

BrokerCheck Report

JEFFREY HOWARD AUERBACH

CRD# 2366401

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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.

JEFFREY H. AUERBACH

CRD# 2366401

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
- 1 State Securities Law Exam

Registration History

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

- B KUHNS BROTHERS SECURITIES CORPORATION**
CRD# 47331
NEW YORK, NY
04/2013 - 11/2013
- B WESTOR CAPITAL GROUP, INC.**
CRD# 103823
HERKIMER, NY
01/2013 - 04/2013
- B NATIONAL SECURITIES CORPORATION**
CRD# 7569
NEW YORK, NY
03/2012 - 12/2012

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
Civil 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 0 principal/supervisory exams, 1 general industry/product exam, and 1 state securities law exam.

Principal/Supervisory Exams

Exam	Category	Date
No information reported.		

General Industry/Product Exams

Exam	Category	Date
B General Securities Representative Examination	Series 7	05/09/1998

State Securities Law Exams

Exam	Category	Date
B Uniform Securities Agent State Law Examination	Series 63	05/22/1998

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 04/2013 - 11/2013	KUHNS BROTHERS SECURITIES CORPORATION	47331	NEW YORK, NY
B 01/2013 - 04/2013	WESTOR CAPITAL GROUP, INC.	103823	HERKIMER, NY
B 03/2012 - 12/2012	NATIONAL SECURITIES CORPORATION	7569	NEW YORK, NY
B 04/2003 - 12/2012	VFINANCE INVESTMENTS, INC	44962	NEW YORK, NY
B 12/2001 - 04/2003	EHRENKRANTZ KING NUSSBAUM, INC.	113525	MELVILLE, NY
B 11/2001 - 12/2001	EHRENKRANTZ KING NUSSBAUM	31140	NEW YORK, NY
B 06/2001 - 11/2001	BLUESTONE CAPITAL CORP.	13516	NEW YORK, NY
B 05/1998 - 07/2001	DALTON KENT SECURITIES GROUP, INC.	38813	NEW YORK, NY
B 05/1998 - 05/1998	IAR SECURITIES CORP.	5155	NEW YORK, NY
B 09/1993 - 03/1994	GRUNTAL & CO. INCORPORATED	372	NEW YORK, NY

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
04/2013 - Present	KUHNS BROTHERS SECURITIES CORP.	REGISTERED REPRESENTATIVE	Y	LAKEVILLE, CT, United States
04/2003 - Present	VFINANCE INVESTMENTS	INVESTMENT ADVISOR	Y	NEW YORK, NY, 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
Civil 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:

Date Initiated: 07/15/2015

Docket/Case Number: [2014039856801](#)

Employing firm when activity occurred which led to the regulatory action: VFINANCE INVESTMENT, INC.

Product Type: Other: PRIVATE SECURITIES

Allegations: WITHOUT ADMITTING OR DENYING THE FINDINGS, AUERBACH CONSENTED TO THE SANCTIONS AND TO THE ENTRY OF FINDINGS THAT HE PARTICIPATED IN PRIVATE SECURITIES TRANSACTIONS WITHOUT FIRST SEEKING AND RECEIVING WRITTEN APPROVAL FROM HIS MEMBER FIRM. THE FINDINGS STATED THAT SPECIFICALLY, AUERBACH INVESTED A TOTAL OF \$218,000 THROUGH PRIVATE SECURITIES TRANSACTIONS WITHOUT SEEKING AND RECEIVING PRIOR WRITTEN APPROVAL FROM HIS FIRM. AUERBACH ATTESTED ON COMPLIANCE QUESTIONNAIRES THAT HE DID NOT PARTICIPATE IN ANY PRIVATE SECURITIES TRANSACTIONS OUTSIDE OF THE FIRM. ALSO, AUERBACH INVESTED \$218,000 IN PUBLIC SHELL COMPANIES IN EXCHANGE FOR STOCK WITHOUT SEEKING AND OBTAINING PRIOR WRITTEN APPROVAL FROM 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:

07/15/2015

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:	90 DAYS
Start Date:	07/20/2015
End Date:	10/17/2015

**Monetary Sanction 1 of 1**

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

Total Amount: \$15,000.00

Portion Levied against individual: \$15,000.00

Payment Plan:

Is Payment Plan Current:

Date Paid by individual: 08/10/2015

Was any portion of penalty waived? No

Amount Waived:

Regulator Statement Fine paid in full on August 10, 2015.



Civil - Final

This type of disclosure event involves an injunction issued by a court in connection with investment-related activity or a finding by a court of a violation of any investment-related statute or regulation.

Disclosure 1 of 1

Reporting Source: Regulator

Initiated By: UNITED STATES SECURITIES AND EXCHANGE COMMISSION

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

Date Court Action Filed: 10/04/2019

Product Type: Equity Listed (Common & Preferred Stock)

Type of Court: Federal Court

Name of Court: United States District Court for the Eastern District of New York

Location of Court: New York, New York

Docket/Case #: 1:19-cv-05631

Employing firm when activity occurred which led to the action: Excelsior Global Advisors and World Wide Holdings LLC

Allegations: On October 4, 2019, the U.S. District Court for the Eastern District of New York issued this complaint as to Respondent Jeffrey Auerbach. Plaintiff SEC files this Complaint against defendant Auerbach and alleges as follows: Auerbach, a former registered representative (i.e., a stockbroker) and purported investor-relations professional; Mitchell, a purported investor-relations professional recently imprisoned for a previous securities fraud conviction; Richard Brown, a then-registered stockbroker; and Gino M. Pereira ("Pereira"), the then-CEO of Nxt-ID, Inc. ("NXTD"), a "security technology" company and public issuer with common stock traded on the Nasdaq Capital Market, defrauded investors by knowingly or recklessly engaging in a stockbroker bribery scheme. Pereira caused NXTD to enter into purported "consulting agreements" with investor-relations companies owned by Auerbach and Mitchell to provide a pretense through which he could funnel bribes to Brown. That is, Pereira wired monies out of NXTD's bank account to the entities' bank accounts under the guise that the wires were payments for legitimate investor-relations services, when Pereira, Mitchell, and Auerbach knew that Mitchell and Auerbach would use at least some portion of the funds to bribe Brown to buy NXTD stock in his customers' accounts. In sum, Pereira sent Mitchell and Auerbach at least \$136,000, and Mitchell and Auerbach paid Brown at least



\$20,000 in cash bribes, in exchange for Brown recommending and buying more than \$750,000 worth of NXTD common stock in his customers' accounts, without disclosing the fact or amount of the bribes he received to those customers. By virtue of the foregoing conduct and as alleged further herein, Defendants violated Section 10(b) of the Securities Exchange Act of 1934 ("Exchange Act") and Rules 10b-5(a) and (c) thereunder.

Current Status:	Final
Resolution:	Judgment Rendered
Resolution Date:	02/05/2024
Sanctions Ordered or Relief Granted:	Disgorgement Injunction Monetary Penalty other than Fines Other: undertakings
Capacities 1 of 1	
Capacities Affected:	n/a
Duration:	Permanent
Start Date:	02/12/2020
End Date:	
Monetary Sanction 1 of 2	
Monetary Sanction:	Disgorgement
Total Amount:	\$4,000.00
Portion against individual:	4000
Date Paid:	
Portion Waived:	No
Amount Waived:	
Monetary Sanction 2 of 2	
Monetary Sanction:	Prejudgment Interest on Disgorgement
Total Amount:	\$5,845.93
Portion against individual:	5845.93
Date Paid:	
Portion Waived:	No

**Amount Waived:****Regulator Statement**

On February 12, 2020, a judgment was entered, by consent, against Auerbach wherein he is permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act and Rule 10b-5 promulgated thereunder. Upon motion of the Commission, the Court shall determine whether it is appropriate to order disgorgement of ill-gotten gains and/or a civil penalty pursuant to Section 21(d)(3) of the Exchange Act, and, if so, the amount(s) of the disgorgement and/or civil penalty.

On February 5, 2024, a final judgment was entered, by consent, against Defendant Auerbach wherein he is permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") and Rule 10b-5 promulgated thereunder, is liable for disgorgement of \$4,000, representing his ill-gotten gains as a result of the conduct alleged in the Complaint, together with prejudgment interest in the amount of \$5,845.93, and shall comply with all of the undertakings and agreements set forth therein. However, Defendant's obligation to pay disgorgement and prejudgment interest shall be deemed satisfied upon the entry of this Final Judgment by the order of restitution entered against him in United States v. Auerbach, 19 Cr. 607 (E.D.N.Y.)

End of Report



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