

BrokerCheck Report

KENNETH JOHN MARCHIOL

CRD# 1914305

<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.

KENNETH J. MARCHIOL

CRD# 1914305

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
- 4 General Industry/Product Exams
- 1 State Securities Law Exam

Registration History

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

- B G.F. INVESTMENT SERVICES, LLC**
CRD# 132939
SARASOTA, FL
03/2009 - 08/2010
- B HORNOR, TOWNSEND & KENT, INC.**
CRD# 4031
AURORA, CO
01/2007 - 04/2007
- B TRANSAMERICA FINANCIAL ADVISORS, INC.**
CRD# 3600
LOS ANGELES, CA
03/1998 - 12/2004

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	3
Criminal	2
Customer Dispute	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, 4 general industry/product exams, and 1 state securities law exam.

Principal/Supervisory Exams

Exam	Category	Date
B General Securities Principal Examination	Series 24	11/13/1996

General Industry/Product Exams

Exam	Category	Date
B Municipal Securities Representative Examination	Series 52	12/02/1995
B Direct Participation Programs Representative Examination	Series 22	06/30/1993
B Corporate Securities Limited Representative Examination	Series 62	05/13/1993
B Investment Company Products/Variable Contracts Representative Examination	Series 6	01/04/1989

State Securities Law Exams

Exam	Category	Date
B Uniform Securities Agent State Law Examination	Series 63	07/02/1993

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/.

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 03/2009 - 08/2010	G.F. INVESTMENT SERVICES, LLC	132939	SARASOTA, FL
B 01/2007 - 04/2007	HORNOR, TOWNSEND & KENT, INC.	4031	AURORA, CO
B 03/1998 - 12/2004	TRANSAMERICA FINANCIAL ADVISORS, INC.	3600	LOS ANGELES, CA
B 01/1992 - 10/1997	LINCOLN FINANCIAL ADVISORS CORPORATION	3978	FORT WAYNE, IN
B 01/1992 - 10/1997	THE LINCOLN NATIONAL LIFE INSURANCE COMPANY	2580	FORT WAYNE, IN
B 11/1990 - 05/1992	MONARCH SECURITIES, INC.	2809	
B 01/1989 - 05/1990	FIRST INVESTORS CORPORATION	305	EDISON, NJ

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
12/2004 - Present	INSTITUTIONAL MARKETING CONSULTANTS, INC	PRESIDENT	N	AURORA, CO, 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	3	0
Criminal	2	0
Customer Dispute	1	N/A



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 3

Reporting Source:	Regulator
Regulatory Action Initiated By:	FINRA
Sanction(s) Sought:	Suspension
Date Initiated:	05/18/2011
Docket/Case Number:	09-00830
Employing firm when activity occurred which led to the regulatory action:	N/A
Product Type:	No Product
Allegations:	RESPONDENT KENNETH JOHN MARCHIOL FAILED TO COMPLY WITH AN ARBITRATION AWARD OR SETTLEMENT AGREEMENT OR TO SATISFACTORILY RESPOND TO A FINRA REQUEST TO PROVIDE INFORMATION CONCERNING THE STATUS OF COMPLIANCE.
Current Status:	Final
Resolution:	LETTER
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:	05/18/2011
Sanctions Ordered:	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: ALL CAPACITIES

Duration: N/A

Start Date: 05/18/2011

End Date:

Regulator Statement PURSUANT TO ARTICLE VI, SECTION 3 OF FINRA BY-LAWS, AND FINRA RULE 9554, RESPONDENT KENNETH JOHN MARCHIOL IS SUSPENDED MAY 18, 2011 FOR FAILURE TO COMPLY WITH AN ARBITRATION AWARD OR SETTLEMENT AGREEMENT OR TO SATISFACTORILY RESPOND TO FINRA REQUEST TO PROVIDE INFORMATION CONCERNING THE STATUS OF COMPLIANCE.

Disclosure 2 of 3

Reporting Source: Regulator

Regulatory Action Initiated By: FINRA

Sanction(s) Sought: Suspension

Date Initiated: 01/07/2011



Docket/Case Number: 09-00988

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

Product Type: No Product

Allegations: MARCHIOL FAILED TO COMPLY WITH AN ARBITRATION AWARD OR SETTLEMENT AGREEMENT OR TO SATISFACTORILY RESPOND TO A FINRA REQUEST TO PROVIDE INFORMATION CONCERNING THE STATUS OF COMPLIANCE.

Current Status: Final

Resolution: LETTER

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: 01/07/2011

Sanctions Ordered: 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: N/A

Start Date: 01/07/2011

End Date:

Regulator Statement PURSUANT TO ARTICLE VI, SECTION 3 OF FINRA BY-LAWS AND FINRA RULE 9554, MARCHIOL IS SUSPENDED JANUARY 7, 2011 FOR FAILURE TO COMPLY WITH AN ARBITRATION AWARD OR SETTLEMENT AGREEMENT OR TO SATISFACTORILY RESPOND TO A FINRA REQUEST TO PROVIDE INFORMATION CONCERNING THE STATUS OF COMPLIANCE.

Disclosure 3 of 3

Reporting Source: Broker

Regulatory Action Initiated By: US DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Sanction(s) Sought: Civil and Administrative Penalty(ies)/Fine(s)
Monetary Penalty other than Fines

Date Initiated: 02/19/2009



Docket/Case Number:	08-CV-01777
Employing firm when activity occurred which led to the regulatory action:	MR. MARCHIOL WAS ONLY INSURANCE LICENSED AT THE TIME.
Product Type:	Insurance
Allegations:	CLIENTS PURCHASED LIFE INSURANCE FROM MR. MARCHIOL AND LINCOLN NATIONAL LIFE INS. CO. LINCOLN SUBSEQUENTLY FOUND THE APPLICATION SIGNED BY THE CLIENT TO CONTAIN INCORRECT INFORMATION AND WANTS THE POLICY CANCELED. CLIENTS INCLUDED MR. MARCHIOL AS A 3RD PARTY RESPONDENT SAYING OTHERS ACTING ON THE CLIENTS BEHALF MADE MISREPRESENTATIONS ON THE APPLICATION FOR INSURANCE.
Current Status:	Final
Resolution:	Dismissed
Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct?	Yes
Resolution Date:	07/08/2010
Broker Statement	ON JULY 8, 2010 MR MARCHIOL WAS DISMISSED WITHOUT PREJUDICE FROM THE CASE AND NO FURTHER ACTION WILL BE NECESSARY.



Criminal - Final Disposition

This type of disclosure event involves a conviction or guilty plea for any felony or certain misdemeanor offenses, including bribery, perjury, forgery, counterfeiting, extortion, fraud, and wrongful taking of property that is currently on appeal.

Disclosure 1 of 2

Reporting Source: Broker

Court Details: COUNTRY KITCHEN RESTAURANT
84-12347B

Charge Date: 04/24/1984

Charge Details: LEFT RESTAURANT WITHOUT PAYING 35.00 BILL.
TOLD I WAS 17 YEARS OLD WHEN I WAS 18 YEARS OLD.

Felony?

Current Status: Final

Status Date: 09/01/1984

Disposition Details: PAYMENT OF RESTITUTION IN THE AMOUNT OF \$35.00
TO RESTAURANT.

Broker Statement SEVERAL FRIENDS AND I LEFT A BREAKFAST RESTAURANT
WITHOUT PAYING A \$35.00 BILL AND TOLD THE POLICE WE WERE 17
WHEN IN FACT WERE 18 AND IN MY FRESHMAN YEAR OF COLLEGE. I
HAVE AN ATTORNEY WORKING ON THIS INCIDENT FOR EXPUNGEMENT
AND
HOPE TO HAE A DECISION BY THE END OF THIS YEAR. THIS INCIDENT
TOOK PLACE OVER 10 YEARS 1GO WHEN I WAS 18 YEARS OLD.

Disclosure 2 of 2

Reporting Source: Broker

Court Details: POLICE DEPT.
C0016017G

Charge Date: 11/16/1988

Charge Details: RECEIPT STEROIDS IN INTERSTATE COMMERCE.

Felony?

Current Status: Final

Status Date: 03/17/1989

Disposition Details: CLASS B MISDEMEANOR PAID \$300. FINE, PROBATION.



Broker Statement

I RECEIVED A PACKAGE CONTAINING STEROIDS TO BE
USED TO TREAT AND INJURY SUSTAINED AS A MEMBER OF THE SAN
FRANCISCO 49ERS FOOTBALL TEAM. I WAS UNDER THE CARE OF
SEVERAL
PHYSICIANS AT THE TIME FOR [REDACTED] IN MY LEFT
[REDACTED]. I WAS FINED \$300.00 AND GIVEN PROBATION/1989.



Customer Dispute - Award / Judgment

This type of disclosure event involves a final, consumer-initiated, investment-related arbitration or civil suit containing allegations of sales practice violations against the named broker that resulted in an arbitration award or civil judgment for the customer.

Disclosure 1 of 1

Reporting Source:	Regulator
Employing firm when activities occurred which led to the complaint:	MERRILL LYNCH, PIERCE, FENNER & SMITH, INC.
Allegations:	INDEMNIFICATION BASED ON AN AGENCY RELATIONSHIP THAT CLAIMANT ALLEGED EXISTED BETWEEN THE FIRM AND MARCHIOL
Product Type:	Insurance
Alleged Damages:	\$1,000,000.00
Arbitration Information	
Arbitration/Reparation Claim filed with and Docket/Case No.:	FINRA - CASE #09-00988
Date Notice/Process Served:	03/20/2009
Arbitration Pending?	No
Disposition:	Award
Disposition Date:	10/26/2010
Disposition Detail:	THIRD-PARTY RESPONDENT MARCHIOL IS LIABLE FOR AND SHALL PAY TO RESPONDENT/THIRD-PARTY CLAIMANT, THE SUM OF \$159,000 IN COMPENSATORY DAMAGES.
Regulator Statement	The Award has not been paid.

End of Report



This page is intentionally left blank.