

BrokerCheck Report

EARNEST FLOWERS III

CRD# 2547561

<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.



EARNEST FLOWERS III
CRD# 2547561

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

Registration History

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

- B AURA FINANCIAL SERVICES, INC.**
CRD# 42822
BIRMINGHAM, AL
01/2006 - 02/2009
- B INVESTORS CAPITAL CORP.**
CRD# 30613
LYNNFIELD, MA
03/2004 - 12/2005
- B THE CONCORD EQUITY GROUP, LLC**
CRD# 14569
ISELIN, NJ
11/2002 - 11/2003

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

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, 2 general industry/product exams, 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	03/10/1998
B Corporate Securities Limited Representative Examination	Series 62	04/15/1996

State Securities Law Exams

Exam	Category	Date
B Uniform Securities Agent State Law Examination	Series 63	04/22/1996

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 01/2006 - 02/2009	AURA FINANCIAL SERVICES, INC.	42822	BIRMINGHAM, AL
B 03/2004 - 12/2005	INVESTORS CAPITAL CORP.	30613	LYNNFIELD, MA
B 11/2002 - 11/2003	THE CONCORD EQUITY GROUP, LLC	14569	ISELIN, NJ
B 01/2002 - 07/2002	LADENBURG CAPITAL MANAGEMENT INC.	14623	BETHPAGE, NY
B 01/2000 - 01/2002	LADENBURG, THALMANN & CO., INC.	505	NEW YORK, NY
B 05/1996 - 02/2000	WHALE SECURITIES CO., L.P.	13516	NEW YORK, NY
B 04/1996 - 05/1996	BILTMORE SECURITIES, INC	25023	FT. LAUDERDALE, 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
01/2006 - Present	AURA FINANCIAL SERVICES	REGISTERED REP	Y	BIRMINGHAM, AL, 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



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:	Other: N/A
Date Initiated:	01/14/2010
Docket/Case Number:	2009016956601
Employing firm when activity occurred which led to the regulatory action:	INVESTORS CAPITAL CORP. AND AURA FINANCIAL SERVICES, INC.
Product Type:	Promissory Note
Allegations:	SECTION 10(B) OF THE SECURITIES EXCHANGE ACT OF 1934 AND RULE 10B-5 THEREUNDER, NASD RULES 2110, 2120, 2310, 3030 AND 3040: IN CONNECTION WITH THE SALE OF INVESTMENTS IN A FILM PRODUCTION COMPANY, RESPONDENT EARNEST FLOWERS MADE FRAUDULENT MISREPRESENTATIONS AND OMISSIONS. FLOWERS COLLECTED AT LEAST \$92,000 FROM INVESTORS, FALSELY REPRESENTING THAT HE WOULD USE THEIR FUNDS TO FINANCE THE FILM PRODUCTION BUSINESS AND PROMISING EXORBITANT, GUARANTEED RETURNS. INSTEAD OF INVESTING THE FUNDS, FLOWERS MISUSED \$30,498 TO REPAY OTHER INVESTORS AND PAY FOR PERSONAL EXPENSES WITHOUT THE INVESTORS' KNOWLEDGE, CONSENT OR AUTHORIZATION. FLOWERS MADE UNSUITABLE RECOMMENDATIONS TO A CUSTOMER IN LIGHT OF THE CUSTOMER'S INVESTMENT OBJECTIVE, FINANCIAL NEEDS AND RISK TOLERANCE; ATTEMPTED TO SETTLE AWAY COMPLAINTS WITHOUT THE KNOWLEDGE OR CONSENT OF HIS EMPLOYING MEMBER FIRM; AND COMMUNICATED WITH CUSTOMERS VIA UNAPPROVED, OUTSIDE EMAIL ACCOUNTS WITHOUT HIS MEMBER FIRMS' KNOWLEDGE OF CONSENT. AS A RESULT OF HIS OUTSIDE COMMUNICATIONS, HIS MEMBER FIRMS WERE UNABLE TO REVIEW HIS EMAILS TO FIRM CUSTOMERS. FLOWERS ALSO



ENGAGED IN PRIVATE SECURITIES TRANSACTIONS WITHOUT PROVIDING PRIOR WRITTEN NOTICE TO AND RECEIVING PRIOR WRITTEN APPROVAL FROM HIS MEMBER FIRMS, OR IN THE ALTERNATIVE, ENGAGED IN OUTSIDE BUSINESS ACTIVITIES WITHOUT PROVIDING WRITTEN NOTICE TO HIS FIRMS.

Current Status:	Final
Resolution:	Decision & Order of Offer of Settlement
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:	02/07/2011
Sanctions Ordered:	Bar (Permanent)
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: Bar (Permanent)

Capacities Affected: All Capacities

Duration: Indefinite

Start Date: 02/07/2011

End Date:



Regulator Statement

WITHOUT ADMITTING OR DENYING THE ALLEGATIONS, FLOWERS
CONSENTED TO THE DESCRIBED SANCTION AND TO THE ENTRY OF
FINDINGS; THEREFORE HE IS BARRED FROM ASSOCIATION WITH ANY
FINRA MEMBER IN ANY CAPACITY. FOR THE PURPOSE OF SETTLEMENT,
NASD RULE 3030 WAS NOT FOUND TO BE VIOLATED.

End of Report



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