

## BrokerCheck Report

**BARRY KEITH WHALEN**

CRD# 2428378

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



For additional information about the contents of this report, please refer to the User Guidance or [www.finra.org/brokercheck](http://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).

**BARRY K. WHALEN**

CRD# 2428378

**Currently employed by and registered with the following Firm(s):**

**IA JANNEY MONTGOMERY SCOTT LLC**  
 309 SE OSCEOLA STREET  
 SUITE 207/208  
 STUART, FL 34994  
 CRD# 463  
 Registered with this firm since: 11/12/2010

**B JANNEY MONTGOMERY SCOTT LLC**  
 309 SE OSCEOLA STREET  
 SUITE 207/208  
 STUART, FL 34994  
 CRD# 463  
 Registered with this firm since: 11/10/2010

**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 registered with:**

- 3 Self-Regulatory Organizations
- 34 U.S. states and territories

**This broker has passed:**

- 0 Principal/Supervisory Exams
- 2 General Industry/Product Exams
- 2 State Securities Law Exams

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

- B MORGAN STANLEY SMITH BARNEY**  
 CRD# 149777  
 STUART, FL  
 06/2009 - 11/2010
- IA MORGAN STANLEY SMITH BARNEY LLC**  
 CRD# 149777  
 PURCHASE, NY  
 06/2009 - 11/2010
- IA CITIGROUP GLOBAL MARKETS INC.**  
 CRD# 7059  
 NEW YORK, NY  
 02/1994 - 06/2009

**Disclosure Events**

All individuals registered to sell securities or provide investment advice are required to disclose customer complaints and arbitrations, regulatory actions, employment terminations, bankruptcy filings, and criminal or civil judicial proceedings.

Are there events disclosed about this broker? **Yes**

**The following types of disclosures have been reported:**

Type	Count
Customer Dispute	6



## Broker Qualifications

### Registrations

This section provides the self-regulatory organizations (SROs) and U.S. states/territories the broker is currently registered and licensed with, the category of each license, and the date on which it became effective. This section also provides, for every brokerage firm with which the broker is currently employed, the address of each branch where the broker works.

**This individual is currently registered with 3 SROs and is licensed in 34 U.S. states and territories through his or her employer.**

### Employment 1 of 1

Firm Name: **JANNEY MONTGOMERY SCOTT LLC**

Main Office Address: **1717 ARCH STREET  
PHILADELPHIA, PA 19103**

Firm CRD#: **463**

	SRO	Category	Status	Date
B	FINRA	General Securities Representative	Approved	11/10/2010
B	Nasdaq Stock Market	General Securities Representative	Approved	11/10/2010
B	New York Stock Exchange	General Securities Representative	Approved	11/10/2010

	U.S. State/ Territory	Category	Status	Date
B	Alabama	Agent	Approved	06/09/2023
B	Arizona	Agent	Approved	10/02/2014
B	California	Agent	Approved	11/16/2010
IA	California	Investment Adviser Representative	Approved	07/12/2012
B	Colorado	Agent	Approved	01/03/2013
B	Connecticut	Agent	Approved	07/02/2014
B	Delaware	Agent	Approved	01/29/2025
B	District of Columbia	Agent	Approved	08/22/2019
B	Florida	Agent	Approved	11/10/2010
IA	Florida	Investment Adviser Representative	Approved	11/12/2010

## Broker Qualifications



### Employment 1 of 1, continued

	U.S. State/ Territory	Category	Status	Date
B	Georgia	Agent	Approved	01/03/2013
B	Illinois	Agent	Approved	09/08/2015
B	Indiana	Agent	Approved	11/23/2010
B	Kentucky	Agent	Approved	07/14/2025
B	Maine	Agent	Approved	01/06/2025
B	Maryland	Agent	Approved	12/21/2012
B	Massachusetts	Agent	Approved	11/10/2010
B	Michigan	Agent	Approved	11/10/2010
B	Minnesota	Agent	Approved	06/03/2014
B	Mississippi	Agent	Approved	08/26/2020
B	Missouri	Agent	Approved	12/12/2024
B	Montana	Agent	Approved	07/12/2022
B	New Jersey	Agent	Approved	11/10/2010
IA	New Jersey	Investment Adviser Representative	Approved	07/20/2011
B	New York	Agent	Approved	11/10/2010
B	North Carolina	Agent	Approved	11/06/2017
B	Ohio	Agent	Approved	11/10/2010
B	Pennsylvania	Agent	Approved	11/10/2010
B	Rhode Island	Agent	Approved	06/20/2013
B	South Carolina	Agent	Approved	11/16/2010
B	Tennessee	Agent	Approved	08/08/2022



## Broker Qualifications

### Employment 1 of 1, continued

	U.S. State/ Territory	Category	Status	Date
B	Texas	Agent	Approved	11/10/2010
IA	Texas	Investment Adviser Representative	Restricted Approval	10/20/2011
B	Vermont	Agent	Approved	09/10/2020
B	Virginia	Agent	Approved	11/10/2010
B	Washington	Agent	Approved	04/13/2020
B	Wisconsin	Agent	Approved	07/06/2020
B	Wyoming	Agent	Approved	10/19/2017

### Branch Office Locations

**JANNEY MONTGOMERY SCOTT LLC**  
 309 SE OSCEOLA STREET  
 SUITE 207/208  
 STUART, FL 34994

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## 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, 2 general industry/product exams, and 2 state securities law exams.**

### Principal/Supervisory Exams

Exam	Category	Date
No information reported.		

### General Industry/Product Exams

Exam	Category	Date
<b>B</b> Securities Industry Essentials Examination	SIE	10/01/2018
<b>B</b> General Securities Representative Examination	Series 7	01/05/1994

### State Securities Law Exams

Exam	Category	Date
<b>IA</b> Uniform Investment Adviser Law Examination	Series 65	01/20/1994
<b>B</b> Uniform Securities Agent State Law Examination	Series 63	01/14/1994

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/](http://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 firms:

Registration Dates	Firm Name	CRD#	Branch Location
<b>B</b> 06/2009 - 11/2010	MORGAN STANLEY SMITH BARNEY	149777	STUART, FL
<b>IA</b> 06/2009 - 11/2010	MORGAN STANLEY SMITH BARNEY LLC	149777	STUART, FL
<b>IA</b> 02/1994 - 06/2009	CITIGROUP GLOBAL MARKETS INC.	7059	STUART, FL
<b>B</b> 02/1994 - 06/2009	CITIGROUP GLOBAL MARKETS INC.	7059	STUART, FL

### 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
11/2010 - Present	JANNEY MONTGOMERY SCOTT LLC	FINANCIAL ADVISOR	Y	STUART, FL, United States

### Other Business Activities

This section includes information, if any, as provided by the broker regarding other business activities the broker is currently engaged in either as a proprietor, partner, officer, director, employee, trustee, agent or otherwise. This section does not include non-investment related activity that is exclusively charitable, civic, religious or fraternal and is recognized as tax exempt.

No information reported.

## Disclosure Events



### What you should know about reported disclosure events:

1. All individuals registered to sell securities or provide investment advice are required to disclose customer complaints and arbitrations, regulatory actions, employment terminations, bankruptcy filings, and criminal or civil judicial proceedings.
2. **Certain thresholds must be met before an event is reported to CRD, for example:**
  - A law enforcement agency must file formal charges before a broker is required to disclose a particular criminal event.
  - A customer dispute must involve allegations that a broker engaged in activity that violates certain rules or conduct governing the industry and that the activity resulted in damages of at least \$5,000.
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3. **Disclosure events in BrokerCheck reports come from different sources:**
  - As mentioned at the beginning of this report, information contained in BrokerCheck comes from brokers, brokerage firms and regulators. When more than one of these sources reports information for the same disclosure event, all versions of the event will appear in the BrokerCheck report. The different versions will be separated by a solid line with the reporting source labeled.
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4. **There are different statuses and dispositions for disclosure events:**
  - A disclosure event may have a status of *pending*, *on appeal*, or *final*.
    - A "pending" event involves allegations that have not been proven or formally adjudicated.
    - An event that is "on appeal" involves allegations that have been adjudicated but are currently being appealed.
    - A "final" event has been concluded and its resolution is not subject to change.
  - A final event generally has a disposition of *adjudicated*, *settled* or *otherwise resolved*.
    - An "adjudicated" matter includes a disposition by (1) a court of law in a criminal or civil matter, or (2) an administrative panel in an action brought by a regulator that is contested by the party charged with some alleged wrongdoing.
    - A "settled" matter generally involves an agreement by the parties to resolve the matter. Please note that brokers and brokerage firms may choose to settle customer disputes or regulatory matters for business or other reasons.
    - A "resolved" matter usually involves no payment to the customer and no finding of wrongdoing on the part of the individual broker. Such matters generally involve customer disputes.

For your convenience, below is a matrix of the number and status of 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.

	Pending	Final	On Appeal
Customer Dispute	0	6	N/A



## Disclosure Event Details

When evaluating this information, please keep in mind that a disclosure event may be pending or involve allegations that are contested and have not been resolved or proven. The matter may, in the end, be withdrawn, dismissed, resolved in favor of the broker, or concluded through a negotiated settlement for certain business reasons (e.g., to maintain customer relationships or to limit the litigation costs associated with disputing the allegations) with no admission or finding of wrongdoing.

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.

### 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 broker that resulted in an arbitration award or civil judgment for the customer.

#### Disclosure 1 of 1

<b>Reporting Source:</b>	Regulator
<b>Employing firm when activities occurred which led to the complaint:</b>	SMITH BARNEY, HARRIS, UPHAM & CO.INC.
<b>Allegations:</b>	ACCOUNT RELATED-NEGLIGENCE; MISREPRESENTATION; ACCOUNT RELATED - FAILURE TO SUPERVISE; ACCOUNT RELATED-BREACH OF CONTRACT
<b>Product Type:</b>	
<b>Alleged Damages:</b>	\$10,000.00
<b>Arbitration Information</b>	
<b>Arbitration/Reparation Claim filed with and Docket/Case No.:</b>	<a href="#">NASD - CASE #96-04254</a>
<b>Date Notice/Process Served:</b>	10/08/1996
<b>Arbitration Pending?</b>	No
<b>Disposition:</b>	Other
<b>Disposition Date:</b>	05/06/1997
<b>Disposition Detail:</b>	AWARD AGAINST PARTY ***WHALEN IS J&S LIABLE FOR \$10,000.00***



**Reporting Source:** Broker

**Employing firm when activities occurred which led to the complaint:** SMITH BARNEY, HARRIS, UPHAM & CO.INC.

**Allegations:** BREACH OF CONTRACT, BREACH OF DUTY, FRAUD, STATUTORY VIOLATIONS. ALLEGED DAMAGES: \$10,000 PLUS INTEREST AND ATTORNEYS FEES.

**Product Type:**

**Alleged Damages:** \$10,000.00

### Customer Complaint Information

**Date Complaint Received:**

**Complaint Pending?** No

**Status:** Arbitration/Reparation

**Status Date:** 05/06/1997

**Settlement Amount:**

**Individual Contribution Amount:**

### Arbitration Information

**Arbitration/Reparation Claim filed with and Docket/Case No.:** [NASD; 96-04254](#)

**Date Notice/Process Served:** 10/08/1996

**Arbitration Pending?** No

**Disposition:** Award to Customer

**Disposition Date:** 05/06/1997

**Monetary Compensation Amount:** \$10,150.00

**Individual Contribution Amount:**

**Broker Statement** SMITH BARNEY AND BARRY WHALEN WERE FOUND JOINTLY AND SEVERALLY LIABLE TO CLAIMANTS IN THE AMOUNT OF \$10,000 IN DAMAGES PLUS \$150.00 IN FORUM FEES. CONTACT: ANN PARRY-19TH FLOOR 212-816-8004.



## Customer Dispute - Settled

This type of disclosure event involves (1) a consumer-initiated, investment-related arbitration or civil suit containing allegations of sales practice violations against the individual broker that was dismissed, withdrawn, or denied; or (2) a consumer-initiated, investment-related written complaint

### Disclosure 1 of 1

**Reporting Source:** Broker

**Employing firm when activities occurred which led to the complaint:** SALOMON SMITH BARNEY INC.

**Allegations:** CLIENT ALLEGED THAT THE PURCHASE OF AN ANNUITY WAS MISREPRESENTED. ALLEGED DAMAGES UNSPECIFIED  
SMITH  
BARNEY

**Product Type:**

**Alleged Damages:**

### Customer Complaint Information

**Date Complaint Received:** 08/17/1998

**Complaint Pending?** No

**Status:** Settled

**Status Date:** 11/18/1998

**Settlement Amount:**

**Individual Contribution Amount:**

**Broker Statement** THE CLAIM WAS SETTLED FOR A TOTAL OF \$10,528  
I.E., \$5,111 TO HUSBAND'S IRA AND \$5,417 TO WIFE'S IRA. BOTH  
OF WHICH REPRESENT THE SURRENDER FEE CHARGED.  
Not Provided



## Customer Dispute - Closed-No Action / Withdrawn / Dismissed / Denied

This type of disclosure event involves (1) a consumer-initiated, investment-related arbitration or civil suit containing allegations of sales practice violations against the individual broker that was dismissed, withdrawn, or denied; or (2) a consumer-initiated, investment-related written complaint containing allegations that the broker engaged in sales practice violations resulting in compensatory damages of at least \$5,000, forgery, theft, or misappropriation, or conversion of funds or securities, which was closed without action, withdrawn, or denied.

### Disclosure 1 of 4

**Reporting Source:** Broker

**Employing firm when activities occurred which led to the complaint:** CITIGROUP GLOBAL MARKETS INC.

**Allegations:** CLIENT ALLEGES "CHURNING" WITH RESPECT TO INVESTMENTS -AUGUST 2000 - JULY 2002.  
DAMAGES UNSPECIFIED.

**Product Type:** Equity Listed (Common & Preferred Stock)

**Other Product Type(s):** EQUITY OTC, MUTUAL FUNDS

**Alleged Damages:**

### Customer Complaint Information

**Date Complaint Received:** 09/27/2004

**Complaint Pending?** No

**Status:** Denied

**Status Date:** 12/10/2004

**Settlement Amount:**

**Individual Contribution Amount:**

**Broker Statement** CLAIM DENIED.

### Disclosure 2 of 4

**Reporting Source:** Broker

**Employing firm when activities occurred which led to the complaint:** CITIGROUP GLOBAL MARKETS INC.

**Allegations:** CLIENT ALLEGED ANNUITY WAS MISREPRESENTED AND UNSUITABLE - JANUARY 2004.



DAMAGES UNSPECIFIED.

**Product Type:** Annuity(ies) - Variable**Alleged Damages:****Customer Complaint Information****Date Complaint Received:** 03/22/2004**Complaint Pending?** No**Status:** Closed/No Action**Status Date:** 04/07/2004**Settlement Amount:****Individual Contribution Amount:****Broker Statement** CLIENT RETRACTED COMPLAINT.**Disclosure 3 of 4****Reporting Source:** Broker**Employing firm when activities occurred which led to the complaint:** SALOMON SMITH BARNEY**Allegations:** THE CLIENT ALLEGED THAT SHE WAS PROMISED THAT HER ACCOUNT WOULD BE MANAGED AGGRESSIVELY AND THAT WAS NOT DONE. THE CLIENT ALSO ALLEGED THAT SHE WAS ASSURED THAT A STOCK WOULD NOT BE SOLD AND IT WAS. FEBRUARY 2000 THROUGH MARCH 2002.**Product Type:** Equity Listed (Common & Preferred Stock)**Other Product Type(s):** EQUITY-OTC.**Alleged Damages:** \$55,681.48**Customer Complaint Information****Date Complaint Received:** 03/01/2002**Complaint Pending?** No**Status:** Denied**Status Date:** 04/18/2002**Settlement Amount:**

**Individual Contribution  
Amount:****Broker Statement** THE CLIENT'S CLAIM WAS DENIED.**Disclosure 4 of 4****Reporting Source:** Broker**Employing firm when  
activities occurred which led  
to the complaint:** SMITH BARNEY**Allegations:** CLIENT ALLEGED THAT THE OPTIONS AVAILABLE TO HER ON ANNUITY  
CONTACT HER HUSBAND OWNED BEFORE HIS DEATH IN 1998 WERE  
MISREPRESENTED.**Product Type:** Other**Other Product Type(s):** ANNUITY**Alleged Damages:** \$5,000.00**Customer Complaint Information****Date Complaint Received:** 07/19/1999**Complaint Pending?** No**Status:** Denied**Status Date:** 09/24/1999**Settlement Amount:****Individual Contribution  
Amount:****Broker Statement** THE CLIENT'S CLAIM WAS DENIED.



## End of Report



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