

BrokerCheck Report

JOHN DANIEL FRANKOLA

CRD# 1793125

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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



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.

JOHN D. FRANKOLA

CRD# 1793125

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
- 2 General Industry/Product Exams
- 2 State Securities Law Exams

Registration History

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

B **PARKER/HUNTER INCORPORATED**
 CRD# 7324
 PITTSBURGH, PA
 02/1988 - 08/2001

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 | 2 |

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

Principal/Supervisory Exams

| Exam | Category | Date |
|---|-----------|------------|
| B General Securities Principal Examination | Series 24 | 09/18/1996 |

General Industry/Product Exams

| Exam | Category | Date |
|--|-----------|------------|
| B NYSE Supervisory Analyst Examination | Series 16 | 08/31/1992 |
| B General Securities Representative Examination | Series 7 | 02/20/1988 |

State Securities Law Exams

| Exam | Category | Date |
|---|-----------|------------|
| IA Uniform Investment Adviser Law Examination | Series 65 | 08/31/1992 |
| B Uniform Securities Agent State Law Examination | Series 63 | 04/28/1988 |

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 **1** professional designation(s).

Chartered Financial Analyst

This representative holds or did hold **1** professional designation(s) that may have been used to qualify as an Investment Advisor representative. Please check with the appropriate designation authority for verification that the designation is still in effect. The contact information for these professional designation authorities can be found on the website for the North American Securities Administrators Association at <http://www.nasaa.org>



Registration and Employment History

Registration History

The broker previously was registered with the following securities firms:

| Registration Dates | Firm Name | CRD# | Branch Location |
|----------------------------|----------------------------|------|-----------------|
| B 02/1988 - 08/2001 | PARKER/HUNTER INCORPORATED | 7324 | PITTSBURGH, PA |

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 |
|-------------------|----------------------------------|--|--------------------|----------------------------------|
| 09/2002 - Present | VISTA INVESTMENT MANAGEMENT, LLC | OWNER, PRESIDENT AND PORTFOLIO MANAGER | Y | PITTSBURGH, PA, 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 | 2 | 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 2

| | |
|--|---|
| Reporting Source: | Broker |
| Regulatory Action Initiated By: | NATIONAL ASSOCIATION OF SECURITIES DEALERS |
| Sanction(s) Sought: | |
| Other Sanction(s) Sought: | |
| Date Initiated: | 11/20/2001 |
| Docket/Case Number: | CMS010177 |
| Employing firm when activity occurred which led to the regulatory action: | PARKER/HUNTER INCORPORATED |
| Product Type: | Other |
| Other Product Type(s): | |
| Allegations: | NASD RULES 2110 AND 2120 - WITHOUT ADMITTING OR DENYING THE ALLEGATIONS, FRANKOLA ENGAGED IN A DECEPTIVE ACT IN CONNECTION WITH THE SALE OF A SECURITY BY SELLING AN ISSUER'S STOCK IN HIS PERSONAL ACCOUNT AND IN THE ACCOUNTS OF HIS MEMBER FIRM'S ASSET MANAGEMENT ACCOUNTS WHILE IN POSSESSION OF MATERIAL, NON-PUBLIC INFORMATION ABOUT THE ISSUER THAT HAD BEEN CONVEYED TO HIM IN THE COURSE OF HIS EMPLOYMENT WITH A MEMBER FIRM. |
| Current Status: | Final |
| Resolution: | Acceptance, Waiver & Consent(AWC) |
| Resolution Date: | 11/20/2001 |
| Sanctions Ordered: | Monetary/Fine \$30,000.00 Suspension |

**Other Sanctions Ordered:****Sanction Details:**

SUSPENDED FROM ASSOCIATION WITH ANY NASD MEMBER IN ANY CAPACITY FOR 11 MONTHS. FRANKOLA MUST PAY \$10,000 OF THE FINE BEFORE HE REASSOCIATES WITH ANY NASD MEMBER FOLLOWING THE SUSPENSION OR BEFORE REQUESTING RELIEF FROM ANY STATUTORY DISQUALIFICATION. THE SUSPENSION IS EFFECTIVE NOVEMBER 07, 2001 TO OCTOBER 06, 2002.

Disclosure 2 of 2**Reporting Source:**

Regulator

Regulatory Action Initiated By:

NATIONAL ASSOCIATION OF SECURITIES DEALERS

Sanction(s) Sought:**Other Sanction(s) Sought:****Date Initiated:**

11/20/2001

Docket/Case Number:

CMS010177

Employing firm when activity occurred which led to the regulatory action:

PARKER/HUNTER INCORPORATED

Product Type:

Other

Other Product Type(s):**Allegations:**

NASD RULES 2110 AND 2120 - WITHOUT ADMITTING OF DENYING THE ALLEGATIONS, FRANKOLA ENGAGED IN A DECEPTIVE ACT IN CONNECTION WITH THE SALE OF A SECURITY BY SELLING AN ISSUER'S STOCK IN HIS PERSONAL ACCOUNT AND IN THE ACCOUNTS OF HIS MEMBER FIRM'S ASSET MANAGEMENT ACCOUNTS WHILE IN POSSESSION OF MATERIAL, NON-PUBLIC INFORMATION ABOUT THE ISSUER THAT HAD BEEN CONVEYED TO HIM IN THE COURSE OF HIS EMPLOYMENT WITH A MEMBER FIRM.

Current Status:

Final

Resolution:

Acceptance, Waiver & Consent(AWC)

Resolution Date:

11/20/2001

Sanctions Ordered:

Monetary/Fine \$30,000.00
Suspension

**Other Sanctions Ordered:****Sanction Details:**

SUSPENDED FROM ASSOCIATION WITH ANY NASD MEMBER IN ANY CAPACITY FOR 11 MONTHS. FRANKOLA MUST PAY \$10,000 OF THE FINE BEFORE HE REASSOCIATES WITH ANY NASD MEMBER FOLLOWING THE SUSPENSION OR BEFORE REQUESTING RELIEF FROM ANY STATUTORY DISQUALIFICATION.

THE SUSPENSION IS EFFECTIVE NOVEMBER 07, 2001 TO OCTOBER 06, 2002.

Reporting Source:

Broker

Regulatory Action Initiated By:

NASD REGULATION, INC.

Sanction(s) Sought:

Suspension

Other Sanction(s) Sought:

A FINE OF \$30,000, OF WHICH \$20,000 WAS PAID UPON WRITTEN NOTIFICATION THAT THE LETTER OF ACCEPTANCE, WAIVER AND CONSENT WAS ACCEPTED BY THE NASD AND \$10,000 TO BE PAID PRIOR TO REASSOCIATION WITH A MEMBER FIRM.

Date Initiated:

03/21/2000

Docket/Case Number:

CMS010177

Employing firm when activity occurred which led to the regulatory action:

PARKER/HUNTER INCORPORATED

Product Type:

No Product

Other Product Type(s):**Allegations:**

THE NASDR ALLEGED VIOLATIONS OF NASD CONDUCT RULES 2110 AND 2120. SPECIFICALLY, THE NASD ALLEGED THAT FRANKOLA SOLD AN ISSUER'S STOCK IN HIS PERSONAL ACCOUNT AND IN TEN PARKER/HUNTER ASSET MANAGEMENT ACCOUNTS WHILE IN KNOWING POSSESSION OF MATERIAL, NON-PUBLIC INFORMATION. FRANKOLA SUBMITTED A MITIGATION STATEMENT IN WHICH HE STATED THAT HE HAD A GOOD FAITH BELIEF THAT THE INFORMATION DISCLOSED BY THE ISSUER WAS NOT MATERIAL. IN ADDITION, THE TRADES IN QUESTION DID NOT OCCUR UNTIL AFTER A PARKER/HUNTER ANALYST MADE NEGATIVE COMMENTS CONCERNING THE ISSUER AT A REGULAR PARKER/HUNTER SALES MEETING.



| | |
|---------------------------------|---|
| Current Status: | Final |
| Resolution: | Acceptance, Waiver & Consent(AWC) |
| Resolution Date: | 11/07/2001 |
| Sanctions Ordered: | Monetary/Fine \$30,000.00 Suspension |
| Other Sanctions Ordered: | |
| Sanction Details: | FRANKOLA WAS SUSPENDED FOR 11 MONTHS FROM ASSOCIATION IN ANY CAPACITY WITH ANY NASD MEMBER. THE SUSPENSION BEGAN ON 11/2/2001 AND ENDS ON 10/6/2002. FRANKOLA WAS FINED \$30,000, OF WHICH \$20,000 WAS PAID UPON WRITTEN NOTIFICATION THAT THE LETTER OF ACCEPTANCE, WAIVER AND CONSENT WAS ACCEPTED BY THE NASD AND \$10,000 TO BE PAID PRIOR TO REASSOCIATION WITH A MEMBER FIRM.. |
| Broker Statement | FRANKOLA PAID THE \$20,000 FINE DUE UPON ACCEPTANCE OF THE SETTLEMENT AND HAS NOT WORKED FOR A NASD MEMBER SINCE AUGUST 10, 2001. |

End of Report



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