMINED TO DISMISS THE COMPLAINT WITH  
 REGARD  
 TO RESPONDENT MEMBER IN THAT THE FIRM WAS EXPELLED FROM  
 MEMBERSHIP IN AN UNRELATED FORMAL DISCIPLINARY ACTION. IF NO  
 FURTHER ACTION, DECISION IS FINAL APRIL 6, 1992.

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<b>Reporting Source:</b>	Broker
<b>Regulatory Action Initiated By:</b>	NASD
<b>Sanction(s) Sought:</b>	Censure
<b>Other Sanction(s) Sought:</b>	REQUIRED TO REQUALIFY BY EXAMINATION AS A SERIES 24 PRINCIPAL (GENERAL SECURITIES PRINCIPAL)



<b>Date Initiated:</b>	01/30/1990
<b>Docket/Case Number:</b>	KC-470
<b>Employing firm when activity occurred which led to the regulatory action:</b>	FIRM ONE SECURITIES, INC
<b>Product Type:</b>	No Product
<b>Other Product Type(s):</b>	
<b>Allegations:</b>	VIOLATIONS OF ARTICLE III, SECTIONS 1 AND 27 OF THE RULES OF FAIR PRACTICE.
<b>Current Status:</b>	Final
<b>Resolution:</b>	Consent
<b>Resolution Date:</b>	02/20/1992
<b>Sanctions Ordered:</b>	Censure
<b>Other Sanctions Ordered:</b>	REQUIRED TO REQUALIFY AS SERIES 24 PRINCIPAL BY EXAMINATION (GENERAL SECURITIES PRINCIPAL)
<b>Sanction Details:</b>	CENSURED AND REQUIRED TO REQUALIFIE BY EXAMINATION AS A GENERAL SECURITIES PRINCIPAL WITHIN 90 DAYS OR CEASE ASSOCIATION WITH ANY MEMBER FIRM IN THAT CAPACITY.
<b>Broker Statement</b>	WITHOUT ADMITTING OR DENYING THE COMPLAINT ALLEGATIONS, I CONSENTED TO THE FOLLOWING FINDINGS: A MEMBER FIRM ACTING THROUGH ME, CONDUCTED A SECURITIES BUSINESS WHILE FAILING TO MAINTAIN MINIMUM REQUIRED NET CAPITAL AND FAILED TO PROPERLY SUPERVISE THE ACTIVITIES OF A CERTAIN INDIVIDUAL.

## End of Report



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