

BrokerCheck Report

SALVATORE GIOE

CRD# 4390976

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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.

SALVATORE GIOE

CRD# 4390976

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

Registration History

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

- B CHELSEA FINANCIAL SERVICES**
CRD# 47770
STATEN ISLAND, NY
03/2016 - 03/2016
- B AVENIR FINANCIAL GROUP**
CRD# 148490
NEW YORK, NY
01/2015 - 02/2016
- B PHX FINANCIAL, INC.**
CRD# 144403
NEW YORK, NY
10/2012 - 12/2014

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	2
Customer Dispute	11
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 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, 2 general industry/product exams, and 1 state securities law exam.

Principal/Supervisory Exams

Exam	Category	Date
No information reported.		

General Industry/Product Exams

Exam	Category	Date
B Securities Industry Essentials Examination	SIE	03/16/2016
B General Securities Representative Examination	Series 7	05/14/2001

State Securities Law Exams

Exam	Category	Date
B Uniform Securities Agent State Law Examination	Series 63	05/21/2001

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 03/2016 - 03/2016	CHELSEA FINANCIAL SERVICES	47770	STATEN ISLAND, NY
B 01/2015 - 02/2016	AVENIR FINANCIAL GROUP	148490	NEW YORK, NY
B 10/2012 - 12/2014	PHX FINANCIAL, INC.	144403	NEW YORK, NY
B 05/2014 - 06/2014	LEGEND SECURITIES, INC.	44952	NEW YORK, NY
B 10/2010 - 10/2011	CHARLES VISTA LLC	132650	NEW YORK, NY
B 06/2010 - 10/2010	AEGIS CAPITAL CORP.	15007	NEW YORK, NY
B 10/2008 - 07/2010	JOHN THOMAS FINANCIAL	40982	NEW YORK, NY
B 10/2006 - 11/2008	FIRST MIDWEST SECURITIES, INC.	21786	PLAINVIEW, NY
B 02/2006 - 11/2006	THE CONCORD EQUITY GROUP, LLC	14569	SYOSSET, NY
B 02/2005 - 03/2006	GRANITE ASSOCIATES, INC	46682	MELVILLE, NY
B 01/2005 - 02/2005	SECURITIES SERVICE NETWORK, INC.	13318	KNOXVILLE, TN
B 11/2001 - 12/2004	CANTELLA & CO., INC.	13905	MALDEN, MA
B 07/2001 - 12/2001	LADENBURG CAPITAL MANAGEMENT INC.	14623	BETHPAGE, NY
B 05/2001 - 07/2001	INVESTEC ERNST & COMPANY	266	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
02/2016 - Present	Chelsea Financial Services	Registered Representative	Y	Staten Island, NY, United States



Registration and Employment History

Employment History, continued

Employment	Employer Name	Position	Investment Related	Employer Location
01/2015 - 02/2016	AVENIR FINANCIAL GROUP	REGISTERED REP	Y	WELLINGTON, 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.

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.
 -
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	2	0
Customer Dispute	1	10	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.

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 2

Reporting Source:	Regulator
Regulatory Action Initiated By:	FINRA
Sanction(s) Sought:	Suspension
Date Initiated:	06/30/2016
Docket/Case Number:	2016048490401
Employing firm when activity occurred which led to the regulatory action:	N/A
Product Type:	No Product
Allegations:	Respondent Gioe failed to respond to FINRA request for information.
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: 10/03/2016

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 2

Sanction Type: Bar (Permanent)
Capacities Affected: All Capacities
Duration: Indefinite
Start Date: 10/03/2016

End Date:

Sanction 2 of 2

Sanction Type: Suspension
Capacities Affected: Any capacity
Duration: N/A
Start Date: 07/25/2016
End Date: 10/02/2016

Regulator Statement

Pursuant to FINRA Rule 9552(h) and in accordance with FINRA's Notice of Suspension and Suspension from Association letters dated June 30, 2016 and July 25, 2016, respectively, on October 3, 2016, Gioe is barred from association with any FINRA member in any capacity. Respondent failed to request termination of his suspension within three months of the date of the Notice of Suspension; therefore, he is automatically barred from association with any FINRA member in any capacity.



Disclosure 2 of 2

Reporting Source:	Regulator
Regulatory Action Initiated By:	ARKANSAS
Sanction(s) Sought:	Civil and Administrative Penalty(ies)/Fine(s) Suspension
Date Initiated:	03/12/2014
Docket/Case Number:	S-13-0112
URL for Regulatory Action:	
Employing firm when activity occurred which led to the regulatory action:	BLACKWALL CAPITAL MARKETS, INC.
Product Type:	Equity Listed (Common & Preferred Stock)
Allegations:	<p>ON OR ABOUT AUGUST 7, 2013, GIOE CONTACTED AN ARKANSAS RESIDENT ("AR1") ON A COLD CALL RECOMMENDING THE PURCHASE OF STOCK IN UNI-PIXEL, INC. ("UNI-PIXEL"). GIOE WAS NOT AWARE AT THE TIME OF THE CALL THAT AR1 WAS EMPLOYED AS A SENIOR SECURITIES EXAMINER WITH THE DEPARTMENT AND THAT HE HAD CONTACTED AR1 ON AN OFFICE PHONE DURING BUSINESS HOURS.</p> <p>AT THE TIME OF THE CALL, UNI-PIXEL WAS TRADING AT AROUND \$15.65 PER SHARE. GIOE TOLD AR1 THAT HE HAD INFORMATION SHOWING THAT UNI-PIXEL'S STOCK WOULD SOON EXPERIENCE A DRAMATIC RISE DUE TO A SERIES OF EVENTS. SPECIFICALLY, GIOE CLAIMED THAT A SIMILAR COMPANY'S EARNINGS, DISMISSAL OF A LAWSUIT, AND A STRONG EARNINGS REPORT WOULD INCREASE UNI-PIXEL'S STOCK VALUE. WHEN ASKED BY AR1 IF HE THOUGHT THE UNI-PIXEL STOCK WAS A "SURE THING," GIOE RESPONDED "IN MY HEART, I DO." GIOE MADE FORWARD-LOOKING STATEMENTS DURING THE CALL SUCH AS "WHEN THE STOCK IS AT 25 (DOLLARS PER SHARE), YOU WILL HAVE MADE \$1,000.00."</p> <p>AT THE TIME OF THE COLD CALL, MORNINGSTAR, INC.'S ANALYSTS HAD LABELED THE UNI-PIXEL STOCK AS "DISTRESSED." NONETHELESS, GIOE FAILED TO DISCLOSE TO AR1 THE RISKS ASSOCIATED WITH PURCHASING THE STOCK. ALTHOUGH GIOE ASKED AR1 SEVERAL SUITABILITY-RELATED QUESTIONS AT THE END OF THE CALL, GIOE FAILED TO CONDUCT A PROPER SUITABILITY ANALYSIS WITH AR1 TO DETERMINE IF THE STOCK WAS SUITABLE FOR AR1 PRIOR TO MAKING THE PURCHASE RECOMMENDATION.</p>



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:	12/09/2014
Sanctions Ordered:	Civil and Administrative Penalty(ies)/Fine(s) Suspension
Sanction 1 of 1	
Sanction Type:	Suspension
Capacities Affected:	BROKER-DEALER AGENT
Duration:	1 YEAR
Start Date:	12/09/2014
End Date:	12/09/2015
Monetary Sanction 1 of 1	
Monetary Related Sanction:	Civil and Administrative Penalty(ies)/Fine(s)
Total Amount:	\$15,000.00
Portion Levied against individual:	\$15,000.00
Payment Plan:	\$10,000.00 TO BE PAID WITHIN 10 DAYS OF THE ORDER, FOLLOWED BY TWELVE MONTHLY PAYMENTS OF \$416.67
Is Payment Plan Current:	No
Date Paid by individual:	
Was any portion of penalty waived?	No
Amount Waived:	

Reporting Source:	Firm
Regulatory Action Initiated	ARKANSAS

**By:**

Sanction(s) Sought: Civil and Administrative Penalty(ies)/Fine(s)
Suspension

Date Initiated: 03/12/2014

Docket/Case Number: S-13-0112

Employing firm when activity occurred which led to the regulatory action: BLACKWALL CAPITAL MARKETS, INC.

Product Type: Equity Listed (Common & Preferred Stock)

Allegations: ON OR ABOUT AUGUST 7, 2013, GIOE CONTACTED AN ARKANSAS RESIDENT ("AR1") ON A COLD CALL RECOMMENDING THE PURCHASE OF STOCK IN UNI-PIXEL, INC. ("UNI-PIXEL"). GIOE WAS NOT AWARE AT THE TIME OF THE CALL THAT AR1 WAS EMPLOYED AS A SENIOR SECURITIES EXAMINER WITH THE DEPARTMENT AND THAT HE HAD CONTACTED AR1 ON AN OFFICE PHONE DURING BUSINESS HOURS. AT THE TIME OF THE CALL, UNI-PIXEL WAS TRADING AT AROUND \$15.65 PER SHARE. GIOE TOLD AR1 THAT HE HAD INFORMATION SHOWING THAT UNI-PIXEL'S STOCK WOULD SOON EXPERIENCE A DRAMATIC RISE DUE TO A SERIES OF EVENTS. SPECIFICALLY, GIOE CLAIMED THAT A SIMILAR COMPANY'S EARNINGS, DISMISSAL OF A LAWSUIT, AND A STRONG EARNINGS REPORT WOULD INCREASE UNI-PIXEL'S STOCK VALUE. WHEN ASKED BY AR1 IF HE THOUGHT THE UNI-PIXEL STOCK WAS A "SURE THING," GIOE RESPONDED "IN MY HEART, I DO." GIOE MADE FORWARD-LOOKING STATEMENTS DURING THE CALL SUCH AS "WHEN THE STOCK IS AT 25 (DOLLARS PER SHARE), YOU WILL HAVE MADE \$1,000.00." AT THE TIME OF THE COLD CALL, MORNINGSTAR, INC.'S ANALYSTS HAD LABELED THE UNI-PIXEL STOCK AS "DISTRESSED." NONETHELESS, GIOE FAILED TO DISCLOSE TO AR1 THE RISKS ASSOCIATED WITH PURCHASING THE STOCK. ALTHOUGH GIOE ASKED AR1 SEVERAL SUITABILITY-RELATED QUESTIONS AT THE END OF THE CALL, GIOE FAILED TO CONDUCT A PROPER SUITABILITY ANALYSIS WITH AR1 TO DETERMINE IF THE STOCK WAS SUITABLE FOR AR1 PRIOR TO MAKING THE PURCHASE RECOMMENDATION.

Current Status: Final

Resolution: Consent

Resolution Date: 12/09/2014

Sanctions Ordered: Civil and Administrative Penalty(ies)/Fine(s)
Suspension

Sanction 1 of 1



Sanction Type:	Suspension
Capacities Affected:	BROKER-DEALER AGENT
Duration:	1 YEAR
Start Date:	12/09/2014
End Date:	12/09/2015
Monetary Sanction 1 of 1	
Monetary Related Sanction:	Civil and Administrative Penalty(ies)/Fine(s)
Total Amount:	\$15,000.00
Portion Levied against individual:	\$15,000.00
Payment Plan:	\$10,000.00 TO BE PAID WITHIN 10 DAYS OF THE ORDER, FOLLOWED BY TWELVE MONTHLY PAYMENTS OF \$416.67
Is Payment Plan Current:	No
Date Paid by individual:	
Was any portion of penalty waived?	No
Amount Waived:	
Reporting Source:	Broker
Regulatory Action Initiated By:	ARKANSAS
Sanction(s) Sought:	Monetary Penalty other than Fines Revocation
Date Initiated:	03/12/2014
Docket/Case Number:	CASE NO. S-13-0112
Employing firm when activity occurred which led to the regulatory action:	BLACKWALL CAPITAL MARKETS, INC.
Product Type:	No Product
Allegations:	CONTACTED AN ARKANSAS SENIOR SECURITIES EXAMINER AND PITCHED A SECURITY AND DURING CALL ALLEGED VIOLATIONS OF ARKANSAS



RULE 308.01 (HIGH STANDARDS OF COMMERCIAL HONOR AND JUST AND EQUITABLE PRINCIPLES OF TRADE), 308.01(B) (UNJUSTIFIED OR UNTRUTHFUL REPRESENTATIONS), 308.01(D)(HAVE REASONABLE GROUNDS THAT RECOMENDATION IS SUITABLE BEFORE RECOMMENDATION) & ARK. CODE ANN. 23-42-507(2)(UNTRUE STATEMENT OF MATERIAL FACT OR OMIT TO STATE A MATERIAL FACT OR FAILED TO DISCLOSE ANY RISKS INVOLVED)

Current Status:	Final
Resolution:	Settled
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:	12/09/2014
Sanctions Ordered:	Monetary Penalty other than Fines Suspension
Sanction 1 of 1	
Sanction Type:	Suspension
Capacities Affected:	ALL REGISTRATION IN THE STATE OF ARKANSAS
Duration:	30 DAYS
Start Date:	11/03/2014
End Date:	12/03/2014
Monetary Sanction 1 of 1	
Monetary Related Sanction:	Monetary Penalty other than Fines
Total Amount:	\$15,000.00
Portion Levied against individual:	\$15,000.00
Payment Plan:	INITIAL PAYMENT OF \$10,000 FOLLOWED BY TWELVE EQUAL MONTHLY PAYMENTS OF \$416.67
Is Payment Plan Current:	No
Date Paid by individual:	



Was any portion of penalty waived?

No

Amount Waived:

Broker Statement

THE COMPLAINT WAS OFFICIALLY RECEIVED WHEN SERVED TO SALVATORE GIOE'S ATTORNEY BY THE STATE OF ARKANSAS ON APRIL 7, 2014. THE ORIGINAL SUSPENSION WAS 1 MONTH. DUE TO A NON PAYMENT AND SUBSEQUENT REPAYMENT PROGRAM BEING REESTABLISHED, THE SUSPENSION WAS LENGTHENED FROM 1 ONE TO 1 YEAR. MONTHLY PAYMENTS ARE ALL CURRENT TO DATE.



Customer Dispute - Award / Judgment

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 1

Reporting Source:	Broker
Employing firm when activities occurred which led to the complaint:	CHARLES VISTA, LLC
Allegations:	FRAUD, NEGLIGENT MISREPRESENTATION, BREACH OF FIDUCIARY AND BREACH OF THE COVENANTS OF GOOD FAITH AND FAIR DEALING & NEGLIGENT SUPERVISION; BREACH OF CONTRACT; SECTION 20 VIOLATIONS FOR ACTIVITY BETWEEN FEBRUARY 2011 AND JUNE 2011.
Product Type:	Options
Alleged Damages:	\$75,000.00

Arbitration Information

Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):	FINRA NEW YORK DISPUTE RESOLUTION
Docket/Case #:	NUMBER 14-01455
Date Notice/Process Served:	06/20/2014
Arbitration Pending?	No
Disposition:	Award to Customer
Disposition Date:	12/02/2015
Monetary Compensation Amount:	\$9,106.00
Individual Contribution Amount:	\$9,106.00
Broker Statement	I DENY ALL ALLEGATIONS.



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 6

Reporting Source: Firm

Employing firm when activities occurred which led to the complaint: FIRST MIDWEST SECURITIES, INC.

Allegations: UNAUTHORIZED TRADING, SUPERVISION, SUITABILITY, FIDUCIARY DUTY, NEGLIGENT MISREPRESENTATIONS & OMISSIONS; DE FACTO CONTROL & CHURNING; MARGIN FRAUD & MARGIN NEGLIGENCE; LOST INTEREST & PROFESSIONAL NEGLIGENCE OMISSION OF FACT; UNSUITABLE RECOMMENDATIONS; EXCESSIVE TRADING; BREACH OF FIDUCIARY DUTY; FAILURE TO SUPERVISE; DETRIMENTAL RELIANCE, VIOLATIONS OF FEDERAL LAW, FINRA RULES; INTENTIONAL GROSS/RECKLESS DISREGARD OF FINRA RULES, INDUSTRY, STATE AND FEDERAL LAWS.

Product Type: Equity-OTC

Alleged Damages: \$350,000.00

Arbitration Information

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

Docket/Case #: 13-01018

Date Notice/Process Served: 04/09/2013

Arbitration Pending? No

Disposition: Settled

Disposition Date: 06/18/2014

Monetary Compensation Amount: \$65,000.00

Individual Contribution Amount: \$65,000.00

Reporting Source: Broker



Employing firm when activities occurred which led to the complaint:

FIRST MIDWEST SECURITIES, INC.

Allegations:

UNAUTHORIZED TRADING, SUPERVISION, SUITABILITY, FIDUCIARY DUTY, NEGLIGENT MISREPRESENTATIONS & OMISSIONS; DE FACTO CONTROL & CHURNING; MARGIN FRAUD & MARGIN NEGLIGENCE; LOST INTEREST & PROFESSIONAL NEGLIGENCE OMISSION OF FACT; UNSUITABLE RECOMMENDATIONS; EXCESSIVE TRADING; BREACH OF FIDUCIARY DUTY; FAILURE TO SUPERVISE; DETRIMENTAL RELIANCE, VIOLATIONS OF FEDERAL LAW, FINRA RULES; INTENTIONAL GROSS/RECKLESS DISREGARD OF FINRA RULES, INDUSTRY, STATE AND FEDERAL LAWS.

Product Type:

Equity-OTC

Alleged Damages:

\$350,000.00

Arbitration Information

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

FINRA

Docket/Case #:

13-01018

Date Notice/Process Served:

04/09/2013

Arbitration Pending?

No

Disposition:

Settled

Disposition Date:

06/18/2014

Monetary Compensation Amount:

\$65,000.00

Individual Contribution Amount:

\$0.00

Broker Statement

I DID NOT CONTRIBUTE TO THE SETTLEMENT AND MY ATTORNEY HAS CONTACTED FMSI TO AMEND THE U-5 THEY SUBMITTED.

Disclosure 2 of 6

Reporting Source:

Firm

Employing firm when activities occurred which led to the complaint:

JOHN THOMAS FINANCIAL



Allegations: FAILURE TO IMPLEMENT STOP LOSS ORDER.

Product Type: Equity-OTC

Alleged Damages: \$150,000.00

Alleged Damages Amount Explanation (if amount not exact): [CUSTOMER] ALLEGES AN AMOUNT MORE THAN \$150,000.00

Is this an oral complaint? Yes

Is this a written complaint? No

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

Customer Complaint Information

Date Complaint Received: 02/10/2011

Complaint Pending? No

Status: Settled

Status Date: 02/10/2011

Settlement Amount: \$150,000.00

Individual Contribution Amount: \$0.00

Reporting Source: Broker

Employing firm when activities occurred which led to the complaint: JOHN THOMAS FINANCIAL

Allegations: FAILURE TO IMPLEMENT STOP LOSS ORDER.

Product Type: Equity-OTC

Alleged Damages: \$150,000.00

Alleged Damages Amount Explanation (if amount not exact): [CUSTOMER] ALLEGES AN AMOUNT MORE THAN \$150,000.00

Is this an oral complaint? Yes

Is this a written complaint? No



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

Customer Complaint Information

Date Complaint Received: 02/10/2011

Complaint Pending? No

Status: Settled

Status Date: 02/10/2011

Settlement Amount: \$150,000.00

**Individual Contribution
Amount:** \$0.00

Broker Statement MR. GIOE DENIES THAT ANY STOP LOSS ORDER WAS DISCUSSED.

Disclosure 3 of 6

Reporting Source: Firm

**Employing firm when
activities occurred which led
to the complaint:** JOHN THOMAS FINANCIAL

Allegations: ON JULY 28, 2010, [CUSTOMER] ATTORNEY SENT AN COMPLAINT ON BEHALF OF HIS CLIENT ALLEGING ISSUES REGARDING HIGH TURNOVER, HIGH COMMISSIONS AND PERFORMANCE FROM APRIL 2009 TO DEC. 2009

Product Type: Equity-OTC

Alleged Damages: \$26,000.00

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: 07/28/2010

Complaint Pending? No

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

Status Date: 08/05/2010

**Settlement Amount:****Individual Contribution Amount:****Arbitration Information**

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

Docket/Case #: 10-05427

Date Notice/Process Served: 12/13/2010

Arbitration Pending? Yes

Firm Statement AS PER A SETTLEMENT ON JANUARY 15, 2013, ANY CLAIMS OF [CUSTOMER] SHALL BE DISCONTINUED WITHOUT PREJUDICE. [CUSTOMER] IS ENTITLED TO PROCEED WITH HER CLAIMS AGAINST SALVATORE GIOE.

Reporting Source: Broker

Employing firm when activities occurred which led to the complaint: JOHN THOMAS FINANCIAL

Allegations: EXCESSIVE TRADING

Product Type: Equity-OTC

Alleged Damages: \$17,978.85

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: 07/28/2010

Complaint Pending? No

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

Status Date: 08/05/2010

**Settlement Amount:**

**Individual Contribution
Amount:**

Arbitration Information

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

FINRA

Docket/Case #: 10-05427

Date Notice/Process Served: 12/13/2010

Arbitration Pending? No

Disposition: Settled

Disposition Date: 03/21/2013

**Monetary Compensation
Amount:** \$15,000.00

**Individual Contribution
Amount:** \$15,000.00

Broker Statement [CUSTOMER] IS [THIRD PARTY'S} GIRLFRIEND. SHE AUTHORIZED AND DIRECTED ALL TRANSACTIONS IN HER SECURITIES ACCOUNT. THIS WAS A "MERGE" ARBITRATION WITH DAVID MENASH AND SETTLED 3/21/13 FINRA NO. 10-05427 "DAVID MENASH AND [CUSTOMER] V. JOHN THOMAS FINANCIAL AND SALVATORE GIOE.

Disclosure 4 of 6

Reporting Source: Firm

**Employing firm when
activities occurred which led
to the complaint:** JOHN THOMAS FINANCIAL

Allegations: ON JULY 28, 2010, [CUSTOMER] SENT A COMPLAINT THROUGH HIS ATTORNEY ALLEGING HIGH, COMMISSIONS, HIGH TURNOVER AND PERFORMANCE ISSUES FROM JANUARY 16,2009 TO FEBRUARY 18, 2010.

Product Type: Equity-OTC

Alleged Damages: \$188,670.12

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: 07/28/2010

Complaint Pending? No

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

Status Date: 08/05/2010

Settlement Amount:

Individual Contribution Amount:

Arbitration Information

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

Docket/Case #: 10-05427

Date Notice/Process Served: 12/13/2010

Arbitration Pending? No

Disposition: Settled

Disposition Date: 03/21/2013

Monetary Compensation Amount: \$15,000.00

Individual Contribution Amount: \$15,000.00

Firm Statement TO AVOID FUTHER EXPENSE, COSTS, AND TIME TO LITIGATE THE DISPUTES, ALL CLAIMS AGAINST JOHN THOMAS FINANCIAL ("RESPONDENT") ARE DISMISSED WITH PREJUDICE AS PER A SETTLEMENT AGREEMENT ON JANUARY 15, 2013.

Reporting Source: Broker

Employing firm when activities occurred which led to the complaint: JOHN THOMAS FINANCIAL



Allegations: EXCESSIVE TRADING

Product Type: Equity-OTC

Alleged Damages: \$103,530.17

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: 07/28/2010

Complaint Pending? No

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

Status Date: 08/05/2010

Settlement Amount:

Individual Contribution Amount:

Arbitration Information

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

Docket/Case #: 10-05427

Date Notice/Process Served: 12/13/2010

Arbitration Pending? No

Disposition: Settled

Disposition Date: 03/21/2013

Monetary Compensation Amount: \$15,000.00

Individual Contribution Amount: \$15,000.00

Broker Statement [CUSTOMER] WAS A FORMER FRIEND AND REGISTERED REPRESENTATIVE AT JOHN THOMAS FINANCIAL. HE AUTHORIZED AND DIRECTED ALL TRANSACTIONS IN HIS SECURITIES ACCOUNT.



Disclosure 5 of 6

Reporting Source:	Broker
Employing firm when activities occurred which led to the complaint:	JOHN THOMAS FINANCIAL
Allegations:	[CUSTOMER] IS ALLEGING THAT MR.GIOE EXECUTED A UNAUTHORIZED TRADE IN HIS ACCOUNT, AND THAT ON CERTAIN TRADES THE COMMISSION CHARGED WAS TO HIGH. [CUSTOMER] BELIEVES THAT THERE WAS A AGREEMENT MADE CONCERNING THE AMOUNT OF COMMISSIONS THAT WOULD BE CHARGED.
Product Type:	Equity-OTC Equity Listed (Common & Preferred Stock) Other: ETF'S
Alleged Damages:	\$31,000.00
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:	08/18/2009
Complaint Pending?	No
Status:	Settled
Status Date:	02/26/2010
Settlement Amount:	\$20,000.00
Individual Contribution Amount:	\$20,000.00

Disclosure 6 of 6

Reporting Source:	Firm
Employing firm when activities occurred which led to the complaint:	THE CONCORD EQUITY GROUP, LLC



Allegations: CUSTOMER CLAIMED THE REP ENGAGED IN UNAUTHORIZED TRADES ON 6/7/2006

Product Type: Equity - OTC

Alleged Damages: \$6,200.00

Customer Complaint Information

Date Complaint Received: 09/21/2006

Complaint Pending? No

Status: Settled

Status Date: 10/26/2006

Settlement Amount: \$3,340.40

Individual Contribution Amount: \$3,163.40

Firm Statement THE PURCHASE OF 850 SHARES OF SIMC WAS CANCELLED AND A REFUND OF ANY LOSSES WERE CREDITED TO THE CUSTOMER'S ACCOUNT

Reporting Source: Broker

Employing firm when activities occurred which led to the complaint: THE CONCORD EQUITY GROUP,LLC

Allegations: CUSTOMER CLAIMED THE REP ENGAGED IN UNAUTHORIZED TRADES ON 06/07/2006.

Product Type: Equity - OTC

Alleged Damages: \$6,200.00

Customer Complaint Information

Date Complaint Received: 09/21/2006

Complaint Pending? No

Status: Settled

Status Date: 10/26/2006

Settlement Amount: \$3,340.40

Individual Contribution Amount: \$3,163.40



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 3

Reporting Source:	Firm
Employing firm when activities occurred which led to the complaint:	PHX FINANCIAL, INC.
Allegations:	UNAUTHORIZED TRADING
Product Type:	Equity-OTC Options
Alleged Damages:	\$22,994.00
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:	12/16/2014

Customer Complaint Information

Date Complaint Received:	12/16/2014
Complaint Pending?	No
Status:	Denied
Status Date:	03/09/2015
Settlement Amount:	
Individual Contribution Amount:	



Reporting Source: Broker

Employing firm when activities occurred which led to the complaint: PHX FINANCIAL, INC

Allegations: UNAUTHORIZED TRADING

Product Type: Equity-OTC
Options

Alleged Damages: \$22,994.00

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: 12/16/2014

Customer Complaint Information

Date Complaint Received: 12/16/2014

Complaint Pending? No

Status: Denied

Status Date: 03/09/2015

Settlement Amount:

Individual Contribution Amount:

Disclosure 2 of 3

Reporting Source: Firm



Employing firm when activities occurred which led to the complaint: JOHN THOMAS FINANCIAL

Allegations: [CUSTOMER] CLAIMS THAT BETWEEN DECEMBER 2008 AND APRIL 2009 MR. GIOE MADE GURANTEE'S AND ALLOWED HIM TO TRADE ON MARGIN WITHOUT A MARGIN AGREEMENT.

Product Type: Equity Listed (Common & Preferred Stock)

Alleged Damages: \$26,000.00

Alleged Damages Amount Explanation (if amount not exact): THE CUSTOMER ASK FOR ALL COMMISSIONS, LOSSES, FEES AND INTEREST TO BE PAID. THE TOTAL LOSSES ARE 24,649.26, THE FIRM ESTIMATES ABOUT 1350.00 FOR FEES AND INTEREST

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: 07/01/2010

Complaint Pending? No

Status: Closed/No Action

Status Date: 05/04/2012

Settlement Amount: \$0.00

Individual Contribution Amount: \$0.00

Reporting Source: Broker

Employing firm when activities occurred which led to the complaint: JOHN THOMAS FINANCIAL

Allegations: PERFORMANCE GUARANTEE

Product Type: Equity-OTC

Alleged Damages: \$24,649.26

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: 07/01/2010

Complaint Pending? No

Status: Closed/No Action

Status Date: 05/04/2012

Settlement Amount:

**Individual Contribution
Amount:**

Broker Statement I MADE NO GUARANTEE OF ACCOUNT PERFORMANCE. ACCOUNT LOSSES WERE DIRECTLY RELATED THE SPECULATIVE NATURE OF THE MARKET IN GENERAL AS WELL AS THE SPECIFIC INVESTMENT STRATEGIES CLIENT AGREED TO EMPLOY.

Disclosure 3 of 3

Reporting Source: Firm

**Employing firm when
activities occurred which led
to the complaint:** JOHN THOMAS FINANCIAL

Allegations: [CUSTOMER] STATES THAT MR. GIOE FAILED TO PLACE A STOP LOSS ORDER CONCERNING TIVO. [CUSTOMER] STATES THAT THIS COST HIM 20,000.00.

Product Type: Equity-OTC

Alleged Damages: \$20,000.00

Is this an oral complaint? Yes

Is this a written complaint? No

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

Customer Complaint Information

Date Complaint Received: 06/10/2010



Complaint Pending? No

Status: Closed/No Action

Status Date: 04/16/2012

Settlement Amount:

Individual Contribution Amount:

Reporting Source: Broker

Employing firm when activities occurred which led to the complaint: JOHN THOMAS FINANCIAL

Allegations: FAILURE TO EXECUTE STOP LOSS

Product Type: Equity-OTC

Alleged Damages: \$20,000.00

Is this an oral complaint? Yes

Is this a written complaint? No

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

Customer Complaint Information

Date Complaint Received: 06/10/2010

Complaint Pending? Yes

Settlement Amount:

Individual Contribution Amount:

Broker Statement [CUSTOMER] DID NOT REQUEST STOP LOSS ON TRANSACTION IN QUESTION. HIS HINDSIGHT SUGGESTION OTHERWISE REPRESENTS A DISINGENUOUS ENDEAVOR TO PLAY THE MARKET AT MY EXPENSE.



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 1

Reporting Source:	Firm
Employing firm when activities occurred which led to the complaint:	Avenir Financial Group
Allegations:	Reckless Behavior and Unauthorized transactions
Product Type:	Options
Alleged Damages:	\$1,400,000.00
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:	03/04/2016
Complaint Pending?	Yes
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

Reporting Source:	Broker
Judgment/Lien Holder:	ANDREW GIOE AND PAT GIOE
Judgment/Lien Amount:	\$197,149.92
Judgment/Lien Type:	Civil
Date Filed with Court:	02/23/2012
Date Individual Learned:	06/19/2014
Type of Court:	State Court
Name of Court:	SUPREME COURT OF THE STATE OF NEW YORK
Location of Court:	QUEENS, NY
Docket/Case #:	INDEX 3965/2012
Judgment/Lien Outstanding?	Yes

End of Report



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