

BrokerCheck Report

EARL JULIUS JOHNSON III

CRD# 4274899

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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



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.

EARL J. JOHNSON III

CRD# 4274899

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:

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

Registration History

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

B WADDELL & REED, INC.
 CRD# 866
 EVERGREEN PARK, IL
 11/2000 - 12/2011

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

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 1 principal/supervisory exam, 1 general industry/product exam, and 1 state securities law exam.

Principal/Supervisory Exams

Exam	Category	Date
B General Securities Principal Examination	Series 24	10/18/2005

General Industry/Product Exams

Exam	Category	Date
B General Securities Representative Examination	Series 7	11/14/2000

State Securities Law Exams

Exam	Category	Date
B IA Uniform Combined State Law Examination	Series 66	12/14/2000

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 11/2000 - 12/2011	WADDELL & REED, INC.	866	EVERGREEN PARK, IL

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
03/2023 - Present	Lexus Wealth Management, LLC	President and Investment Advisor Representative	Y	Omaha, NE, United States
01/2012 - 06/2023	EVERGREEN CAPITAL MANAGEMENT	INVESTMENT ADVISOR REPRESENTATIVE	Y	OMAHA, NE, 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



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: FINRA

Sanction(s) Sought:

Date Initiated: 04/17/2014

Docket/Case Number: [2013038535601](#)

Employing firm when activity occurred which led to the regulatory action: WADDELL & REED, INC.

Product Type: No Product

Allegations: WITHOUT ADMITTING OR DENYING THE FINDINGS, JOHNSON CONSENTED TO THE SANCTIONS AND TO THE ENTRY OF FINDINGS THAT HE IMPROPERLY ACCEPTED A \$10,000 LOAN FROM A CUSTOMER. THE FINDINGS STATED THAT THE CUSTOMER OBTAINED THE FUNDS BY TAKING A DISTRIBUTION FROM HER RETIREMENT ACCOUNT AT JOHNSON'S MEMBER FIRM. THE DISTRIBUTION RESULTED IN TAX WITHHOLDINGS OF \$1,111. THE LOAN WAS NOT MEMORIALIZED IN WRITING, AND OTHER THAN JOHNSON'S PROMISE TO REPAY THE CUSTOMER A TOTAL OF \$12,000 WITHIN A 12-MONTH PERIOD, THERE WERE NO SPECIFIC LOAN TERMS. OVER A 27-MONTH PERIOD, JOHNSON REPAID THE CUSTOMER A TOTAL OF \$4,500. THE CUSTOMER FILED A COMPLAINT WITH THE NEBRASKA DEPARTMENT OF BANKING AND FINANCE IN CONNECTION WITH THE OUTSTANDING LOAN BALANCE. AFTER LEARNING OF THE COMPLAINT, JOHNSON REPAID THE CUSTOMER THE LOAN BALANCE OF \$7,500 VIA A CASHIER'S CHECK. THE FINDINGS ALSO STATED THAT JOHNSON DID NOT NOTIFY OR RECEIVE APPROVAL FROM HIS FIRM PRIOR TO ENTERING INTO THE LOAN ARRANGEMENT. GIVEN THAT THE CUSTOMER WAS NOT A MEMBER OF JOHNSON'S IMMEDIATE FAMILY, THE FIRM'S WRITTEN POLICIES AND PROCEDURES PRECLUDED HIM FROM ACCEPTING SUCH A



LOAN. JOHNSON WAS AWARE OF THE FIRM'S POLICIES AND PROCEDURES GOVERNING LOANS. IN COMPLIANCE QUESTIONNAIRES COMPLETED BY JOHNSON IN 2010 AND 2011, HE CERTIFIED THAT HE WOULD NOT BORROW MONEY FROM ANY FIRM CUSTOMER UNLESS HE RECEIVED PRIOR WRITTEN PERMISSION FROM THE FIRM AND IN THE 2011 COMPLIANCE QUESTIONNAIRE, JOHNSON FALSELY ANSWERED "NO" TO A QUESTION REGARDING OUTSTANDING LOANS WITH CLIENTS.

Current Status:	Final
Resolution:	Acceptance, Waiver & Consent(AWC)
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:	04/17/2014
Sanctions Ordered:	Civil and Administrative Penalty(ies)/Fine(s) 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:	60 DAYS
Start Date:	05/05/2014
End Date:	07/03/2014

**Monetary Sanction 1 of 1****Monetary Related Sanction:** Civil and Administrative Penalty(ies)/Fine(s)**Total Amount:** \$5,000.00**Portion Levied against individual:** \$5,000.00**Payment Plan:** DEFERRED**Is Payment Plan Current:****Date Paid by individual:****Was any portion of penalty waived?** No**Amount Waived:****Reporting Source:** Broker**Regulatory Action Initiated By:** FINANCIAL INDUSTRY REGULATORY AUTHORITY**Sanction(s) Sought:** Suspension**Date Initiated:** 10/17/2013**Docket/Case Number:** [2013038535601](#)**Employing firm when activity occurred which led to the regulatory action:** WADDELL & REED**Product Type:** No Product**Allegations:** BORROWED MONEY FROM A CLIENT IN VIOLATION OF COMPANY POLICY AND STATE STATUTES AND FINRA BY-LAWS**Current Status:** Final**Resolution:** Acceptance, Waiver & Consent(AWC)**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: 01/22/2014

Sanctions Ordered: Bar (Temporary/Time Limited)
Suspension

Sanction 1 of 1

Sanction Type: Bar (Temporary/Time Limited)

Capacities Affected: ALL CAPACITIES

Duration: 60 DAYS

Start Date: 04/17/2014

End Date: 06/17/2014

Monetary Sanction 1 of 1

Monetary Related Sanction: Civil and Administrative Penalty(ies)/Fine(s)

Total Amount: \$3,500.00

Portion Levied against individual: \$3,500.00

Payment Plan: PAID WITHIN 180 DAYS

Is Payment Plan Current: Yes

Date Paid by individual: 07/13/2014

Was any portion of penalty waived? No

Amount Waived:

Disclosure 2 of 2

Reporting Source: Regulator

Regulatory Action Initiated By: NEBRASKA

Sanction(s) Sought: Civil and Administrative Penalty(ies)/Fine(s)
Other: TAKE A COURSE APPROVED BY THE NEBRASKA DEPARTMENT OF BANKING AND FINANCE ON INVESTMENT ADVISER REGULATION AND ETHICAL STANDARDS.

Date Initiated: 01/22/2014

Docket/Case Number: N/A

**URL for Regulatory Action:**

Employing firm when activity occurred which led to the regulatory action: WADDELL AND REED (866)

Product Type: No Product

Allegations: MR. JOHNSON BORROWED MONEY FROM A CLIENT WHO WAS NOT A BROKER-DEALER, AN AFFILIATE OF THE COMPANY, OR A FINANCIAL INSTITUTION ENGAGED IN THE BUSINESS OF LENDING FUNDS OR SECURITIES.

Current Status: Final

Resolution: Consent

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: 01/22/2014

Sanctions Ordered: Civil and Administrative Penalty(ies)/Fine(s)
Other: TAKE A COURSE APPROVED BY THE NEBRASKA DEPARTMENT OF BANKING AND FINANCE ON INVESTMENT ADVISER REGULATION AND ETHICAL STANDARDS.

Requalification 1 of 1

Requalification Type: Re-Training

Length of time given to requalify: 90 DAYS FROM 1/22/14

Type of exam required : INVESTMENT ADVISER REGULATIONS AND ETHICAL STANDARDS

Has condition been satisfied: Yes

Monetary Sanction 1 of 1

Monetary Related Sanction: Civil and Administrative Penalty(ies)/Fine(s)

Total Amount: \$3,500.00

Portion Levied against individual: \$3,500.00



Payment Plan: MR. JOHNSON HAS 180 DAYS FROM 1/22/14 TO PAY.

Is Payment Plan Current: Yes

Date Paid by individual: 07/15/2014

Was any portion of penalty waived? No

Amount Waived:

Regulator Statement MR. JOHNSON BORROWED MONEY FROM A CLIENT WHO WAS NOT A BROKER-DEALER, AN AFFILIATE OF THE COMPANY, OR A FINANCIAL INSTITUTION ENGAGED IN THE BUSINESS OF LENDING FUNDS OR SECURITIES.

Reporting Source: Broker

Regulatory Action Initiated By: NEBRASKA DEPARTMENT OF BVANKING AND FINANCE.

Sanction(s) Sought: Monetary Penalty other than Fines
Suspension

Date Initiated: 10/17/2013

Docket/Case Number: 2013038535601

Employing firm when activity occurred which led to the regulatory action: WADDELL & REED

Product Type: No Product

Allegations: BORROWED MONEY FROM A CLIENT IN VIOLATION OF COMPANY POLICY, STATE STATUTES AND FINRA BY-LAWS

Current Status: Final

Resolution: Acceptance, Waiver & Consent(AWC)

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: 01/22/2014



Sanctions Ordered: Bar (Temporary/Time Limited)
 Monetary Penalty other than Fines
 Suspension
 Other: FINES FROM BOTH NBDF AND FINRA. FINRA SUSPENSION WAS IMPOSED FOR 60 DAYS. PER FINRA, THE SUSPENSION DOES NOT APPLY TO MR. JOHNSON'S AFFILIATION WITH EVERGREEN CAPITAL MANAGEMENT BECAUSE IT IS NOT A FINRA MEMBER FIRM.

Sanction 1 of 2

Sanction Type: Bar (Temporary/Time Limited)
Capacities Affected: ALL CAPACITIES
Duration: 60 DAYS
Start Date: 04/17/2014
End Date: 06/17/2014

Sanction 2 of 2

Sanction Type: Bar (Temporary/Time Limited)
Capacities Affected: ALL CAPACITIES
Duration: 60 DAYS
Start Date: 04/17/2014
End Date: 06/17/2014

Monetary Sanction 1 of 1

Monetary Related Sanction: Monetary Penalty other than Fines
Total Amount: \$2,500.00
Portion Levied against individual: \$2,500.00
Payment Plan: PAID WITHIN 180DAYS FRON SETTLEMENT DATE
Is Payment Plan Current: Yes
Date Paid by individual: 07/22/2014
Was any portion of penalty waived? No
Amount Waived:

End of Report



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