

BrokerCheck Report

MARK BRIAN FRICKS

CRD# 1645509

<u>Section Title</u>	<u>Page(s)</u>
Report Summary	1
Broker Qualifications	2 - 3
Registration and Employment History	5
Disclosure Events	6



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



For additional information about the contents of this report, please refer to the User Guidance or 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.

MARK B. FRICKS

CRD# 1645509

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
- 2 State Securities Law Exams

Registration History

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

- B FORESTERS EQUITY SERVICES, INC.**
CRD# 18464
SAN DIEGO, CA
08/2010 - 03/2012
- B SAGEPOINT FINANCIAL, INC.**
CRD# 133763
MARIETTA, GA
10/2005 - 07/2010
- B SUNAMERICA SECURITIES, INC.**
CRD# 20068
PHOENIX, AZ
06/2000 - 10/2005

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

Investment Adviser Representative Information

The information below represents the individual's record as a broker. For details on this individual's record as an investment adviser representative, visit the SEC's Investment Adviser Public Disclosure website at

<https://www.adviserinfo.sec.gov>

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 2 state securities law exams.

Principal/Supervisory Exams

Exam	Category	Date
No information reported.		

General Industry/Product Exams

Exam	Category	Date
B Investment Company Products/Variable Contracts Representative Examination	Series 6	06/14/2000

State Securities Law Exams

Exam	Category	Date
IA Uniform Investment Adviser Law Examination	Series 65	10/03/2000
B Uniform Securities Agent State Law Examination	Series 63	06/14/2000

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/.

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 08/2010 - 03/2012	FORESTERS EQUITY SERVICES, INC.	18464	SAN DIEGO, CA
B 10/2005 - 07/2010	SAGEPOINT FINANCIAL, INC.	133763	MARIETTA, GA
B 06/2000 - 10/2005	SUNAMERICA SECURITIES, INC.	20068	PHOENIX, AZ
B 06/1987 - 12/1992	PFS INVESTMENTS INC.	10111	

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
03/2022 - Present	Gradient Investments, LLC	Solicitor	Y	Marietta, GA, United States
05/2014 - Present	MASTERPLAN RETIREMENT CONSULTANTS, INC.	Managing Member/Owner/Investment Advisor Representative/Chief Compliance Officer	Y	MARIETTA, GA, United States
07/2010 - Present	FRICKS AND ASSOCIATES, INC. dba MasterPlan Retirement Consultan	OWNER, ADVISOR/Insurance Agent	Y	MARIETTA, GA, United States
02/2015 - 02/2022	MASTERPLAN TAX SERVICES, INC.	PRESIDENT	N	Marietta, GA, 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

Reporting Source: Regulator

Regulatory Action Initiated By: FINRA

Sanction(s) Sought: Other: N/A

Date Initiated: 08/13/2012

Docket/Case Number: [2010024034701](#)

Employing firm when activity occurred which led to the regulatory action: SAGEPOINT FINANCIAL INC.

Product Type: Insurance

Allegations: FINRA RULE 2010 AND NASD 3030: FRICKS ENGAGED IN UNAPPROVED OUTSIDE BUSINESS ACTIVITIES INVOLVING THE SALE OF A FIXED INSURANCE PRODUCT TO INVESTORS. FRICKS SOLD 20 FIXED INSURANCE PRODUCTS TO 17 INVESTORS FOR A TOTAL INVESTMENT OF APPROXIMATELY \$1,216,160. THE 17 INVESTORS INCLUDED 15 OF FRICKS' CUSTOMERS AT HIS MEMBER FIRM. FRICKS RECEIVED APPROXIMATELY \$62,581 IN COMMISSIONS FROM THE SALE OF THE FIXED INSURANCE PRODUCT. THE FIRM'S POLICIES AND PROCEDURES REQUIRES ITS REGISTERED REPRESENTATIVES TO PROVIDE PROMPT WRITTEN NOTICE DISCLOSING ALL OUTSIDE BUSINESS ACTIVITIES, INCLUDING THE SALES OF FIXED INSURANCE PRODUCTS. ALTHOUGH FRICKS WAS PERMITTED TO SELL FIXED ANNUITIES THROUGH HIS APPROVED OUTSIDE BUSINESS HE WAS PROHIBITED FROM SELLING FIXED INSURANCE PRODUCTS. FRICKS COULD ONLY SELL FIXED INSURANCE PRODUCTS THAT WERE APPROVED BY HIS FIRM. THE FIRM REMINDED FRICKS THROUGH ANNUAL COMPLIANCE QUESTIONNAIRES OF THESE POLICIES. FRICKS FAILED TO DISCLOSE HIS SALES OF FIXED INSURANCE PRODUCTS AND HIS RECEIPTS OF COMMISSIONS FOR THESE SALES TO HIS FIRM. THE FIRM DID NOT APPROVE THE SALES OF ANY FIXED INSURANCE PRODUCTS BY



FRICKS.

Current Status:

Final

Resolution:

Acceptance, Waiver & Consent(AWC)

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:

08/13/2012

Sanctions Ordered:

Civil and Administrative Penalty(ies)/Fine(s)
Suspension

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?

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:	ANY CAPACITY
Duration:	FOUR MONTHS
Start Date:	08/20/2012
End Date:	12/19/2012

**Monetary Sanction 1 of 1**

Monetary Related Sanction: Civil and Administrative Penalty(ies)/Fine(s)

Total Amount: \$5,000.00

Portion Levied against individual: \$5,000.00

Payment Plan:

Is Payment Plan Current:

Date Paid by individual: 08/01/2023

Was any portion of penalty waived? No

Amount Waived:

Regulator Statement

WITHOUT ADMITTING OR DENYING THE FINDINGS, FRICKS CONSENTED TO THE DESCRIBED SANCTIONS AND TO THE ENTRY OF FINDINGS, THEREFORE HE IS FINED \$5,000 AND SUSPENDED FROM ASSOCIATION WITH ANY FINRA MEMBER IN ANY CAPACITY FOR FOURTH MONTHS. THE FINE SHALL BE DUE AND PAYABLE EITHER IMMEDIATELY UPON REASSOCIATION WITH A MEMBER FIRM FOLLOWING THE SUSPENSION, OR PRIOR TO ANY APPLICATION OR REQUEST FOR RELIEF FROM ANY STATUTORY DISQUALIFICATION RESULTING FROM THIS OR ANY OTHER EVENT OR PROCEEDINGS, WHICHEVER IS EARLIER. THE SUSPENSION IS IN EFFECT FROM AUGUST 20, 2012, THROUGH DECEMBER 19, 2012.

Reporting Source: Broker

Regulatory Action Initiated By: FINRA

Sanction(s) Sought: Suspension

Date Initiated: 08/13/2012

Docket/Case Number: 2010024034701

Employing firm when activity occurred which led to the regulatory action: SAGEPOINT FINANCIAL, INC.

Product Type: Insurance

Allegations: FRICKS ENGAGED IN UNAPPROVED OUTSIDE BUSINESS ACTIVITIES



INVOLVING THE SALE OF FIXED INSURANCE PRODUCTS TO INVESTORS. ALTHOUGH FRICKS WAS PERMITTED TO SELL FIXED ANNUITIES THROUGH HIS APPROVED OUTSIDE BUSINESS ACTIVITIES, HE COULD ONLY SELL FIXED INSURANCE PRODUCTS THAT WERE APPROVED BY HIS FIRM.

Current Status:	Final
Resolution:	Acceptance, Waiver & Consent(AWC)
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:	08/13/2012
Sanctions Ordered:	Suspension
Sanction 1 of 1	
Sanction Type:	Suspension
Capacities Affected:	REGISTERED REP
Duration:	FOUR MONTHS
Start Date:	08/20/2012
End Date:	12/19/2012
Broker Statement	I sold equity index annuities without listing them on my Outside Business Activities report. Since these products were not on the approved list of my broker dealer, they had to be listed on the Outside Business Activities report. Since I had fixed and variable annuities listed on my Outside Business Activities report, I thought I was covered for my actions.

End of Report



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