

## BrokerCheck Report

**JOHN EUGENE MARTY**

CRD# 2822873

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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).

**JOHN E. MARTY**

CRD# 2822873

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

**IA RB CAPITAL MANAGEMENT, LLC**  
 345 Lorton Avenue, Suite 302  
 Burlingame, CA 94011  
 CRD# 125678  
 Registered with this firm since: 04/01/2016

**B APW CAPITAL, INC.**  
 345 Lorton Avenue, Suite 302  
 Burlingame, CA 94010  
 CRD# 43814  
 Registered with this firm since: 03/10/2017

**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:**

- 1 Self-Regulatory Organization
- 6 U.S. states and territories

**This broker has passed:**

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

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

- IA FSC SECURITIES CORPORATION**  
 CRD# 7461  
 ATLANTA, GA  
 04/2016 - 03/2017
- B FSC SECURITIES CORPORATION**  
 CRD# 7461  
 BURLINGAME, CA  
 04/2016 - 03/2017
- IA CETERA ADVISORS LLC**  
 CRD# 10299  
 GREENWOOD VILLAGE, IL  
 05/2012 - 04/2016

**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	2
Judgment/Lien	1



## 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 1 SRO and is licensed in 6 U.S. states and territories through his or her employer.**

### Employment 1 of 2

Firm Name: **APW CAPITAL, INC.**

Main Office Address: **100 ENTERPRISE DRIVE, SUITE 504  
ROCKAWAY, NJ 07866**

Firm CRD#: **43814**

	SRO	Category	Status	Date
B	FINRA	General Securities Principal	Approved	03/10/2017
B	FINRA	General Securities Representative	Approved	03/10/2017

	U.S. State/ Territory	Category	Status	Date
B	California	Agent	Approved	03/10/2017
B	Florida	Agent	Approved	03/10/2017
B	Idaho	Agent	Approved	03/10/2017
B	Michigan	Agent	Approved	03/10/2017
B	Montana	Agent	Approved	03/27/2017
B	Nevada	Agent	Approved	05/01/2017

### Branch Office Locations

**APW CAPITAL, INC.**  
345 Lorton Avenue, Suite 302  
Burlingame, CA 94010



Broker Qualifications

Employment 2 of 2

Firm Name: RB CAPITAL MANAGEMENT, LLC  
Main Office Address: 5365 RENO CORPORATE DR.  
SUITE 200  
RENO, NV 89511  
Firm CRD#: 125678

U.S. State/ Territory	Category	Status	Date
IA California	Investment Adviser Representative	Approved	04/01/2016

Branch Office Locations

345 Lorton Avenue, Suite 302  
Burlingame, CA 94011-4212



## 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 1 principal/supervisory exam, 3 general industry/product exams, and 2 state securities law exams.**

### Principal/Supervisory Exams

Exam	Category	Date
<b>B</b> General Securities Principal Examination	Series 24	10/27/2005

### 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	05/06/1997
<b>B</b> Investment Company Products/Variable Contracts Representative Examination	Series 6	11/29/1996

### State Securities Law Exams

Exam	Category	Date
<b>IA</b> Uniform Investment Adviser Law Examination	Series 65	05/12/1997
<b>B</b> Uniform Securities Agent State Law Examination	Series 63	11/29/1996

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/](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> 04/2016 - 03/2017	FSC SECURITIES CORPORATION	7461	BURLINGAME,, CA
<b>IA</b> 04/2016 - 03/2017	FSC SECURITIES CORPORATION	7461	BURLINGAME,, CA
<b>B</b> 05/2012 - 04/2016	CETERA ADVISORS LLC	10299	BURLINGAME, CA
<b>IA</b> 05/2012 - 04/2016	CETERA ADVISORS LLC	10299	BURLINGAME, CA
<b>IA</b> 06/2005 - 03/2015	RB CAPITAL MANAGEMENT, LLC	125678	BURLINGAME, CA
<b>B</b> 10/2004 - 05/2012	SLOAN SECURITIES CORP.	17930	BIRLINGAME, CA
<b>B</b> 09/2003 - 10/2004	GUNNALLEN FINANCIAL, INC	17609	TAMPA, FL
<b>IA</b> 09/2003 - 10/2004	GUNNALLEN FINANCIAL, INC	17609	BRISBANE, CA
<b>IA</b> 06/1998 - 09/2003	U.S. BANCORP PIPER JAFFRAY INC.	665	SAN FRANCISCO, CA
<b>B</b> 05/1997 - 09/2003	U.S. BANCORP PIPER JAFFRAY INC.	665	MINNEAPOLIS, MN
<b>B</b> 12/1996 - 05/1997	LINCOLN FINANCIAL ADVISORS CORPORATION	3978	FORT WAYNE, IN
<b>B</b> 12/1996 - 05/1997	THE LINCOLN NATIONAL LIFE INSURANCE COMPANY	2580	FORT WAYNE, IN

### 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
03/2017 - Present	APW Capital, Inc.	Registered Representative	Y	Rockaway, NJ, United States
03/2016 - Present	RB CAPITAL MANAGEMENT, LLC	REPRESENTATIVE	Y	Burlingame, CA, United States





## Registration and Employment History

### Employment History, continued

Employment	Employer Name	Position	Investment Related	Employer Location
04/2015 - Present	BAY VALLEY PROPERTIES	OWNER	N	BURLINGAME, CA, United States
05/2005 - Present	DMK ENTERPRISE, LLC.	MANAGING PARTNER	N	BURLINGAME, CA, United States
01/2005 - Present	INVEST CAPITAL GROUP MORTGAGE	OWNER	N	BURLINGAME, CA, United States
05/2006 - 12/2017	City of San Bruno	Treasurer	N	San Bruno, CA, United States
04/2016 - 02/2017	FSC SECURITIES CORP	REG REP	Y	ATLANTA, GA, United States
01/2013 - 03/2016	CETERA ADVISORS LLC	REGISTERED REPRESENTATIVE/IA R	Y	EL SEGUNDO, CA, 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.

1. DM Enterprises, LP, Investment Related, Burlingame, CA, Financial Services & Fixed Insurance, Partner, 07/20005, 90% of time.
2. Invest Capital Group Mortgage; Address is the registered address; Residential and commercial real estate and financing; Start 2005; 5-10 hours/week during trading hours; Owner
3. Independent Real Estate Broker; Address is the registered location; Real Estate Brokerage; Start 4/2015; 5-10 hours/week during trading hours
4. RB Capital Management, Investment Related, RIA, Investment Advisor Rep, Burlingame, CA

## 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	2	N/A
Judgment/Lien	1	N/A	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 - 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

<b>Reporting Source:</b>	Firm
<b>Employing firm when activities occurred which led to the complaint:</b>	Cetera Advisors LLC
<b>Allegations:</b>	Failure to follow instructions.
<b>Product Type:</b>	Equity Listed (Common & Preferred Stock)
<b>Alleged Damages:</b>	\$21,000.00
<b>Is this an oral complaint?</b>	No
<b>Is this a written complaint?</b>	Yes
<b>Is this an arbitration/CFTC reparation or civil litigation?</b>	No

## Customer Complaint Information

<b>Date Complaint Received:</b>	08/08/2016
<b>Complaint Pending?</b>	No
<b>Status:</b>	Closed/No Action
<b>Status Date:</b>	06/15/2018
<b>Settlement Amount:</b>	
<b>Individual Contribution</b>	



## Amount:

**Reporting Source:** Broker  
**Employing firm when activities occurred which led to the complaint:** CETERA ADVISORS LLC

**Allegations:** Failure to follow instructions

The complaint was filed in August 2016, which was 4 months after my departure from Cetera. The complaint involves instructions not being followed. I have no knowledge of any instructions left with Cetera after my departure. Nor do I know of any person who may have taken over as rep of record for their accounts. My best recollection is we last spoke in March 2016 and there were no instructions left unexecuted.

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

**Alleged Damages:** \$21,000.00

**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:** 08/08/2016

**Complaint Pending?** No

**Status:** Closed/No Action

**Status Date:** 06/15/2018

**Settlement Amount:**

**Individual Contribution Amount:**

**Broker Statement** [Customer Name] were clients included in a book of business I purchased from the estate of [Third Party], a Cetera rep who passed away in May 2015. I never met the [Customer Name], except by phone. I have not had any further contact with either [Customer Name] after I left Cetera in April 2016. The complaint was filed in



August 2016, which was 4 months after my departure from Cetera. The complaint involves instructions not being followed. I have no knowledge of any instructions left with Cetera after my departure. Nor do I know of any person who may have taken over as rep of record for their accounts. My best recollection is we last spoke in March 2016 and there were no instructions left unexecuted.

#### Disclosure 2 of 2

**Reporting Source:** Broker

**Employing firm when activities occurred which led to the complaint:** U.S. BANCORP PIPER JAFFRAY INC.

**Allegations:** ALLEGES USBPJI IMPROPERLY EXECUTED A TRADING AUTHORIZATION ALLOWING A NON-CORPORATE REPRESENTATIVE TO PLACE A PURCHASE ON 2/17/99 OF \$100,000 TRUSX. ALSO ALLEGES UNSUITABILITY OF INVESTMENT.

**Product Type:** Mutual Fund(s)

**Alleged Damages:** \$11,465.00

#### Customer Complaint Information

**Date Complaint Received:** 03/14/2000

**Complaint Pending?** No

**Status:** Denied

**Status Date:** 08/01/2000

**Settlement Amount:**

**Individual Contribution Amount:**



## Judgment / Lien

This type of disclosure event involves an unsatisfied and outstanding judgments or liens against the broker.

### Disclosure 1 of 1

<b>Reporting Source:</b>	Broker
<b>Judgment/Lien Holder:</b>	City of San Francisco
<b>Judgment/Lien Amount:</b>	\$2,156.69
<b>Judgment/Lien Type:</b>	Tax
<b>Date Filed with Court:</b>	12/14/2020
<b>Date Individual Learned:</b>	03/08/2021
<b>Type of Court:</b>	State Court
<b>Name of Court:</b>	State of California, City of San Francisco
<b>Location of Court:</b>	San Francisco, CA
<b>Docket/Case #:</b>	2020067288
<b>Judgment/Lien Outstanding?</b>	Yes
<b>Broker Statement</b>	Having learned of this I am working with the city tax collector to pay the original amount and have the penalties and interest waived since no notice was actually delivered to me.

## End of Report



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