

BrokerCheck Report

BRIAN JOSEPH PANFIL

CRD# 4326407

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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.

BRIAN J. PANFIL

CRD# 4326407

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

Registration History

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

- B PAULSON INVESTMENT COMPANY LLC**
CRD# 5670
Chicago, IL
08/2015 - 11/2015
- B KINGSBURY CAPITAL, INC.**
CRD# 7638
EVANSTON, IL
06/2015 - 08/2015
- B INSTITUTIONAL SECURITIES CORPORATION**
CRD# 20291
Chicago, IL
03/2015 - 06/2015

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
Regulatory Event	1
Criminal	1
Judgment/Lien	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. 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, 3 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	11/24/2015
B General Securities Representative Examination	Series 7	07/23/2003
B Investment Company Products/Variable Contracts Representative Examination	Series 6	02/09/2001

State Securities Law Exams

Exam	Category	Date
B IA Uniform Combined State Law Examination	Series 66	08/14/2003
B Uniform Securities Agent State Law Examination	Series 63	05/05/2001

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 08/2015 - 11/2015	PAULSON INVESTMENT COMPANY LLC	5670	Chicago, IL
B 06/2015 - 08/2015	KINGSBURY CAPITAL, INC.	7638	EVANSTON, IL
B 03/2015 - 06/2015	INSTITUTIONAL SECURITIES CORPORATION	20291	Chicago, IL
B 10/2013 - 04/2015	RIDGEWAY & CONGER, INC.	113055	NEW WOODSTOCK, NY
B 03/2006 - 09/2013	CALDWELL INTERNATIONAL SECURITIES	104323	NASSAU, BAHAMAS
B 07/2003 - 03/2006	AMERIPRISE FINANCIAL SERVICES, INC.	6363	MINNEAPOLIS, MN
B 07/2003 - 03/2006	IDS LIFE INSURANCE COMPANY	6321	MINNEAPOLIS, MN
B 07/2002 - 04/2003	AMERICAN CENTURY INVESTMENT SERVICES INC.	17437	KANSAS CITY, MO

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
No information reported.				

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.

No information reported.

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
Regulatory Event	0	1	0
Criminal	0	1	0
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.

Regulatory - Final

This type of disclosure event may involve (1) a final, formal proceeding initiated by a regulatory authority (e.g., a state securities agency, self-regulatory organization, federal regulatory such as the Securities and Exchange Commission, foreign financial regulatory body) for a violation of investment-related rules or regulations; or (2) a revocation or suspension of a broker's authority to act as an attorney, accountant, or federal contractor.

Disclosure 1 of 1

Reporting Source:	Regulator
Regulatory Action Initiated By:	FINRA
Sanction(s) Sought:	Other: n/a
Date Initiated:	11/20/2017
Docket/Case Number:	2015045549301
Employing firm when activity occurred which led to the regulatory action:	Caldwell International Securities; Ridgeway & Conger
Product Type:	Mutual Fund
Allegations:	Panfil was named a respondent in a FINRA complaint alleging that he engaged in a pattern of short-term mutual fund switch transactions in the accounts of customers, frequently selling Class A mutual funds he had recommended to or placed for the customers, after they had held those investments for only two to three months. The complaint alleges that Panfil recommended at least 24 mutual fund switches for these customers that resulted in them paying \$27,924 more in sales charges than they should have if Panfil recommended they hold existing positions, or exchange to a new fund within the same fund family. Panfil received most of the sales charges and fees. Panfil did not have any reasonable grounds for believing that his Class A share recommendations were suitable for these customers. Panfil did not disclose to the customers cost-saving options that were



available, such as purchasing Class C mutual funds, which have a lower cost than Class A mutual funds when held for shorter periods of time. Moreover, Panfil never provided his customers with any documentation, which would have explained the sales charges to his customers, disclosed the fees associated with Class A, Class B, and Class C shares, and identified the different share class options and the higher costs of following Panfil's recommendations. Indeed, Panfil never disclosed to his customers the mutual fund disclosure form required by his member firm, which would have disclosed that information. Additionally, Panfil never recommended to the customers a short-term exchange to another mutual fund within the same fund family, which he knew would avoid new sales charges for the customers. Because, Panfil consistently recommended the customers change from one fund family to another, the customers incurred new up-front sales charges in connection with each new mutual fund purchased. The complaint also alleges that Panfil forged, or caused to be forged, mutual fund switch forms associated with the accounts belonging to customers. The customers stated that they did not receive these switch forms, that they did not recall completing/signing them, and/or that the signatures on these forms were not their signatures. The complaint further alleges that Panfil regularly exercised discretion in accounts without the written authorization from the customers and without receiving approval from his firms to maintain discretionary accounts. Panfil exercised discretion over when, and at what price, to purchase or sell securities for these accounts and exercised discretion over which securities to purchase for these accounts without consulting the customers.

Current Status:	Final
Resolution:	Decision
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:	05/04/2018
Sanctions Ordered:	Bar (Permanent)
If the regulator is the SEC, CFTC, or an SRO, did the action result in a finding of a willful violation or failure to supervise?	No



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

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



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

Sanction 1 of 1

Sanction Type: Bar (Permanent)

Capacities Affected: All capacities

Duration: Indefinite

Start Date: 05/04/2018

End Date:

Regulator Statement

Default Decision rendered April 6, 2018. The sanction was based on findings that Panfil made unsuitable recommendations for mutual fund switches, forged or caused to be forged customers' signatures on mutual fund switch forms, and exercised discretion without customers' prior written authorization. The findings stated that Panfil effected 24 mutual fund switch transactions in four customer accounts with no reasonable basis to believe the transactions were suitable. On these occasions, he sold mutual funds after the customers had held them for only two or three months. The switches resulted in the customers paying \$27,924 in excess sales charges and other fees, most of which went to Panfil. These sales charges and fees outweighed any marginal benefit from the new mutual funds. The switches were unsuitable because, among other things, they were inconsistent with the long-term nature of the mutual funds the customers already held in their accounts. There were no reasonable grounds to believe the switches were in the customers' best interests, and the investment objectives of the new funds were similar to those of the previous funds. The findings also stated that Panfil decided to execute short-term mutual fund switches and chose which funds to purchase and which to sell. He determined the time and price for the purchases and sales.



Panfil acted without prior written authorization from the customers and without the firm's approval to maintain discretionary accounts. The decision is final on May 4, 2018.



Criminal - Final Disposition

This type of disclosure event involves a criminal charge against the broker that has resulted in a conviction, acquittal, dismissal, or plea. The criminal matter may pertain to any felony or certain misdemeanor offenses, including bribery, perjury, forgery, counterfeiting, extortion, fraud, and wrongful taking of property.

Disclosure 1 of 1

Reporting Source:	Broker
Formal Charges were brought in:	State Court
Name of Court:	DISTRICT COURY, COUNTY OF LARIMER, STATE OF COLORADO
Location of Court:	FORT COLLINS, CO
Docket/Case #:	2000CR245
Charge Date:	03/13/2000
Charge(s) 1 of 2	
Formal Charge(s)/Description:	FORGERY
No of Counts:	1
Felony or Misdemeanor:	Felony
Plea for each charge:	GUILTY
Disposition of charge:	Deferred Adjudication
Charge(s) 2 of 2	
Formal Charge(s)/Description:	THEFT
No of Counts:	1
Felony or Misdemeanor:	Misdemeanor
Plea for each charge:	NO PLEA
Disposition of charge:	Dismissed
Current Status:	Final
Status Date:	02/14/2002
Disposition Date:	02/14/2002
Sentence/Penalty:	1. CHARGE OF FORGERY, DISMISSED, PENALTY \$552.94, 2 YEARS DEFERRED. 2. CHARGE OF THEFT, DISMISSED.



Broker Statement

A FORMER ROOMATE GAVE ME PERMISSION TO PAY OUR HEATING BILL FOR THE AMOUNT DUE, THE CHECK THEN BOUNCED AND I TOOK THE BLAME. I WAS YOUNG AND DID NOT REALIZE POTENTIAL CONSEQUENCES. THIS WAS AN UNFORTUNATE DECISION.



Judgment / Lien

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

Disclosure 1 of 1

Reporting Source:	Broker
Judgment/Lien Holder:	IRS
Judgment/Lien Amount:	\$29,635.98
Judgment/Lien Type:	Tax
Date Filed with Court:	06/03/2011
Date Individual Learned:	03/01/2013
Type of Court:	Federal Court
Name of Court:	COOK COUNTY
Location of Court:	COOK COUNTY ILLINOIS
Judgment/Lien Outstanding?	Yes
Broker Statement	WAS MADE AWARE OF IRS LEVY IN 2013 AT WHICH TIME I WENT TO IRS OFFICE, LEVY WAS RELEASED AND MAKING PAYMENTS TO IRS. FINRA DISTRICT WAS MADE AWARE OF THIS ON 12/13/2013 IN ON THE RECORD INTERVIEW.

End of Report



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