

BrokerCheck Report

MARC JAY FRANKEL

CRD# 2671700

<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.](http://www.finra.org)

MARC J. FRANKEL

CRD# 2671700

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
- 2 State Securities Law Exams

Registration History

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

- B** **WELLS FARGO ADVISORS FINANCIAL NETWORK, LLC**
CRD# 11025
ENCINO, CA
05/2010 - 07/2010
- B** **MORGAN STANLEY SMITH BARNEY**
CRD# 149777
SHERMAN OAKS, CA
06/2009 - 06/2010
- B** **CITIGROUP GLOBAL MARKETS INC.**
CRD# 7059
SHERMAN OAKS, CA
09/2005 - 06/2009

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	2
Civil Event	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), 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 2 state securities law exams.

Principal/Supervisory Exams

Exam	Category	Date
No information reported.		

General Industry/Product Exams

Exam	Category	Date
B General Securities Representative Examination	Series 7	09/25/1997

State Securities Law Exams

Exam	Category	Date
B IA Uniform Combined State Law Examination	Series 66	09/20/2010
B Uniform Securities Agent State Law Examination	Series 63	10/13/1997

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.

Only professional designations listed in Question 8 of the Form U4 will appear in this section if the appropriate box is checked and verified by the issuing organization at the time of the filing. Learn more about eligible designations at [IARD](#) and [NASAA](#).



Registration and Employment History

Registration History

The broker previously was registered with the following securities firms:

Registration Dates	Firm Name	CRD#	Branch Location
B 05/2010 - 07/2010	WELLS FARGO ADVISORS FINANCIAL NETWORK, LLC	11025	ENCINO, CA
B 06/2009 - 06/2010	MORGAN STANLEY SMITH BARNEY	149777	SHERMAN OAKS, CA
B 09/2005 - 06/2009	CITIGROUP GLOBAL MARKETS INC.	7059	SHERMAN OAKS, CA
B 02/2002 - 09/2005	CROWELL, WEEDON & CO.	193	LOS ANGELES, CA
B 09/1997 - 02/2002	MORGAN STANLEY DW INC.	7556	PURCHASE, 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
08/2010 - Present	PARTNERVEST ADVISORY SERVICES, LLC	INVESTMENT ADVISOR REPRESENTATIVE	Y	SANTA BARBARA, CA, 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	2	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 2

Reporting Source:	Regulator
Regulatory Action Initiated By:	UNITED STATES SECURITIES AND EXCHANGE COMMISSION
Sanction(s) Sought:	Other: N/A
Date Initiated:	01/24/2024
Docket/Case Number:	3-21835
Employing firm when activity occurred which led to the regulatory action:	MJF Advisors, LLC
Product Type:	No Product
Allegations:	The Securities and Exchange Commission ("Commission") deems it appropriate and in the public interest that public administrative proceedings be, and hereby are, instituted against Marc J. Frankel ("Respondent"). In anticipation of the institution of these proceedings, Respondent has submitted an Offer of Settlement (the "Offer") which the Commission has determined to accept. The Commission finds that on January 9, 2023, a judgment was entered by consent against Respondent, permanently enjoining him from future violations of Sections 206(1) and 206(2) of the Advisers Act, in the civil action entitled Securities and Exchange Commission v. Marc J. Frankel, Civil Action Number 2:22-cv-06500, in the United States District Court for the Central District of California. Commission's complaint alleged, in substance, that Frankel's schemed to defraud his investment advisory clients by stealing and misappropriating their assets to pay his personal expenses and for other unauthorized purposes. In doing so, Frankel breached the fiduciary duty of care and duty of loyalty that he owed his advisory clients and violated the antifraud provisions of the federal securities laws. On March 2, 2023, Respondent pled guilty to one count of Wire Fraud before the United States District Court for the Central District of California, in United States v. Marc Jay Frankel, Crim. No. CR-22-00599. As part of his guilty plea, Respondent admitted as the factual basis of his plea agreement that he ("Defendant") worked as an Investment Advisor



Representative ("IAR") for an investment-advisory firm (the "Investment Firm") whose principal place of business was Santa Barbara, California. The Investment Firm was a registered investment advisor with the Securities and Exchange Commission and as an IAR affiliated with the Investment Firm, defendant owed fiduciary duties to the Investment Firm's clients, including the duties of loyalty and good faith. Pursuant to the agreements signed by Investment Firm clients, defendant made investment decisions for those clients, and bought and sold securities on their behalf. As part of those written agreements and in the course of dealing with his clients, defendant represented to Investment Firm clients that he was a loyal IAR and fiduciary who would act in his clients' best interests and not put his own interests above theirs. These representations were important because, for his Investment Firm clients with discretionary accounts, including Advisory Client 1 and Advisory Client 2, defendant was able to execute transactions without the need to seek prior, transaction-specific approval. And defendant knew that his clients trusted and relied upon his loyalty. For example, Advisory Client 1 was a professional athlete, and advised defendant that he relied upon defendant to manage his wealth so that he, Advisory Client 1, could focus exclusively on his professional sports career. Beginning in or around December 2017 and continuing through in or around June 2020, defendant, without authorization and in violation of the fiduciary duties he owed and representations he had made, began to convert funds within Advisory Client 1's checking account for his own unauthorized personal use and benefit. Through his scheme to defraud, defendant caused losses totaling approximately \$743,817.58.

Current Status:	Final
Resolution:	Order
Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct?	No
Resolution Date:	01/24/2024
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: Association with a broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or NRSRO

Duration: Indefinite

Start Date: 01/24/2024

End Date:

Regulator Statement Accordingly, it is hereby ordered that Respondent Frankel be, and hereby is barred from association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization (NRSRO).

Disclosure 2 of 2

Reporting Source: Regulator

Regulatory Action Initiated By: FINRA

Sanction(s) Sought: Suspension

Date Initiated: 03/21/2013

Docket/Case Number: 11-00224



Employing firm when activity occurred which led to the regulatory action:	N/A
Product Type:	No Product
Allegations:	RESPONDENT FRANKEL FAILED TO COMPLY WITH AN ARBITRATION AWARD OR SETTLEMENT AGREEMENT OR TO SATISFACTORILY RESPOND TO A FINRA REQUEST TO PROVIDE INFORMATION CONCERNING THE STATUS OF COMPLIANCE.
Current Status:	Final
Resolution:	LETTER
Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct?	No
Resolution Date:	03/21/2013
Sanctions Ordered:	Suspension
If the regulator is the SEC, CFTC, or an SRO, did the action result in a finding of a willful violation or failure to supervise?	No



(1) willfully violated any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, the Commodity Exchange Act, or any rule or regulation under any of such Acts, or any of the rules of the Municipal Securities Rulemaking Board, or to have been unable to comply with any provision of such Act, rule or regulation?

(2) willfully aided, abetted, counseled, commanded, induced, or procured the violation by any person of any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, the Commodity Exchange Act, or any rule or regulation under any of such Acts, or any of the rules of the Municipal Securities Rulemaking Board? or



(3) failed reasonably to supervise another person subject to your supervision, with a view to preventing the violation by such person of any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, the Commodity Exchange Act, or any rule or regulation under any such Acts, or any of the rules of the Municipal Securities Rulemaking Board?

Sanction 1 of 1

Sanction Type: Suspension
Capacities Affected: ANY CAPACITY
Duration: N/A
Start Date: 03/21/2013
End Date:

Regulator Statement

PURSUANT TO ARTICLE VI, SECTION 3 OF FINRA BY-LAWS, AND FINRA RULE 9554, RESPONDENT FRANKEL IS SUSPENDED MARCH 21, 2013 FOR FAILURE TO COMPLY WITH AN ARBITRATION AWARD OR SETTLEMENT AGREEMENT OR TO SATISFACTORILY RESPOND TO A FINRA REQUEST TO PROVIDE INFORMATION CONCERNING THE STATUS OF COMPLIANCE.

Reporting Source: Broker
Regulatory Action Initiated By: FINRA
Sanction(s) Sought: Suspension
Date Initiated: 03/21/2013
Docket/Case Number: 11-00224



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

Product Type: No Product

Allegations: MR. FRANKEL FAILED TO RESPOND TO A FINRA REQUEST TO PROVIDE INFORMATION IN THAT HE REPORTEDLY DID NOT APPEAR AT A REQUESTED HEARING DUE TO IT BEING HELD ON A JEWISH HOLIDAY.

Current Status: Final

Resolution: LETTER

Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct? No

Resolution Date: 03/21/2013

Sanctions Ordered: Suspension

Sanction 1 of 1

Sanction Type: Suspension

Capacities Affected: ALL CAPACITIES

Duration: N/A

Start Date: 03/21/2013

End Date:



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:	09/12/2022
Product Type:	No Product
Type of Court:	Federal Court
Name of Court:	United States District Court for the Central District of California Western Division
Location of Court:	Los Angeles, CA
Docket/Case #:	22-CV-06500
Employing firm when activity occurred which led to the action:	MJF Advisors, LLC
Allegations:	Plaintiff Securities and Exchange Commission ("SEC") alleges in their complaint that This action concerns Frankel's scheme to defraud his investment advisory clients by stealing and misappropriating their assets to pay his personal expenses and for other unauthorized purposes. In doing so, Frankel breached the fiduciary duty of care and duty of loyalty that he owed his advisory clients and violated the antifraud provisions of the federal securities laws. Frankel's advisory clients included Major League Baseball (MLB) players. As their investment adviser, Frankel had access to his clients' financial information, including their brokerage account and associated checking account numbers. In or about December 2017, Frankel starting using this information to steal and misappropriate money belonging to one of his MLB advisory clients, Advisory Client #1. Specifically, Frankel targeted an account Advisory Client #1 had created in the name of his sole proprietorship and, using the account and routing numbers, started transferring money out of the account to make payments on an American Express ("AMEX") credit card in the name of Frankel's deceased mother. Although Frankel's mother passed away in 2015, Frankel had continued to use her AMEX account for his personal benefit, including paying for Lakers tickets, his children's college tuition, jewelry, electronics, and travel. Between approximately December 2017 and June



2020, Frankel transferred money from Advisory Client #1's account to AMEX in order to pay off these and other credit card charges. In total, Frankel made, or caused others to make, 241 unauthorized transfers totaling approximately \$739,052 from Advisory Client #1's account to AMEX. Frankel attempted to conceal and obscure the fact that he was stealing and misappropriating money from Advisory Client #1's account by breaking up the unauthorized transfers to AMEX into multiple smaller payments that would appear consistent, in dollar amount, with legitimate payments coming out of the account, which was often used to pay Advisory Client #1's personal assistant and related expenses. Moreover, in May 2020, when others began scrutinizing Advisory Client #1's finances and this checking account, Frankel took additional steps to conceal the unauthorized transfers to AMEX. Frankel falsely claimed to personnel at Advisory Client #1's sports agency that he had already reviewed the account and had found no improprieties. Frankel then stopped using Advisory Client #1's account for the unauthorized transfers and instead targeted one of his other advisory clients, Advisory Client #2, for the scheme. Like Advisory Client #1, Frankel used the financial information he had for Advisory Client #2 as her investment adviser to make two unauthorized payments to his mother's AMEX credit card totaling approximately \$4,765.58. Finally, when questioned by Advisory Client #1's agent about the unauthorized transfers, Frankel lied and attempted to place the blame for the AMEX charges on Advisory Client #1's personal assistant. By engaging in this conduct, Frankel violated Sections 206(1) and 206(2) of the Advisers Act. Accordingly, the SEC seeks findings that Frankel committed these violations, permanent injunctions against him, disgorgement with prejudgment interest, and a civil penalty.

Current Status:	Final
Resolution:	Judgment Rendered
Resolution Date:	12/27/2023
Sanctions Ordered or Relief Granted:	Disgorgement Injunction Monetary Penalty other than Fines
Capacities 1 of 1	
Capacities Affected:	n/a
Duration:	Permanent
Start Date:	12/27/2023
End Date:	
Monetary Sanction 1 of 2	
Monetary Sanction:	Prejudgment Interest



Total Amount: \$42,332.74
Portion against individual: 42332.74
Date Paid:
Portion Waived: No
Amount Waived:

Monetary Sanction 2 of 2
Monetary Sanction: Disgorgement
Total Amount: \$743,817.58
Portion against individual: 743817.58
Date Paid:
Portion Waived: No
Amount Waived:

Regulator Statement

On December 27, 2023, a final judgment was entered, by consent, wherein Defendant Frankel is permanently restrained and enjoined from violating, directly or indirectly, while acting as an investment adviser, Sections 206(1) and (2) of the Investment Advisers Act of 1940 (Advisers Act). It was further ordered that Frankel is liable for disgorgement of \$743,817.58, plus prejudgment interest thereon in the amount of \$42,332.74 for a total of \$786,150.32. Defendant's \$786,150.32 payment obligation shall be deemed satisfied by the Order of Restitution entered against Defendant in United States v. Marc Jay Frankel, Crim. No. CR-2200599-GW (C.D. Cal.)

End of Report



This page is intentionally left blank.