

BrokerCheck Report

ELLIOT AKIVA LOEWENSTERN

CRD# 1825393

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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.](http://www.finra.org)

ELLIOT A. LOEWENSTERN

CRD# 1825393

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
- 1 State Securities Law Exam

Registration History

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

- B BILTMORE SECURITIES, INC.**
CRD# 25023
FT. LAUDERDALE, FL
01/1992 - 01/1999
- B STRATTON OAKMONT INC.**
CRD# 18692
LAKE SUCCESS, NY
11/1989 - 01/1992
- B BEAR, STEARNS & CO. INC.**
CRD# 79
NEW YORK, NY
11/1988 - 11/1989

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	5

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 1 state securities law exam.

Principal/Supervisory Exams

Exam	Category	Date
B General Securities Principal Examination	Series 24	11/27/1991

General Industry/Product Exams

Exam	Category	Date
B General Securities Representative Examination	Series 7	04/16/1988

State Securities Law Exams

Exam	Category	Date
B Uniform Securities Agent State Law Examination	Series 63	05/04/1988

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 **0** professional designation(s).

No information reported.

Only professional designations listed in Question 8 of the Form U4 will appear in this section if the appropriate box is checked and verified by the issuing organization at the time of the filing. Learn more about eligible designations at [IARD](#) and [NASAA](#).



Registration and Employment History

Registration History

The broker previously was registered with the following securities firms:

Registration Dates	Firm Name	CRD#	Branch Location
B 01/1992 - 01/1999	BILTMORE SECURITIES, INC.	25023	FT. LAUDERDALE, FL
B 11/1989 - 01/1992	STRATTON OAKMONT INC.	18692	LAKE SUCCESS, NY
B 11/1988 - 11/1989	BEAR, STEARNS & CO. INC.	79	NEW YORK, NY
B 06/1988 - 12/1988	SHEARSON LEHMAN HUTTON INC.	7506	
B 04/1988 - 06/1988	INVESTORS CENTER INC.	14670	

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
01/1992 - Present	BILTMORE SECURITIES, INC.	NOT PROVIDED	Y	FT. LAUDERDALE, FL, 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	5	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 5

Reporting Source:	Regulator
Regulatory Action Initiated By:	NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.
Sanction(s) Sought:	
Other Sanction(s) Sought:	
Date Initiated:	01/27/1999
Docket/Case Number:	CAF980100
Employing firm when activity occurred which led to the regulatory action:	BILTMORE SECURITIES, INC.
Product Type:	
Other Product Type(s):	
Allegations:	
Current Status:	Final
Resolution:	Acceptance, Waiver & Consent(AWC)
Resolution Date:	01/27/1999
Sanctions Ordered:	Bar Censure Disgorgement/Restitution Monetary/Fine \$300,000.00
Other Sanctions Ordered:	
Sanction Details:	
Regulator Statement	[TOP] 01/27/99GK: 1/27/99, DEPARTMENT OF ENFORCEMENT NOTIFIED ELLIOTT A. LOEWENSTERN, ET. AL. THAT THE LETTER OF ACCEPTANCE,



WAIVER AND CONSENT NO. CAF980100 WAS ACCEPTED; LOEWENSTERN IS CENSURED, FINED \$300,000, AND BARRED FROM ASSOCIATION WITH ANY NASD MEMBER IN ANY CAPACITY; THE FIRM AND LOEWENSTERN MUST PAY RESTITUTION OF \$713,414.95; RESPONDENTS MUST PAY RESTITUTION \$945,897.90, WHICH SHALL BE REPAID AS APPROVED BY NASD, MUST PAY \$4,470,242 IN ILL-GOTTEN GAINS; AND WILL BE ALLOWED TO OFFSET SETTLEMENTS MADE BETWEEN 6/1/98 AND ACCEPTANCE OF THIS AWC. THIS MONEY SHALL BE PLACED INTO A FUND TO COMPENSATE CUSTOMERS AGREE TO MEDIATION OF THEIR CLAIMS- (NASD RULES 2110, 2120 AND 2710, AND SECTION 10(b) OF THE EXCHANGE ACT, RULES 10b-5 AND 10b-6 - LOEWENSTERN FAILED TO COMPLETE THE DISTRIBUTION OF IPOS PRIOR TO THE FIRM ACTING AS A MARKET MAKER, IN THE AFTERMARKET, AND DISTRIBUTED SECURITIES WHILE PURCHASING AND INDUCING OTHERS TO PURCHASE THEM, BY THE PURCHASE OF FLIPPER ACCOUNT UNITS AND RESALE OF THE STOCK COMPONENT, THE FIRM WAS UNJUSTLY ENRICHED BY \$1,790,000; FAILED TO COMPLY WITH UNDERTAKINGS AGREED TO WITH THE NASD OR COMPLY WITH RULE 2710 PRIOR TO RELEASING A LOCK-UP AND DISTRIBUTING THE SELLING STOCKHOLDER SHARES IN A PUBLIC OFFERING, FAILED TO PROVIDE REQUIRED NOTIFICATION UNTIL AFTER THE SHARES WERE RELEASED AND PURCHASED BY RESPONDENT MEMBER AND SALE OF THE STOCK TO PUBLIC CUSTOMERS BEGAN, THE NOTIFICATION PROVIDED DID NOT DISCLOSE TO THE NASD THAT A DISTRIBUTION WAS TO OCCUR, THUS, AN ESTIMATE OF THE UNDERWRITER COMPENSATION WAS NOT PROVIDED, DID NOT OBTAIN A "NO OBJECTIONS" LETTER AUTHORIZING DISTRIBUTION, AND THE FIRM RECEIVED \$2,680,242 IN EXCESSIVE UNDERWRITING COMPENSATION; LOEWENSTERN SOLICITED CUSTOMERS TO PURCHASE WARRANTS, FAILING TO DISCLOSE THAT THEY WERE SOLD FROM ACCOUNTS UNDER HIS CONTROL, AS A RESULT OF PURCHASES, CUSTOMERS SUFFERED LOSSES OF AT LEAST \$1,827,774).

Reporting Source: Broker
Regulatory Action Initiated By: NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.
Sanction(s) Sought:

**Other Sanction(s) Sought:**

Date Initiated: 01/27/1999

Docket/Case Number: CAF980100

Employing firm when activity occurred which led to the regulatory action: BILTMORE SECURITIES, INC.

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

Allegations: NOTICE RECEIVED FROM NASDR STAFF THAT IT MADE A PRELIMINARY DETERMINATION TO RECOMMEND DISCIPLINARY ACTION AGAINST BILTMORE SECURITIES INC. AND ELLIOTT LOEWENSTERN. THEY HAVE GIVEN US THE OPPORTUNITY TO FILR A WELLS SUBMISSION BY JUNE 1, 1998.

Current Status: Final

Resolution: Acceptance, Waiver & Consent(AWC)

Resolution Date: 01/27/1999

Sanctions Ordered: Bar
Censure
Disgorgement/Restitution
Monetary/Fine \$300,000.00

Other Sanctions Ordered:

Sanction Details: PENDING

Disclosure 2 of 5

Reporting Source: Regulator

Regulatory Action Initiated By: CA

Sanction(s) Sought:

Other Sanction(s) Sought:

Date Initiated: 09/10/1997

Docket/Case Number: 917-9615



Employing firm when activity occurred which led to the regulatory action:	BILTMORE SECURITIES, INC.
Product Type:	
Other Product Type(s):	
Allegations:	<p>THE CALIFORNIA DEPARTMENT OF CORPORATIONS ("DOC") INITIATED AN ADMINISTRATIVE ACTION AGAINST RESPONDENTS BILTMORE SECURITIES, INC. ("BILTMORE"). RICHARD BRONSON ("BRONSON") AND ELLIOT LOEWENSTERN ("LOEWENSTERN"). THE ACTION WAS INITIATED TO REVOKE BILTMORE'S BROKER-DEALER CERTIFICATE AND TO BAR BOTH BRONSON AND LOEWENSTERN IN THE STATE OF CALIFORNIA FOR ORDERS ISSUED AGAINST THEM BY THE SEC AND OTHER STATE ADMINISTRATORS AND FOR VIOLATIONS OF THE CALIFORNIA CORPORATE SECURITIES LAW ("CSL"). THE DOC ALLEGED THAT BILTMORE WILFULLY VIOLATED PROVISIONS OF THE CSL BY MAKING UNQUALIFIED SALES, BY MAKING MISREPRESENTATIONS AND BY COMMITTING MANIPULATIVE, DECEPTIVE OR OTHER FRAUDULENT SCHEMES, DEVICES OR CONTRIVANCES. FUTHERMORE, THE DOC ALLEGED THAT LOEWENSTERN AND BRONSON FAILED TO SUPERVISE WITH A VIEW TO PREVENTING VIOLATIONS AND AIDED AND ABETTED THE VIOLATIONS OF THE CSL BY BILTMORE AGENTS.</p>
Current Status:	Final
Resolution:	Decision & Order of Offer of Settlement
Resolution Date:	07/17/1998
Sanctions Ordered:	Bar
Other Sanctions Ordered:	
Sanction Details:	<p>ON JULY 17, 1998, THIS MATTER WAS SETTLED AS FOLLOWS BY STIPULATION; (1) BILTMORE AGREED TO VOLUNTARILY SURRENDER ITS BROKER-DEALER CERTIFICATE TO THE COMMISSIONER AND TO WITHDRAW FROM CALIFORNIA, BY FILING A FORM BDW WITH CRD, NO LATER THAN 90 DAYS FROM JULY 17, 1998; (2) BILTMORE AGREED TO REAPPLY FOR A BROKER-DEALER CERTIFICATE IN CALIFORNIA, OR OTHERWISE TO SEEK TO ENGAGE IN ANY BROKER-DEALER OR INVESTMENT ADVISER BUSINESS IN CALIFORNIA FOR A PERIOD OF ONE YEAR FROM THE EFFECTIVE DATE OF BILTMORE'S WITHDRAWAL FROM CALIFORNIA;</p>



BRONSON AND LOEWENSTERN AGREED TO VOLUNTARILY WITHDRAW FROM ANY POSITION OF EMPLOYMENT, MANAGEMENT OR CONTROL OF ANY BROKER-DEALER OR INVESTMENT ADVISER DOING BUSINESS IN CALIFORNIA; (4) BRONSON AND LOEWENSTERN AGREED TO FILE FORM U05'S WITH CRD WITHIN FIVE DAYS AND 90 DAYS OF JULY 17, 1998, RESPECTIVELY; (5) BILTMORE AND LOEWENSTERN AGREED THAT FOR THE PERIOD OF 90 DAYS FROM JULY 17, 1998, THEIR ACTIVITIES IN CALIFORNIA WILL BE SOLELY TO WIND DOWN ITS EXISTING BUSINESS AND NOT TO SERVICE ANY NEW CLIENTS OR EXECUTE ANY NEW SALES OTHER THAN TO LIQUIDATE EXISTING POSITIONS OR TO FACILITATE THE TRANSFER OF CUSTOMERS TO OTHER BROKER-DEALERS; (6) BRONSON AND LOEWSTERN AGREED NOT TO ENGAGE IN ANY POSITION OF EMPLOYMENT, MANAGEMENT OR CONTROL OF ANY BROKER-DEALER OR INVESTMENT ADVISER DOING BUSINESS IN CALIFORNIA FOR A PERIOD OF TWO YEARS FROM JULY 17, 1998. BILTMORE AGREED TO PAY \$170,000 TO THE DOC TO REIMBURSE ITS COSTS OF LITIGATION. THIS SETTLEMENT WAS SOLELY FOR THE PURPOSE OF SETTLING CONTESTED ALLEGATIONS MADE BY THE DEPARTMENT AND FOR NO OTHER PURPOSE AND RESPONDENTS VOLUNTARILY AGREED TO THE TERMS OF THIS SETTLEMENT TO CONCLUDE THIS MATTER.

Regulator Statement

ADMINISTRATIVE CASE DISMISSED. CONTACT: PHYLLIS SMITH (213) 736-2288

Reporting Source: Broker

Regulatory Action Initiated By: DEPARTMENT OF CORPORATION STATE OF CALIFORNIA

Sanction(s) Sought:

Other Sanction(s) Sought:

Date Initiated: 09/10/1997

Docket/Case Number: 917-9615

Employing firm when activity occurred which led to the regulatory action: BILTMORE SECURITIES, INC.

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

NOTICE OF INTENT TO BAR ELLIOT AKIVA
 LOEWENSTERN BASED UPON AMONG OTHER THINGS PRIOR
 PROCEEDING
 INSTITUTED BY THE SEC. STATE OF INDIANA AND THE STATE OF
 ARKANSAS

Current Status:

Final

Resolution:

Decision & Order of Offer of Settlement

Resolution Date:

07/17/1998

Sanctions Ordered:

Bar

Other Sanctions Ordered:**Sanction Details:**

ADMINISTRATIVE CASE DISMISSED. SETTLEMENT WAS
 SOLELY FOR THE PURPOSE OF SETTling CONTESTED ALLEGATION MADE
 BY
 CALIFORNIA AND FOR NO OTHER PURPOSE. APPLICANT WILL
 VOLUNTARILY
 FILE A NASD FORM U-5 REMOVING HIS CALIFORNIA REGISTRATION BY
 OCTOBER 17, 1998. ALSO VOLUNTARILY AGREED NOT TO ENGAGE IN ANY
 POSITION OF EMPLOYMENT MANAGEMENT OR CONTROL OR ANY BROKER
 DEALER IN CALIFORNIA FOR TWO (2) YEARS PERIOD FROM JULY 17,
 1998.

Broker Statement

Not Provided

Disclosure 3 of 5**Reporting Source:**

Regulator

**Regulatory Action Initiated
By:**

ARKANSAS SECURITIES DEPARTMENT

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

07/18/1997

Docket/Case Number:

97-66-S



Employing firm when activity occurred which led to the regulatory action:	BILTMORE SECURITIES, INC.
Product Type:	
Other Product Type(s):	
Allegations:	FAILURE TO SUPERVISE, DISHONEST AND UNETHICAL PRACTICES IN THE SECURITIES BUSINESS
Current Status:	Final
Resolution:	Consent
Resolution Date:	07/18/1997
Sanctions Ordered:	Censure
Other Sanctions Ordered:	
Sanction Details:	CENSURED AND AND ORDERED TO PAY \$25,000
Regulator Statement	<p>CONSENT ORDER NO. 97-66-S IS ENTERED IN LIEU OF THE FILING OF A COMPLAINT BY THE STAFF OF THE DEPARTMENT IN FULL SETTLEMENT OF ALL CLAIMS AGAINST BILTMORE SECURITIES, INC. AND ELLIOT A. LOWERSTERN, DESIGNATED PRINCIPAL. AGENTS OF BILTMORE "COLD CALLED" POTENTIAL CUSTOMERS IN ARKANSAS AND WHILE USING HIGH PRESSURE SALES TACTICS, PROMISED PRICE APPRECIATION AND PROFITS ON SECURITIES WITHIN SPECIFIC TIME INTERVALS, FAILED TO DISCLOSE NEGATIVE INFORMATION REGARDING CERTAIN STOCKS BEING OFFERED AND REPRESENTED THEY KNEW "INSIDE INFORMATION" WHICH WOULD CAUSE A SUBSTANTIAL INCREASE IN THE PRICE OF THE STOCKS BEING OFFERED. THESE ACTIONS CONSTITUTE VIOLATIONS OF SECTIONS 23-42-308 (a)(2)(G), 23-42-308 (a)(2)(J) AND 23-42-507 OF THE ARKANSAS SECURITIES ACT. BILTMORE AND LOWERSTERN ARE CENSURED AND ORDERED TO PAY \$25,000 FOR THE COST AND EXPENSES OF THE PROCEEDINGS. BILTMORE SHALL DELIVER A FINAL REPORT PREPARED BY AN INDEPENDENT CONSULTANT REGARDING A REVIEW OF BILTMORE'S POLICIES, PRACTICES AND PROCEDURES RELATING TO COMPLIANCE WITH THE SECURITIES LAWS AS THEY RELATE TO THE ACTIONS OF THEIR AGENTS. CONTACT: BRUCE BOKONY, 501-324-9260</p>



Reporting Source:	Broker
Regulatory Action Initiated By:	STATE OF ARKANSAS
Sanction(s) Sought:	
Other Sanction(s) Sought:	
Date Initiated:	07/18/1997
Docket/Case Number:	97-66-S
Employing firm when activity occurred which led to the regulatory action:	BILTMORE SECURITIES, INC.
Product Type:	
Other Product Type(s):	
Allegations:	NO ALLEGATIONS NOTED IN A SEPARATE COMPLAINT AND A COMPLAINT WAS NOT ISSUED
Current Status:	Final
Resolution:	Consent
Resolution Date:	07/18/1997
Sanctions Ordered:	Censure
Other Sanctions Ordered:	
Sanction Details:	ARKANSAS SECURITIES DEPARTMENT CONSENT ORDER 97-0665 WHICH WITHOUT ADMITTING OR DENYING ANY ALLEGATIONS OR CONCLUSIONS. APPLICANT AND BILTMORE SECURITIES, INC., AGREED TO PAY \$25,000 FOR COSTS AND EXPENSES AND A CENSURE AND PROVIDE A COPY OF A REPORT PREPARED BY AN INDEPENDENT CONSULTANT RELATING TO COMPLIANCE.
Broker Statement	Not Provided

Disclosure 4 of 5

Reporting Source:	Regulator
Regulatory Action Initiated By:	SECURITIES AND EXCHANGE COMMISSION
Sanction(s) Sought:	

**Other Sanction(s) Sought:****Date Initiated:** 06/27/1995**Docket/Case Number:****Employing firm when activity occurred which led to the regulatory action:** BILTMORE SECURITIES, INC.**Product Type:****Other Product Type(s):****Allegations:****Current Status:** Final**Resolution:** Consent**Resolution Date:** 06/27/1995**Sanctions Ordered:** Suspension**Other Sanctions Ordered:****Sanction Details:****Regulator Statement**

~7/11/95 SEC NEWS DIGEST, ISSUE NO. 95-128, DATED JULY 5, 1995, ENFORCEMENT PROCEEDINGS DISCLOSE: "ORDER INSTITUTING ADMINISTRATIVE PROCEEDINGS AGAINST BILTMORE SECURITIES, INC., ET AL."; THE COMMISSION ANNOUNCED THE INSTITUTION OF PUBLIC ADMININSTRATIVE PROCEEDINGS PURSUANT TO THE SECURITIES EXCHANGE

ACT OF 1934 AGAINST BILTMORE SECURITIES, INC. ("BILTMORE"), A FLORIDA CORPORATION AND REGISTERED BROKER-DEALER, ELLIOT LOEWNESTERN OF BOCA RATON, FLORIDA, RICHARD BRONSON OF NORTH MIAMI BEACH, FLORIDA AND ALEXANDER BARLETTA OF MIAMI, FLORIDA. THE COMMISSION ALSO INSTITUTED CEASE AND DESIST PROCEEDINGS PURSUANT TO THE EXCHANGE ACT AND THE SECURITIES ACT OF 1933 AGAINST BILTMORE AND BARLETTA.

THE COMMISSION SIMULTANEOUSLY ACCEPTED OFFERS OF SETTLEMENT SUBMITTED BY THE RESPONDENTS WHEREBY THEY CONSENTED TO AN ORDER CONTAINING FINDINGS THAT BILTMORE AND BARLETTA VIOLATED THE ANTI-FRAUD PROVISIONS OF THE FEDERAL SECURITIES LAWS, AND THE LOEWENSTERN AND BRONSON FAILED REASONABLY TO SUPERVISE. THE



ORDER ALSO CENSURES BILTMORE, SUSPENDS BARLETTA FOR A PERIOD OF TWELVE MONTHS, SUSPENDS BRONSON AND LOEWENSTERN FROM ASSOCIATION IN A SUPERVISORY CAPACITY FOR STAGGERED TWELVE MONTH TERMS AND REQUIRES BILTMORE AND BARLETTA TO CEASE AND DESIST FROM VIOLATING THE ANTI-FRAUD PROVISIONS.

A FINAL JUDGEMENT ENTERED IN A RELATED CIVIL ACTION, SEC V. BILTMORE SECURITIES, INC., ET AL., NO. 93-6837 (S.D. FLA), REQUIRES BILTMORE TO DISGORGE \$1 MILLION AND TO IMPLEMENT COMPLIANCE RELATED RECOMMENDATIONS OF A CONSULTANT APPOINTED BY THE COURT. (REL. 34-35900)

06/21/96 SEC DOCKET, VOLUME 59. NO.13, DATED JULY 25, 1995, PAGE 2033, DISCLOSES; THE ORDER OF SUSPENSION OF RESPONDENT IS DATED JUNE 27, 1995.

Reporting Source: Broker

Regulatory Action Initiated By: SECURITIES AND EXCAHNGE COMMISSION

Sanction(s) Sought:

Other Sanction(s) Sought:

Date Initiated: 06/27/1995

Docket/Case Number:

Employing firm when activity occurred which led to the regulatory action: BILTMORE SECURITIES, INC.

Product Type:

Other Product Type(s):

Allegations: FAILURE TO REASONABLY SUPERVISE.

Current Status: Final

Resolution: Consent

Resolution Date: 06/27/1995

Sanctions Ordered: Suspension

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

WITHOUT ADMITTING OR DENYING SUBSTANTIVE ALLEGATIONS UPON CONSENT OF ELLIOT LOEWENSTERN, AN ORDER WAS ENTERED SUSPENDING ELLIOT LOEWENSTERN FROM ASSOCIATING WITH A BROKER, DEALER, INVESTMENT ADVISOR OR INVESTMENT COMPANY FOR A PERIOD OF TWELVE (12) MONTHS FROM ACTING IN A SUPERVISORY CAPACITY. THIS SUSPENSION IS EFFECTIVE AS OF JUNE 27, 1996.

Broker Statement

SEE RESPONSE TO QUESTION 8.

Disclosure 5 of 5**Reporting Source:**

Regulator

Regulatory Action Initiated By:

IN

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

09/08/1994

Docket/Case Number:

94-0042SC

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

BILTMORE SECURITIES, INC.

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

ORDER TO SHOW CAUSE ISSUED AGAINST NAMED RESPONDENTS BY INDIANA SECS. DIV. - ADMINISTRATIVE COMPLAINT FILED BY THE DIVISION ALLEGING VIOLATIONS OF THE IN. SECURITIES ACT (I.C. 23-2-1) - RESPONDENTS HAVE 15 DAYS TO FILE AN ANSWER TO THE ADMINISTRATIVE COMPLAINT. FOR FURTHER INFO, CONTACT: LISA MCCABE (317) 232-6696.

Current Status:

Final

Resolution:

Consent

Resolution Date:

04/18/1997

**Sanctions Ordered:****Other Sanctions Ordered:****Sanction Details:** INITIAL**Regulator Statement** Not Provided**Reporting Source:** Broker**Regulatory Action Initiated By:** STATE OF INDIANA**Sanction(s) Sought:****Other Sanction(s) Sought:****Date Initiated:** 09/08/1994**Docket/Case Number:** 94-0042SC**Employing firm when activity occurred which led to the regulatory action:** BILTMORE SECURITIES, INC.**Product Type:****Other Product Type(s):****Allegations:** VIOLATIONS OF THE INDIANA SECURITIES ACT (INDIANA CODE 23-2-1) IN CONNECTION WITH THE OFFER AND SALE OF SECURITIES.**Current Status:** Final**Resolution:** Consent**Resolution Date:** 04/18/1997**Sanctions Ordered:****Other Sanctions Ordered:****Sanction Details:** WITHOUT ADMITTING OR DENYING THAT ANY VIOLATION OF THE INDIANA SECURITIES ACT OCCURED, BILTMORE SECURITIES AGREED TO PAY A FINE OF \$150,000 AND SETTLE CERTAIN CUSTOMER CLAIMS AND TO CERTAIN RESTRICTIONS AS TO THE OFFER AND SALE OF SECURITIES TO INDIANA RESIDENTS. THE CONSENT AGREEMENT TERMINATED THE PROCEEDING AGAINST RESPONDENT WITHOUT THE AGREEMENT CONSTITUTING AN ADMISSION, FINDING OR JUDGMENT



AGAINST THE RESPONDENT.

Not Provided

Broker Statement

End of Report



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