

**BrokerCheck Report**  
**KANE H WALLER**  
 CRD# 4537969

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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).



KANE H. WALLER

CRD# 4537969

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

- B THE BENCHMARK COMPANY, LLC**  
10 POST OFFICE SQUARE  
9TH FLOOR, NORTH TOWER  
BOSTON, MA 02109  
CRD# 22982  
Registered with this firm since: 08/02/2023

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:

- 2 Self-Regulatory Organizations
- 6 U.S. states and territories

This broker has passed:

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

Registration History

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

- B CANACCORD GENUITY LLC**  
CRD# 1020  
BOSTON, MA  
10/2017 - 04/2023
- B FIDELITY BROKERAGE SERVICES LLC**  
CRD# 7784  
BOSTON, MA  
03/2003 - 08/2017
- B NATIONAL FINANCIAL SERVICES LLC**  
CRD# 13041  
BOSTON, MA  
07/2002 - 08/2017

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
Termination	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 2 SROs and is licensed in 6 U.S. states and territories through his or her employer.**

### Employment 1 of 1

Firm Name: **THE BENCHMARK COMPANY, LLC**

Main Office Address: **150 E 58TH STREET  
17TH FLOOR  
NEW YORK, NY 10155**

Firm CRD#: **22982**

	SRO	Category	Status	Date
B	FINRA	General Securities Principal	Approved	08/03/2023
B	FINRA	General Securities Representative	Approved	08/03/2023
B	FINRA	Securities Trader	Approved	08/03/2023
B	Nasdaq Stock Market	General Securities Principal	Approved	08/02/2023
B	Nasdaq Stock Market	General Securities Representative	Approved	08/02/2023
B	Nasdaq Stock Market	Securities Trader	Approved	08/02/2023

	U.S. State/ Territory	Category	Status	Date
B	California	Agent	Approved	08/09/2023
B	Illinois	Agent	Approved	09/27/2023
B	Massachusetts	Agent	Approved	08/04/2023
B	New Jersey	Agent	Approved	10/09/2025
B	New York	Agent	Approved	09/17/2024
B	Texas	Agent	Approved	08/12/2023

## Broker Qualifications



### Employment 1 of 1, continued Branch Office Locations

**THE BENCHMARK COMPANY, LLC**  
10 POST OFFICE SQUARE  
9TH FLOOR, NORTH TOWER  
BOSTON, MA 02109

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## 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, 4 general industry/product exams, and 1 state securities law exam.**

### Principal/Supervisory Exams

Exam	Category	Date
<b>B</b> General Securities Principal Examination	Series 24	02/27/2006

### General Industry/Product Exams

Exam	Category	Date
<b>B</b> Securities Trader Exam	Series 57TO	01/02/2023
<b>B</b> Securities Industry Essentials Examination	SIE	10/01/2018
<b>B</b> Limited Representative-Equity Trader Exam	Series 55	09/13/2003
<b>B</b> General Securities Representative Examination	Series 7	02/25/2003

### State Securities Law Exams

Exam	Category	Date
<b>B</b> Uniform Securities Agent State Law Examination	Series 63	03/06/2003

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> 10/2017 - 04/2023	CANACCORD GENUITY LLC	1020	BOSTON, MA
<b>B</b> 03/2003 - 08/2017	FIDELITY BROKERAGE SERVICES LLC	7784	BOSTON, MA
<b>B</b> 07/2002 - 08/2017	NATIONAL FINANCIAL SERVICES LLC	13041	BOSTON, MA

### 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
07/2023 - Present	The Benchmark Company, LLC.	Registered Representative	Y	New York, NY, United States
04/2023 - 06/2023	Unemployed	Unemployed	N	Norwell, MA, United States
10/2017 - 03/2023	Canaccord Genuity Inc	Registered Representative	Y	Boston, MA, United States
06/2000 - 07/2017	FIDELITY INVESTMENTS	ANALYST/ASSOCIATE	Y	BOSTON, MA, 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.
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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	2	0
Termination	N/A	1	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

<b>Reporting Source:</b>	Regulator
<b>Regulatory Action Initiated By:</b>	FINRA
<b>Sanction(s) Sought:</b>	Other: N/A
<b>Date Initiated:</b>	12/02/2019
<b>Docket/Case Number:</b>	<a href="#">2017055164001</a>
<b>Employing firm when activity occurred which led to the regulatory action:</b>	National Financial Services LLC
<b>Product Type:</b>	Other: Block order
<b>Allegations:</b>	Waller was named a respondent in a FINRA complaint alleging that he shared customers' material non-public block order information with one of his most significant customers on the same side of the market. The complaint alleges that in each instance, Waller then executed trades for the customer in the same securities that were the subject of his improper disclosure while the block order information was non-public. On at least two of these occasions, the customer instructed Waller to trade ahead of the other customer's order. After discovering Waller's misconduct, his member firm warned him that his conduct was not acceptable. Yet Waller engaged in the misconduct again.
<b>Current Status:</b>	Final



<b>Resolution:</b>	Decision & Order of Offer of Settlement
<b>Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct?</b>	No
<b>Resolution Date:</b>	12/17/2020
<b>Sanctions Ordered:</b>	Civil and Administrative Penalty(ies)/Fine(s) Suspension
<b>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?</b>	No
<b>(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?</b>	



**(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**

<b>Sanction Type:</b>	Suspension
<b>Capacities Affected:</b>	All Capacities
<b>Duration:</b>	90 days
<b>Start Date:</b>	01/19/2021
<b>End Date:</b>	04/18/2021

**Monetary Sanction 1 of 1****Monetary Related Sanction:** Civil and Administrative Penalty(ies)/Fine(s)**Total Amount:** \$10,000.00**Portion Levied against individual:** \$10,000.00**Payment Plan:****Is Payment Plan Current:****Date Paid by individual:** 12/31/2020**Was any portion of penalty waived?** No**Amount Waived:****Regulator Statement**

Without admitting or denying the allegations, Waller consented to the sanctions and to the entry of findings that he engaged in unethical conduct by sharing customers' material non-public block order information with one of his most significant customers on the same side of the market. The findings stated that Waller then executed trades for the customer in the same securities that were the subject of his improper disclosure while the block order information was non-public. The findings also stated that Waller engaged in front running of block transactions. On at least two of the occasions, the customer instructed Waller to trade ahead of the other customers' order. After discovering Waller's misconduct, his member firm warned him that his conduct was not acceptable. Yet Waller engaged in the misconduct again. The firm discovered Waller's exchange with the customer and it conducted an internal review and concluded that Waller had violated its policies and procedures regarding the protection, and proper handling, of customer block order information and the improper use of such information by a customer to trade. The firm then permitted Waller to resign. The firm also compensated the customers whose block order information Waller improperly disclosed to the customer. In total, the firm paid \$7,155.72 to the customers to compensate them for any more favorable executions that the customer received with respect to price and quantity as a result of Waller's misconduct. Fine paid in full on December 31, 2020.

**Reporting Source:** Broker**Regulatory Action Initiated By:** FINRA**Sanction(s) Sought:** Monetary Penalty other than Fines  
Other: N/A



**Date Initiated:** 12/02/2019

**Docket/Case Number:** [2017055164001](#)

**Employing firm when activity occurred which led to the regulatory action:** National Financial Services LLC

**Product Type:** Other: Block Order

**Allegations:** Waller was named a respondent in a FINRA complaint alleging that he shared customers' material non-public block order information with one of his most significant customers on the same side of the market. The complaint alleges that in each instance, Waller then executed trades for the customer in the same securities that were the subject of his improper disclosure while the block order information was non-public. On at least two of these occasions, the customer instructed Waller to trade ahead of the other customer's order. After discovering Waller's misconduct, his member firm warned him that his conduct was not acceptable. Yet Waller engaged in the misconduct again.

**Current Status:** Final

**Resolution:** Decision & Order of Offer of Settlement

**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:** 12/17/2020

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

**Sanction 1 of 1**

**Sanction Type:** Suspension

**Capacities Affected:** All capacities

**Duration:** 90 days

**Start Date:** 01/18/2021

**End Date:** 04/17/2021

**Monetary Sanction 1 of 1**

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



**Total Amount:** \$10,000.00

**Portion Levied against individual:** \$10,000.00

**Payment Plan:**

**Is Payment Plan Current:**

**Date Paid by individual:**

**Was any portion of penalty waived?** No

**Amount Waived:**

**Broker Statement**

Without admitting or denying the allegations, Waller consented to the sanctions and to the entry of findings that he engaged in unethical conduct by sharing customers' material non-public block order information with one of his most significant customers on the same side of the market. The findings stated that Waller then executed trades for the customer in the same securities that were the subject of his improper disclosure while the block order information was non-public. The findings also stated that Waller engaged in front running of block transactions. On at least two of the occasions, the customer instructed Waller to trade ahead of the other customers' order. After discovering Waller's misconduct, his member firm warned him that his conduct was not acceptable. Yet Waller engaged in the misconduct again. The firm discovered Waller's exchange with the customer and it conducted an internal review and concluded that Waller had violated its policies and procedures regarding the protection, and proper handling, of customer block order information and the improper use of such information by a customer to trade. The firm then permitted Waller to resign. The firm also compensated the customers whose block order information Waller improperly disclosed to the customer. In total, the firm paid \$7,155.72 to the customers to compensate them for any more favorable executions that the customer received with respect to price and quantity as a result of Waller's misconduct.

#### Disclosure 2 of 2

**Reporting Source:** Regulator

**Regulatory Action Initiated By:** Massachusetts Securities Division

**Sanction(s) Sought:** Other: Conditional Registration

**Date Initiated:** 04/16/2021

**Docket/Case Number:** R-2017-0106

**URL for Regulatory Action:**

**Employing firm when activity occurred which led to the regulatory action:**

NATIONAL FINANCIAL SERVICES LLC

**Product Type:**

No Product

**Allegations:**

The Division is placing conditions on Waller's continued registration as a BD Agent of Canaccord Genuity in Massachusetts. The Order entered pursuant to the Undertakings is an amendment of the November 30, 2017 Order (Docket No. R-2017-0106) to reflect an additional period of heightened supervision due to Waller's suspension by FINRA.

**Current Status:**

Final

**Resolution:**

Consent Order - Conditional Registration

**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:**

04/16/2021

**Sanctions Ordered:**

Undertaking  
Other: Mr. Waller shall be supervised on a heightened basis by Conaccord Genuity, Inc.

**Regulator Statement**

Conditions placed on Waller's continued registration as a BD Agent of Canaccord Genuity in Massachusetts. The Order is an amendment of the November 30, 2017 Order (Docket No. R-2017-0106) to reflect an additional period of heightened supervision due to Waller's suspension by FINRA.

**Reporting Source:**

Broker

**Regulatory Action Initiated By:**

Massachusetts Securities Division

**Sanction(s) Sought:**

Other: Conditional Registration

**Date Initiated:**

04/16/2021

**Docket/Case Number:**

R-2017-0106



<b>Employing firm when activity occurred which led to the regulatory action:</b>	NATIONAL FINANCIAL SERVICES LLC
<b>Product Type:</b>	No Product
<b>Allegations:</b>	The Division is placing conditions on Waller's continued registration as a BD Agent of Canaccord Genuity in Massachusetts. The Order entered pursuant to the Undertakings is an amendment of the November 30, 2017 Order (Docket No. R-2017-0106) to reflect an additional period of heightened supervision due to Waller's suspension by FINRA.
<b>Current Status:</b>	Final
<b>Resolution:</b>	Consent Order - Conditional Registration
<b>Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct?</b>	No
<b>Resolution Date:</b>	04/16/2021
<b>Sanctions Ordered:</b>	Undertaking Other: Mr. Waller shall be supervised on a heightened basis by Canaccord Genuity, Inc..
<b>Broker Statement</b>	Conditions placed on Waller's continued registration as a BD Agent of Canaccord Genuity in Massachusetts. The Order is an amendment of the November 30, 2017 Order (Docket No. R-2017-0106) to reflect an additional period of heightened supervision due to Waller's suspension by FINRA.



## Employment Separation After Allegations

This type of disclosure event involves a situation where the broker voluntarily resigned, was discharged, or was permitted to resign after being accused of (1) violating investment-related statutes, regulations, rules or industry standards of conduct; (2) fraud or the wrongful taking of property; or (3) failure to supervise in connection with investment-related statutes, regulations, rules, or industry standards of conduct.

### Disclosure 1 of 1

**Reporting Source:** Firm

**Employer Name:** FIDELITY INVESTMENTS

**Termination Type:** Permitted to Resign

**Termination Date:** 07/07/2017

**Allegations:** Concerns relating to a handful of instances in which the representative disclosed other customers' block order information to another customer on the same side of the market and his subsequent handling of that customer's orders

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

**Reporting Source:** Broker

**Employer Name:** Fidelity Investments

**Termination Type:** Permitted to Resign

**Termination Date:** 07/07/2017

**Allegations:** Concerns relating to a handful of instances in which I disclosed other customers' block order information to another customer on the same side of the market.

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

## End of Report



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