

BrokerCheck Report

BRIAN ALAN MITCHELL

CRD# 5171567

<u>Section Title</u>	<u>Page(s)</u>
Report Summary	1
Broker Qualifications	2 - 3
Registration and Employment History	5
Disclosure Events	6



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 A. MITCHELL

CRD# 5171567

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 THE LEADERS GROUP, INC.**
CRD# 37157
SUMMIT, NJ
03/2013 - 11/2014
- B KEY INVESTMENT SERVICES LLC**
CRD# 136300
ANN ARBOR, MI
03/2011 - 05/2012
- B CHASE INVESTMENT SERVICES CORP.**
CRD# 25574
BELLEVILLE, MI
07/2006 - 02/2011

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

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 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	11/10/2014
B Investment Company Products/Variable Contracts Representative Examination	Series 6	07/17/2006

State Securities Law Exams

Exam	Category	Date
B Uniform Securities Agent State Law Examination	Series 63	08/01/2006

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 03/2013 - 11/2014	THE LEADERS GROUP, INC.	37157	SUMMIT, NJ
B 03/2011 - 05/2012	KEY INVESTMENT SERVICES LLC	136300	ANN ARBOR, MI
B 07/2006 - 02/2011	CHASE INVESTMENT SERVICES CORP.	25574	BELLEVILLE, MI

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
03/2013 - Present	THE LEADERS GROUP INC	REGISTERED REPRESENTATIVE	Y	LITTLETON, CO, United States
05/2012 - Present	BRIAN THE BANKER & ASSOC	OWNER	Y	ANN ARBOR, MI, 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:	Maryland
Sanction(s) Sought:	Bar Cease and Desist Civil and Administrative Penalty(ies)/Fine(s)
Date Initiated:	02/26/2025
Docket/Case Number:	2022-0028
URL for Regulatory Action:	https://www.marylandattorneygeneral.gov/Securities%20Actions/2025/20220028_Young_Pro Pros_final_Order_022625.pdf
Employing firm when activity occurred which led to the regulatory action:	Young Pros Investment Group, LLC
Product Type:	Promissory Note
Allegations:	Raised money from at least 28 Maryland investors through promissory notes. Still own Maryland investors at least \$644,343. Made representations that the principal was guaranteed. Violated the anti-fraud and registration provisions of the Act.
Current Status:	Final
Resolution:	Order
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:	02/26/2025



Sanctions Ordered: Bar (Permanent)
Cease and Desist
Civil and Administrative Penalty(ies)/Fine(s)
Other: Fine \$650,000.

Sanction 1 of 1

Sanction Type: Bar (Permanent)

Capacities Affected: all capacities

Duration: permanent

Start Date: 02/26/2025

End Date:

Monetary Sanction 1 of 1

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

Total Amount: \$650,000.00

Portion Levied against individual: \$650,000.00

Payment Plan: none

Is Payment Plan Current: No

Date Paid by individual:

Was any portion of penalty waived? No

Amount Waived:

Regulator Statement none

Disclosure 2 of 2

Reporting Source: Regulator

Regulatory Action Initiated By: National Futures Association

Sanction(s) Sought: Other: n/a

Date Initiated: 07/17/2017

Docket/Case Number: 17-BCC-007



Employing firm when activity occurred which led to the regulatory action:	Ethan Mitchell LLC, Gain Capital Group, LLC
Product Type:	Other: unspecified securities
Allegations:	<p>On July 17, 2017, NFA's Business Conduct Committee (BCC) issued a Complaint against Ethan Mitchell LLC (EML) and Brian Mitchell (Mitchell). EML has been an NFA Member since August 2015. In September 2016, Mitchell withdrew his AP registration and NFA associate membership and EML ceased operations. Prior to closing, EML managed trading accounts for futures customers, all of which were held at Gain Capital Group, LLC (Gain Capital). NFA began an examination of EML in September 2016, shortly before Mitchell withdrew his AP registration and closed EML. The examination was prompted by a customer complaint NFA received from two brothers who had each opened futures trading accounts at Gain Capital that were traded by Mitchell. Each brother had invested \$50,000 in his trading account and lost nearly all of his investment in a few short weeks.</p> <p>At the beginning of the exam, Mitchell admitted to NFA that - prior to EML becoming registered as a commodity trading advisor (CTA) - he acted as a CTA and managed a number of customer accounts but, in order to avoid registration, he took steps to make it appear that he only managed 15 customer accounts when, in fact, he managed more accounts than that.</p> <p>Mitchell concealed the number of accounts he managed by obtaining the login information for his customers' accounts at Gain Capital and then logging onto their accounts and placing trades for them as if the customer had placed the trades. According to Mitchell, he charged customers incentive fees and then instructed the customers to wire the fees directly into his personal bank account at Chase bank. NFA's exam also found that that, after EML became registered as a CTA, it allowed an unregistered individual to act as a de-facto AP and solicit CTA customers for the firm. Additionally, the exam found that EML and Mitchell solicited customers without an accepted disclosure document, failed to maintain records of fees charged to customers, and failed to supervise EML's operations.</p>
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:	11/09/2017



Sanctions Ordered:

Bar (Temporary/Time Limited)
Civil and Administrative Penalty(ies)/Fine(s)

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 (Temporary/Time Limited)
Capacities Affected:	NFA membership or associate membership, or act as a principal of an NFA Member
Duration:	two years
Start Date:	11/09/2017
End Date:	11/08/2019

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:	deferred
Is Payment Plan Current:	
Date Paid by individual:	
Was any portion of penalty waived?	No

Amount Waived:

**Regulator Statement**

NFA Release, November 9, 2017: Having reviewed the Complaint previously issued by this Committee in the above-captioned case, and having considered the Offer of Settlement (Offer) submitted by Brian Mitchell (Mitchell) and having accepted the Offer, this Committee hereby issues this Decision as to Mitchell. Having considered the matter and having accepted the Offer of Mitchell, this Committee orders Mitchell not to reapply for NFA membership or associate membership, or act as a principal of an NFA Member for a period of two years from the date of this Decision. If, after the expiration of the two-year membership bar, Mitchell applies for NFA membership or associate membership, or principal status with any NFA Member, he shall pay a fine of \$15,000 to NFA, due and payable in full on or before the date of any such application. No consideration shall be given to or action taken on any future application of Mitchell for NFA membership or associate membership or principal status with an NFA Member until the above fine has been paid in full. This Decision shall settle the Complaint in this case and matters relating to such Complaint and shall not be used as a sole basis for any other action or proceeding brought by NFA against Mitchell including any registration matter, except it may be used in an action to enforce the terms thereof or in a subsequent disciplinary action or regulatory action, where it may be considered as evidence in aggravation. Pursuant to the provisions of Commodity Futures Trading Commission (CFTC) Regulation 1.63, this Decision and the sanctions imposed herein render Mitchell ineligible to serve on a disciplinary committee, arbitration panel, oversight panel or governing board of any self-regulatory organization, as that term is defined in CFTC Regulation 1.63, until the later of three years after the effective date of this Decision, or until he has satisfied all the sanctions and conditions imposed by this Decision.

End of Report



This page is intentionally left blank.