

BrokerCheck Report

Arni Jay Diamond

CRD# 2667392

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Please be aware that fraudsters may link to BrokerCheck from phishing and similar scam websites, trying to steal your personal information or your money. Make sure you know who you're dealing with when investing, and contact FINRA with any concerns.

For more information read our [investor alert](#) on imposters.

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:

- o 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
- o 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.



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)

Thank you for using FINRA BrokerCheck.

Arni J. Diamond

CRD# 2667392

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
- 4 General Industry/Product Exams
- 2 State Securities Law Exams

Registration History

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

- B** **DEMPSEY LORD SMITH, LLC**
CRD# 141238
Jacksonville, FL
09/2018 - 10/2020
- B** **KALOS CAPITAL, INC.**
CRD# 44337
Jacksonville, FL
07/2013 - 09/2018
- B** **BERTHEL, FISHER & COMPANY FINANCIAL SERVICES, INC.**
CRD# 13609
JACKSONVILLE, FL
03/2008 - 07/2013

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	12
Termination	1
Financial	1

Investment Adviser Representative Information

The information below represents the individual's record as a broker. For details on this individual's record as an investment adviser representative, visit the SEC's Investment Adviser Public Disclosure website at

<https://www.adviserinfo.sec.gov>

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 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.

This individual has passed 0 principal/supervisory exams, 4 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 Securities Industry Essentials Examination	SIE	10/01/2018
B Futures Managed Funds Examination	Series 31	07/17/2009
B General Securities Representative Examination	Series 7	07/02/2001
B Investment Company Products/Variable Contracts Representative Examination	Series 6	11/15/1995

State Securities Law Exams

Exam	Category	Date
B IA Uniform Combined State Law Examination	Series 66	05/12/2004
B Uniform Securities Agent State Law Examination	Series 63	11/15/1995

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 firms:

Registration Dates	Firm Name	CRD#	Branch Location
B 09/2018 - 10/2020	DEMPSEY LORD SMITH, LLC	141238	Jacksonville, FL
B 07/2013 - 09/2018	KALOS CAPITAL, INC.	44337	Jacksonville, FL
B 03/2008 - 07/2013	BERTHEL, FISHER & COMPANY FINANCIAL SERVICES, INC.	13609	JACKSONVILLE, FL
B 04/2006 - 03/2008	FSC SECURITIES CORPORATION	7461	JACKSONVILLE, FL
B 10/2003 - 04/2006	USALLIANZ SECURITIES, INC.	40875	MINNEAPOLIS, MN
B 03/2003 - 10/2003	PRINCOR FINANCIAL SERVICES CORPORATION	1137	DES MOINES, IA
B 05/2000 - 03/2003	USALLIANZ SECURITIES, INC.	40875	MINNEAPOLIS, MN
B 03/2000 - 06/2000	JEFFERSON PILOT SECURITIES CORPORATION	3870	FORT WAYNE, IN
B 12/1998 - 02/2000	METLIFE SECURITIES INC.	14251	SPRINGFIELD, MA
B 12/1998 - 02/2000	METROPOLITAN LIFE INSURANCE COMPANY	4095	NEW YORK, NY
B 05/1997 - 12/1998	SECURITY FIRST FINANCIAL, INC.	6695	NEWPORT BEACH, CA
B 11/1995 - 06/1996	GUARDIAN INVESTOR SERVICES CORPORATION	6635	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
10/2020 - Present	Alexander Capital LP	Registered Representative	Y	New York, NY, United States



Registration and Employment History

Employment History, continued

Employment	Employer Name	Position	Investment Related	Employer Location
10/2020 - Present	Alexander Capital Wealth Management	Investment Advisor	Y	New York, NY, United States
09/2018 - Present	DEMPSEY LORD SMITH, LLC	REGISTERED REPRESENTATIVE / INVESTMENT ADVISOR REPRESENTATIVE	Y	ROME, GA, United States
08/2018 - Present	The Diamond Group	Other - Owner Insurance/Annuity Sales	N	Jacksonville, FL, United States
04/2018 - 09/2018	Catalyst Wealth Management, LLC	Wealth Advisor	Y	Suwanee, GA, United States
12/2016 - 09/2018	Catalyst Wealth Management	Financial advisor	Y	Alpharetta, GA, United States
07/2013 - 09/2018	KALOS CAPITAL	REGISTERED REPRESENTATIVE	Y	ALPHARETTA, GA, United States
07/1995 - 08/2018	THE DIAMOND GROUP	OTHER - OWNER INSURANCE/ANNUITY SALES	N	Jacksonville, FL, United States
07/2013 - 07/2018	Kalos Management	Investment adviser representative	Y	Alpharetta, GA, United States
03/2008 - 07/2013	BERTHEL FISHER	REGISTERED REPRESENTATIVE	Y	MARION, IA, United States
01/2008 - 07/2013	AMERIFIRST	REPRESENTATIVE	Y	JACKSONVILLE, FL, United States
01/2008 - 07/2013	MELALUCA	SALES	N	JACKSONVILLE, 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.

THE DIAMOND GROUP POSITION: OWNER/INSURANCE AGENT; Non-Investment Related. 12724 Gran Bay Parkway #410 Jacksonville, FL 32258; NUMBER OF HOURS: 160; 904-730-3744,



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:**
 - o A law enforcement agency must file formal charges before a broker is required to disclose a particular criminal event.
 - o 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.
 - o
3. **Disclosure events in BrokerCheck reports come from different sources:**
 - o 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.
 - o
4. **There are different statuses and dispositions for disclosure events:**
 - o 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.
 - o 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	2	10	N/A
Termination	N/A	1	N/A
Financial	0	1	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 - Settled

This type of disclosure event involves a consumer-initiated, investment-related complaint, arbitration proceeding or civil suit containing allegations of sale practice violations against the broker that resulted in a monetary settlement to the customer.

Disclosure 1 of 8

Reporting Source:	Firm
Employing firm when activities occurred which led to the complaint:	Kalos Capital, Inc.
Allegations:	Unsuitable investment recommendations, supervisory and due diligence failures.
Product Type:	Direct Investment-DPP & LP Interests Other: Alternative Investments
Alleged Damages:	\$15,480.74
Is this an oral complaint?	No
Is this a written complaint?	Yes
Is this an arbitration/CFTC reparation or civil litigation?	No

Customer Complaint Information

Date Complaint Received:	04/22/2020
Complaint Pending?	No
Status:	Settled
Status Date:	01/18/2021
Settlement Amount:	\$15,480.74
Individual Contribution Amount:	\$0.00



Reporting Source:	Broker
Employing firm when activities occurred which led to the complaint:	KALOS CAPITAL, INC.
Allegations:	Unsuitable investment recommendations, supervisory and due diligence failures.
Product Type:	Direct Investment-DPP & LP Interests Other: Alternative Investments
Alleged Damages:	\$15,480.74
Is this an oral complaint?	No
Is this a written complaint?	Yes
Is this an arbitration/CFTC reparation or civil litigation?	No

Customer Complaint Information

Date Complaint Received:	04/22/2020
Complaint Pending?	No
Status:	Settled
Status Date:	01/18/2021
Settlement Amount:	\$15,480.74
Individual Contribution Amount:	\$0.00

Disclosure 2 of 8

Reporting Source:	Firm
Employing firm when activities occurred which led to the complaint:	Kalos Capital, Inc.
Allegations:	Failure to conduct adequate due diligence before recommending the investment "in a Ponzi-like scheme perpetuated by United Development Funding ("UDF") and GPB Investments ("GPB").
Product Type:	Direct Investment-DPP & LP Interests Other: Alternative Investments



Alleged Damages: \$31,358.00

Is this an oral complaint? No

Is this a written complaint? No

**Is this an arbitration/CFTC
reparation or civil litigation?** Yes

**Arbitration/Reparation forum
or court name and location:** FINRA

Docket/Case #: 20-02083

**Filing date of
arbitration/CFTC reparation
or civil litigation:** 07/01/2020

Customer Complaint Information

Date Complaint Received: 07/01/2020

Complaint Pending? No

Status: Settled

Status Date: 01/18/2021

Settlement Amount: \$31,358.00

**Individual Contribution
Amount:** \$0.00

Reporting Source: Broker

**Employing firm when
activities occurred which led
to the complaint:** KALOS CAPITAL, INC.

Allegations: Failure to conduct adequate due diligence before recommending the investment "in a Ponzi-like scheme perpetuated by United Development Funding ("UDF") and GPB Investments ("GPB").

Product Type: Direct Investment-DPP & LP Interests
Other: Alternative Investments

Alleged Damages: \$31,358.00

Is this an oral complaint? No

Is this a written complaint? No



Is this an arbitration/CFTC reparation or civil litigation? Yes

Arbitration/Reparation forum or court name and location: FINRA

Docket/Case #: 20-02083

Filing date of arbitration/CFTC reparation or civil litigation: 07/01/2020

Customer Complaint Information

Date Complaint Received: 07/01/2020

Complaint Pending? No

Status: Settled

Status Date: 01/18/2021

Settlement Amount: \$31,358.00

Individual Contribution Amount: \$0.00

Disclosure 3 of 8

Reporting Source: Firm

Employing firm when activities occurred which led to the complaint: Kalos Capital, Inc.

Allegations: Potential claims against Kalos, which claims arise out of or relate to Kalos investment advice and/or handling of Claimant's accounts

Product Type: Direct Investment-DPP & LP Interests
Other: Alternative Investments

Alleged Damages: \$17,749.00

Is this an oral complaint? No

Is this a written complaint? Yes

Is this an arbitration/CFTC reparation or civil litigation? No

Customer Complaint Information



Date Complaint Received: 12/01/2020
Complaint Pending? No
Status: Settled
Status Date: 01/18/2021
Settlement Amount: \$17,749.00
Individual Contribution Amount: \$0.00

Reporting Source: Broker
Employing firm when activities occurred which led to the complaint: KALOS CAPITAL, INC.
Allegations: Potential claims against Kalos, which claims arise out of or relate to Kalos investment advice and/or handling of Claimant's accounts
Product Type: Direct Investment-DPP & LP Interests
 Other: Alternative Investments
Alleged Damages: \$17,749.00
Is this an oral complaint? No
Is this a written complaint? Yes
Is this an arbitration/CFTC reparation or civil litigation? No

Customer Complaint Information

Date Complaint Received: 12/01/2020
Complaint Pending? No
Status: Settled
Status Date: 01/18/2021
Settlement Amount: \$17,749.00
Individual Contribution Amount: \$0.00



Reporting Source:	Firm
Employing firm when activities occurred which led to the complaint:	Kalos Capital, Inc.
Allegations:	Unsuitable recommendations, failure to supervise, breach of contract and fiduciary duty.
Product Type:	Direct Investment-DPP & LP Interests
Alleged Damages:	\$100,001.00
Is this an oral complaint?	No
Is this a written complaint?	No
Is this an arbitration/CFTC reparation or civil litigation?	Yes
Arbitration/Reparation forum or court name and location:	FINRA
Docket/Case #:	20-01154
Filing date of arbitration/CFTC reparation or civil litigation:	04/10/2020

Customer Complaint Information

Date Complaint Received:	04/28/2020
Complaint Pending?	No
Status:	Settled
Status Date:	01/18/2021
Settlement Amount:	\$21,302.00
Individual Contribution Amount:	\$0.00
Firm Statement	Client was solicited by a claimants' law firm due to a currently poor performing investment to bring action against me and Kalos Capital. The claimants understood the risks, and the investment recommendations were suitable for their stated goals, objectives, and risk profiles.

Reporting Source:	Broker
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Employing firm when activities occurred which led to the complaint:	KALOS CAPITAL, INC.
Allegations:	Unsuitable recommendations, failure to supervise, breach of contract and fiduciary duty.
Product Type:	Direct Investment-DPP & LP Interests
Alleged Damages:	\$100,001.00
Is this an oral complaint?	No
Is this a written complaint?	No
Is this an arbitration/CFTC reparation or civil litigation?	Yes
Arbitration/Reparation forum or court name and location:	FINRA
Docket/Case #:	20-01154
Filing date of arbitration/CFTC reparation or civil litigation:	04/10/2020

Customer Complaint Information

Date Complaint Received:	04/28/2020
Complaint Pending?	No
Status:	Settled
Status Date:	01/18/2021
Settlement Amount:	\$21,302.00
Individual Contribution Amount:	\$0.00

Disclosure 5 of 8

Reporting Source:	Firm
Employing firm when activities occurred which led to the complaint:	Kalos Capital, Inc.
Allegations:	Unsuitable recommendations



Product Type: Direct Investment-DPP & LP Interests
Other: Alternative Investments

Alleged Damages: \$14,400.06

Is this an oral complaint? No

Is this a written complaint? Yes

**Is this an arbitration/CFTC
reparation or civil litigation?** No

**Arbitration/Reparation forum
or court name and location:**

Docket/Case #:

**Filing date of
arbitration/CFTC reparation
or civil litigation:** 09/03/2020

Customer Complaint Information

Date Complaint Received: 09/03/2020

Complaint Pending? No

Status: Settled

Status Date: 01/18/2021

Settlement Amount: \$14,000.06

**Individual Contribution
Amount:** \$0.00

Reporting Source: Broker

**Employing firm when
activities occurred which led
to the complaint:** DEMPSEY LORD SMITH, LLC

Allegations: REPRESENTATIVE SOLICITED AND SOLD INVESTMENTS THAT WERE FOR ACCREDITED INVESTORS ONLY. CLIENT STATES THAT SHE IS NOT AN ACCREDITED INVESTOR UNDER 506D OF REGULATION D.

Product Type: Direct Investment-DPP & LP Interests

Alleged Damages: \$100,000.00

Is this an oral complaint? No



Is this a written complaint? Yes

**Is this an arbitration/CFTC
reparation or civil litigation?** No

Customer Complaint Information

Date Complaint Received: 09/24/2020

Complaint Pending? Yes

Settlement Amount:

**Individual Contribution
Amount:**

Disclosure 6 of 8

Reporting Source: Firm

**Employing firm when
activities occurred which led
to the complaint:** Kalos Capital, Inc.

Allegations: Lack of proper due diligence, breach of fiduciary duty and failure to supervise.

Product Type: Direct Investment-DPP & LP Interests

Alleged Damages: \$0.00

**Alleged Damages Amount
Explanation (if amount not
exact):** Unspecified compensatory damages in an amount according to proof to be offered
at the Final Hearing

Is this an oral complaint? No

Is this a written complaint? No

**Is this an arbitration/CFTC
reparation or civil litigation?** Yes

**Arbitration/Reparation forum
or court name and location:** FINRA

Docket/Case #: 20-01438

**Filing date of
arbitration/CFTC reparation
or civil litigation:** 05/06/2020

Customer Complaint Information



Date Complaint Received: 06/23/2020
Complaint Pending? No
Status: Settled
Status Date: 01/18/2021
Settlement Amount: \$7,200.00
Individual Contribution Amount: \$0.00
Firm Statement Client was solicited by a claimants' law firm due to a currently poor performing investment to bring action against me and Kalos Capital. The claimants understood the risks, and the investment recommendations were suitable for their stated goals, objectives, and risk profiles.

Reporting Source: Broker
Employing firm when activities occurred which led to the complaint: KALOS CAPITAL, INC.
Allegations: Lack of proper due diligence, breach of fiduciary duty and failure to supervise.
Product Type: Direct Investment-DPP & LP Interests
Alleged Damages: \$0.00
Alleged Damages Amount Explanation (if amount not exact): Unspecified compensatory damages in an amount according to proof to be offered at the Final Hearing
Is this an oral complaint? No
Is this a written complaint? No
Is this an arbitration/CFTC reparation or civil litigation? Yes
Arbitration/Reparation forum or court name and location: FINRA
Docket/Case #: 20-01438
Filing date of arbitration/CFTC reparation or civil litigation: 05/06/2020



Customer Complaint Information

Date Complaint Received: 06/23/2020
Complaint Pending? No
Status: Settled
Status Date: 01/18/2021
Settlement Amount: \$7,200.00
Individual Contribution Amount: \$0.00

Disclosure 7 of 8

Reporting Source: Firm
Employing firm when activities occurred which led to the complaint: Kalos Capital, Inc.
Allegations: Unsuitable investments
Product Type: Other: Alternative investments
Alleged Damages: \$200,000.00
Is this an oral complaint? No
Is this a written complaint? No
Is this an arbitration/CFTC reparation or civil litigation? Yes
Arbitration/Reparation forum or court name and location: FINRA
Docket/Case #: 19-03264
Filing date of arbitration/CFTC reparation or civil litigation: 10/31/2019

Customer Complaint Information

Date Complaint Received: 01/06/2020
Complaint Pending? No
Status: Settled



Status Date: 01/18/2021
Settlement Amount: \$46,445.00
Individual Contribution Amount: \$0.00

Reporting Source: Broker
Employing firm when activities occurred which led to the complaint: Kalos Capital, Inc
Allegations: Unsuitable investments
Product Type: Other: Alternative investments
Alleged Damages: \$200,000.00
Is this an oral complaint? No
Is this a written complaint? No
Is this an arbitration/CFTC reparation or civil litigation? Yes
Arbitration/Reparation forum or court name and location: FINRA
Docket/Case #: 19-03264
Filing date of arbitration/CFTC reparation or civil litigation: 10/31/2019

Customer Complaint Information

Date Complaint Received: 01/06/2020
Complaint Pending? No
Status: Settled
Status Date: 01/18/2021
Settlement Amount: \$46,445.00
Individual Contribution Amount: \$0.00



Disclosure 8 of 8

Reporting Source:	Firm
Employing firm when activities occurred which led to the complaint:	Berthel Fisher & Company Financial Services, Inc.
Allegations:	The clients are alleging that the investments they purchased in 2011 and 2012 were not appropriate for their stated investment goals.
Product Type:	Real Estate Security
Alleged Damages:	\$0.00
Alleged Damages Amount Explanation (if amount not exact):	The firm has made a good faith determination that the damages would be more than \$5,000.00.
Is this an oral complaint?	No
Is this a written complaint?	No
Is this an arbitration/CFTC reparation or civil litigation?	Yes
Arbitration/Reparation forum or court name and location:	FINRA
Docket/Case #:	17-00807
Filing date of arbitration/CFTC reparation or civil litigation:	03/29/2017
Customer Complaint Information	
Date Complaint Received:	05/01/2017
Complaint Pending?	No
Status:	Settled
Status Date:	06/03/2019
Settlement Amount:	\$50,000.00
Individual Contribution Amount:	\$0.00
Firm Statement	This arbitration claim involves multiple claimants and multiple representatives. The Firm, solely to compromise and settle disputed claims, agreed to settle an arbitration with the Claimants.



Reporting Source: Broker

Employing firm when activities occurred which led to the complaint: Berthel Fisher & Company Financial Services, Inc.

Allegations: The clients are alleging that the investments that they purchased in 2011/2012 were not appropriate for their stated investment goals.

Product Type: Real Estate Security

Alleged Damages: \$0.00

Alleged Damages Amount Explanation (if amount not exact): Berthel Fisher has made a good faith determination that the damages would be more than \$5000.

Is this an oral complaint? No

Is this a written complaint? No

Is this an arbitration/CFTC reparation or civil litigation? Yes

Arbitration/Reparation forum or court name and location: FINRA

Docket/Case #: 17-00807

Filing date of arbitration/CFTC reparation or civil litigation: 03/29/2017

Customer Complaint Information

Date Complaint Received: 05/26/2017

Complaint Pending? No

Status: Settled

Status Date: 06/03/2019

Settlement Amount: \$50,000.00

Individual Contribution Amount: \$0.00



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 2

Reporting Source:	Firm
Employing firm when activities occurred which led to the complaint:	Berthel Fisher & Company Financial Services, Inc., FSC Securities Corporation
Allegations:	The client alleges the investments she purchased between 2007 and 2010 were unsuitable and misrepresented to her by the representative.
Product Type:	Annuity-Variable Equipment Leasing Real Estate Security
Alleged Damages:	\$100,000.00
Is this an oral complaint?	No
Is this a written complaint?	Yes
Is this an arbitration/CFTC reparation or civil litigation?	No

Customer Complaint Information

Date Complaint Received:	07/07/2016
Complaint Pending?	No
Status:	Closed/No Action
Status Date:	05/23/2017

Settlement Amount:

Individual Contribution Amount:

Reporting Source:	Broker
Employing firm when activities occurred which led to the complaint:	Berthel Fisher & Company Financial Services, Inc., FSC Securities Corporation



Allegations:	The client alleges the investments she purchased between 2007 and 2010 were unsuitable and misrepresented to her by the representative.
Product Type:	Annuity-Variable Equipment Leasing Real Estate Security
Alleged Damages:	\$100,000.00
Is this an oral complaint?	No
Is this a written complaint?	Yes
Is this an arbitration/CFTC reparation or civil litigation?	No

Customer Complaint Information

Date Complaint Received:	07/25/2016
Complaint Pending?	No
Status:	Closed/No Action
Status Date:	05/26/2017

Settlement Amount:

Individual Contribution Amount:

Broker Statement	Rep denies allegations and maintains that investments were suitable based upon the information provided by the client at the time of recommendation. Market losses were due to downturn in overall market.
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Disclosure 2 of 2

Reporting Source:	Firm
Employing firm when activities occurred which led to the complaint:	USALLIANZ SECURITIES INC.
Allegations:	MISREPRESENTATION IN THE SALE OF A REAL ESTATE INVESTMENT TRUST ON SEPTEMBER 13, 2004
Product Type:	Real Estate Security
Alleged Damages:	\$0.00
Is this an oral complaint?	No



Is this a written complaint? Yes

**Is this an arbitration/CFTC
reparation or civil litigation?** No

Customer Complaint Information

Date Complaint Received: 05/05/2009

Complaint Pending? No

Status: Denied

Status Date: 05/12/2009

Settlement Amount:

**Individual Contribution
Amount:**

Reporting Source: Broker

**Employing firm when
activities occurred which led
to the complaint:** US ALLIANZ SECURITIES, INC.

Allegations: MISREPRESENTATION IN THE SALE OF A REAL ESTATE INVESTMENT TRUST ON SEPTEMBER 13, 2004.

Product Type: Real Estate Security

Alleged Damages: \$0.00

Is this an oral complaint? No

Is this a written complaint? Yes

**Is this an arbitration/CFTC
reparation or civil litigation?** No

Customer Complaint Information

Date Complaint Received: 05/05/2009

Complaint Pending? No

Status: Denied

Status Date: 05/12/2009

Settlement Amount:



**Individual Contribution
Amount:**

Broker Statement

ACCORDING TO THE REPRESENTATIVE, HE HAD SEVERAL MEETINGS WITH THE [CUSTOMER]. HE WENT OVER THE RISKS AND TIME HORIZONS IN 3 DIFFERENT MEETINGS BEFORE THEY INVESTED. THE REPRESENTATIVE FELT THEY WERE DIVERSIFIED THROUGH AMERICAN FUNDS, FIXED INDEXED ANNUITIES, AND THIS REIT. THE REPRESENTATIVE BELIEVES THEY UNDERSTOOD ALL THE RISKS WITH EVERY INVESTMENT.



Customer Dispute - Pending

This type of disclosure event involves (1) a pending consumer-initiated, investment-related arbitration or civil suit that contains allegations of sales practice violations against the broker; or (2) a pending, 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.

Disclosure 1 of 2

Reporting Source: Firm

Employing firm when activities occurred which led to the complaint: KALOS CAPITAL, INC.

Allegations: Unsuitable transactions

Product Type: Real Estate Security

Alleged Damages: \$280,000.00

Arbitration Information

Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.): FINRA

Docket/Case #: 21-01775

Date Notice/Process Served: 09/14/2021

Arbitration Pending? Yes

Civil Litigation Information

Type of Court: Foreign Court

Name of Court:

Location of Court:

Docket/Case #:

Reporting Source: Broker

Employing firm when activities occurred which led to the complaint: KALOS CAPITAL, INC.

Allegations: Unsuitable transactions

Product Type: Other: GPB holdings



Alleged Damages: \$280,000.00

Is this an oral complaint? No

Is this a written complaint? No

**Is this an arbitration/CFTC
reparation or civil litigation?** Yes

**Arbitration/Reparation forum
or court name and location:** FINRA

Docket/Case #: 21-01775

**Filing date of
arbitration/CFTC reparation
or civil litigation:** 07/21/2021

Customer Complaint Information

Date Complaint Received: 09/14/2021

Complaint Pending? No

Status: Evolved into Arbitration/CFTC reparation (the individual is a named party)

Status Date: 09/14/2021

Settlement Amount:

**Individual Contribution
Amount:**

Arbitration Information

**Arbitration/CFTC reparation
claim filed with (FINRA, AAA,
CFTC, etc.):** FINRA

Docket/Case #: 21-01775

Date Notice/Process Served: 09/14/2021

Arbitration Pending? Yes

Disclosure 2 of 2

Reporting Source: Firm



Employing firm when activities occurred which led to the complaint:	Berthel Fisher and Company Financial Services, Inc.
Allegations:	The clients allege the investments purchased between 2011-2012 were misrepresented and that the representative did not disclose the risks and fees associated with the investment. The client also alleges the firm was negligent and failed to conduct adequate due diligence.
Product Type:	Equipment Leasing Oil & Gas Real Estate Security
Alleged Damages:	\$0.00
Alleged Damages Amount Explanation (if amount not exact):	The alleged damages are not specified; however, the firm has made a good faith determination that the damages from the alleged conduct would be more that \$5,000.00.
Is this an oral complaint?	No
Is this a written complaint?	No
Is this an arbitration/CFTC reparation or civil litigation?	Yes
Arbitration/Reparation forum or court name and location:	FINRA
Docket/Case #:	20-02105
Filing date of arbitration/CFTC reparation or civil litigation:	07/02/2020

Customer Complaint Information

Date Complaint Received:	07/06/2020
Complaint Pending?	Yes
Settlement Amount:	
Individual Contribution Amount:	
Firm Statement	The arbitration includes multiple claimants and multiple representatives.

Reporting Source: Broker



Employing firm when activities occurred which led to the complaint:	Berthel Fisher and Company Financial Services, Inc.
Allegations:	The clients allege the investments purchased between 2011-2012 were misrepresented and that the representative did not disclose the risks and fees associated with the investment. The client also alleges the firm was negligent and failed to conduct adequate due diligence.
Product Type:	Equipment Leasing Oil & Gas Real Estate Security
Alleged Damages:	\$0.00
Alleged Damages Amount Explanation (if amount not exact):	The alleged damages are not specified; however, the firm made a good faith determination that the damages from the alleged conduct would be more than \$5,000.00.
Is this an oral complaint?	No
Is this a written complaint?	No
Is this an arbitration/CFTC reparation or civil litigation?	Yes
Arbitration/Reparation forum or court name and location:	FINRA
Docket/Case #:	20-02105
Filing date of arbitration/CFTC reparation or civil litigation:	07/02/2020
Customer Complaint Information	
Date Complaint Received:	07/06/2020
Complaint Pending?	Yes
Settlement Amount:	
Individual Contribution Amount:	
Broker Statement	The arbitration includes multiple claimants and multiple representatives.



Employment Separation After Allegations

This type of disclosure event involves a situation where the broker voluntarily resigned, was discharged, or was permitted to resign after being accused of (1) violating investment-related statutes, regulations, rules or industry standards of conduct; (2) fraud or the wrongful taking of property; or (3) failure to supervise in connection with investment-related statutes, regulations, rules, or industry standards of conduct.

Disclosure 1 of 1

Reporting Source: Firm
Employer Name: DEMPSEY LORD SMITH, LLC
Termination Type: Permitted to Resign
Termination Date: 10/15/2020
Allegations: DIAMOND FAILED TO FOLLOW POLICIES AND PROCEDURES
Product Type: Direct Investment-DPP & LP Interests

Reporting Source: Broker
Employer Name: Dempsey Lord Smith LLC
Termination Type: Permitted to Resign
Termination Date: 10/15/2020
Allegations: The Firm stated on my U5 that I failed to follow policies and procedures. and permitted me to resign.
Product Type: No Product
Broker Statement The Firm stopped paying me, with no explanation. after 3 months, i finally quit. I emailed my resignation before Firm filed this false allegation that they permitted me to resign.



Financial - Final

This type of disclosure event involves a bankruptcy, compromise with one or more creditors, or Securities Investor Protection Corporation liquidation involving the broker or an organization/brokerage firm the broker controlled that occurred within the last 10 years.

Disclosure 1 of 1

Reporting Source:	Broker
Action Type:	Bankruptcy
Bankruptcy:	Chapter 13
Action Date:	03/11/2013
Organization Investment-Related?	No
Type of Court:	Federal Court
Name of Court:	US FEDERAL COURT
Location of Court:	DUVAL COUNTY
Docket/Case #:	13-01439
Action Pending?	No
Disposition:	Satisfied/Released
Disposition Date:	03/02/2018
Amount Paid:	\$5,419.15
SIPA (Securities Investor Protection Act) Trustee:	
Currently Open?	No
Date Direct Payment Initiated/Filed or Trustee Appointed:	04/11/2013
Broker Statement	NONE

End of Report



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