

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER, AND CONSENT
NO. 2019062348301**

TO: Department of Enforcement
Financial Industry Regulatory Authority (FINRA)

RE: Matthew Alexander Perry (Respondent)
Former General Securities Representative
CRD No. 5985300

Pursuant to FINRA Rule 9216, Respondent Matthew Alexander Perry submits this Letter of Acceptance, Waiver, and Consent (AWC) for the purpose of proposing a settlement of the alleged rule violations described below. This AWC is submitted on the condition that, if accepted, FINRA will not bring any future actions against Respondent alleging violations based on the same factual findings described in this AWC.

I.

ACCEPTANCE AND CONSENT

- A. Respondent hereby accepts and consents, without admitting or denying the findings and solely for the purposes of this proceeding and any other proceeding brought by or on behalf of FINRA, or to which FINRA is a party, prior to a hearing and without an adjudication of any issue of law or fact, to the entry of the following findings by FINRA:

BACKGROUND

From November 2011 until June 2016, Perry was registered with FINRA through a member firm as a General Securities Representative. In June 2016, Perry became registered with FINRA through Stifel, Nicolaus & Company, Incorporated as a GSR. In March 2019, Perry voluntarily terminated his association with Stifel and on March 22, 2019, Stifel filed a Uniform Termination Notice for Securities Industry Registration (Form U5) terminating Perry's registration. On April 12, 2019, Stifel filed a Form U5 amendment disclosing a customer complaint alleging failure to follow the customer's stated goals and failure to disclose risks associated with options trading. Thereafter, beginning on July 11, 2019, Stifel filed several U5 amendments disclosing additional customer complaints.

Although Perry is no longer associated with a FINRA member firm, FINRA retains jurisdiction over him pursuant to Article V, Section 4 of FINRA's By-Laws.¹

¹ For more information about the respondent, visit BrokerCheck® at www.finra.org/brokercheck.

OVERVIEW

After initially cooperating with FINRA's investigation, in May and June 2021, Perry declined to respond to requests sent pursuant to FINRA Rule 8210 for documents and information and for on-the-record testimony. Perry thereby violated FINRA Rules 8210 and 2010.

FACTS AND VIOLATIVE CONDUCT

FINRA began investigating this matter after receiving the April 12, 2019 Form U5 amendment described above.

Under FINRA Rule 8210(a), FINRA may require a person associated with a member "to provide information ... in writing, or electronically ... with respect to any matter involved in the investigation, complaint, examination or proceeding that is in such ... person's possession, custody or control." FINRA Rule 8210(c) similarly provides that "[n]o member or person shall fail to provide information ... pursuant to this Rule." A violation of FINRA Rule 8210 is also a violation of FINRA Rule 2010.

Although Perry initially cooperated with FINRA's investigation by responding to FINRA's June 19, 2019 and March 8, 2021 Rule 8210 requests for documents and information, he ceased doing so in May and June 2021. On April 26, 2021, FINRA staff sent Perry a request for documents and information pursuant to Rule 8210. The request asked for a response by May 10, 2021. On May 7, 2021, FINRA staff sent Perry a request to appear for on-the-record testimony on June 29 and 30, 2021, pursuant to Rule 8210. As stated during his counsel's phone call with FINRA staff on June 2, 2021, in emails Perry's counsel sent to Enforcement on May 27 and June 2, 2021, and by this agreement, Respondent acknowledges that he received FINRA's requests and will not produce the information or documents requested or appear for on-the-record testimony. By refusing to produce the information or documents and refusing to appear for on-the-record testimony, as requested pursuant to FINRA Rule 8210, Respondent violated FINRA Rules 8210 and 2010.

B. Respondent also consents to the imposition of the following sanctions:

- a bar from associating with any FINRA member in all capacities.

Respondent understands that if he is barred or suspended from associating with any FINRA member, he becomes subject to a statutory disqualification as that term is defined in Article III, Section 4 of FINRA's By-Laws, incorporating Section 3(a)(39) of the Securities Exchange Act of 1934. Accordingly, he may not be associated with any FINRA member in any capacity, including clerical or ministerial functions, during the period of the bar or suspension. *See* FINRA Rules 8310 and 8311.

The sanctions imposed in this AWC shall be effective on a date set by FINRA. A bar or expulsion shall become effective upon approval or acceptance of this AWC.

II.

WAIVER OF PROCEDURAL RIGHTS

Respondent specifically and voluntarily waives the following rights granted under FINRA's Code of Procedure:

- A. To have a complaint issued specifying the allegations against him;
- B. To be notified of the complaint and have the opportunity to answer the allegations in writing;
- C. To defend against the allegations in a disciplinary hearing before a hearing panel, to have a written record of the hearing made and to have a written decision issued; and
- D. To appeal any such decision to the National Adjudicatory Council (NAC) and then to the U.S. Securities and Exchange Commission and a U.S. Court of Appeals.

Further, Respondent specifically and voluntarily waives any right to claim bias or prejudice of the Chief Legal Officer, the NAC, or any member of the NAC, in connection with such person's or body's participation in discussions regarding the terms and conditions of this AWC, or other consideration of this AWC, including its acceptance or rejection.

Respondent further specifically and voluntarily waives any right to claim that a person violated the ex parte prohibitions of FINRA Rule 9143 or the separation of functions prohibitions of FINRA Rule 9144, in connection with such person's or body's participation in discussions regarding the terms and conditions of this AWC, or other consideration of this AWC, including its acceptance or rejection.

III.

OTHER MATTERS

Respondent understands that:

- A. Submission of this AWC is voluntary and will not resolve this matter unless and until it has been reviewed and accepted by the NAC, a Review Subcommittee of the NAC, or the Office of Disciplinary Affairs (ODA), pursuant to FINRA Rule 9216;
- B. If this AWC is not accepted, its submission will not be used as evidence to prove any of the allegations against Respondent; and

C. If accepted:

1. this AWC will become part of Respondent's permanent disciplinary record and may be considered in any future action brought by FINRA or any other regulator against Respondent;
2. this AWC will be made available through FINRA's public disclosure program in accordance with FINRA Rule 8313;
3. FINRA may make a public announcement concerning this agreement and the subject matter thereof in accordance with FINRA Rule 8313; and
4. Respondent may not take any action or make or permit to be made any public statement, including in regulatory filings or otherwise, denying, directly or indirectly, any finding in this AWC or create the impression that the AWC is without factual basis. Respondent may not take any position in any proceeding brought by or on behalf of FINRA, or to which FINRA is a party, that is inconsistent with any part of this AWC. Nothing in this provision affects Respondent's testimonial obligations or right to take legal or factual positions in litigation or other legal proceedings in which FINRA is not a party.

Respondent certifies that he has read and understands all of the provisions of this AWC and has been given a full opportunity to ask questions about it; Respondent understands and acknowledges that FINRA does not represent or advise him and Respondent cannot rely on FINRA for legal advice. Respondent has agreed to the AWC's provisions voluntarily; and no offer, threat, inducement, or promise of any kind, other than the terms set forth in this AWC and the prospect of avoiding the issuance of a complaint, has been made to induce him to submit this AWC.

6/21/2021
Date

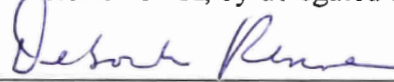
Matthew Alexander Perry
Respondent

Accepted by FINRA:

June 28, 2021

Date

Signed on behalf of the
Director of ODA, by delegated authority



Deborah Renner
Principal Counsel
FINRA
Department of Enforcement
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New York, NY 10281-1003