

## BrokerCheck Report

# JOHN JOSEPH LABARCA

CRD# 2030473

Report #38753-89666, data current as of Wednesday, February 17, 2016.

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## 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 <http://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.



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).

Thank you for using FINRA BrokerCheck.

**JOHN J. LABARCA**

CRD# 2030473

**Currently employed by and registered with the following Firm(s):****NATIONAL SECURITIES CORPORATION**

399 THORNALL STREET

1ST FLOOR

EDISON, NJ 08837

CRD# 7569

Registered with this firm since: 02/23/2010

**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
- 14 U.S. states and territories

**This broker has passed:**

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

**Registration History****This broker was previously registered with the following securities firm(s):****WELLS FARGO ADVISORS, LLC**

CRD# 19616

NEW YORK, NY

06/2006 - 02/2010

**RYAN BECK & CO.**

CRD# 3248

NEW YORK, NY

04/2002 - 06/2006

**GRUNTAL & CO., L.L.C.**

CRD# 372

NEW YORK, NY

07/1997 - 05/2002

**Disclosure Events**

All individuals registered to sell securities or provide investment advice are required to disclose customer complaints and arbitrations, regulatory actions, employment terminations, bankruptcy filings, and criminal or civil judicial proceedings.

Are there events disclosed about this broker? **Yes**

**The following types of disclosures have been reported:**

Type	Count
Regulatory Event	1
Criminal	1
Customer Dispute	3
Financial	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 14 U.S. states and territories through his or her employer.**

### Employment 1 of 1

Firm Name: **NATIONAL SECURITIES CORPORATION**  
 Main Office Address: **1001 FOURTH AVENUE  
 SUITE 3750  
 SEATTLE, WA 98154-1100**  
 Firm CRD#: **7569**

SRO	Category	Status	Date
FINRA	General Securities Representative	APPROVED	02/23/2010
NASDAQ Stock Market	General Securities Representative	APPROVED	08/30/2011

U.S. State/ Territory	Category	Status	Date	U.S. State/ Territory	Category	Status	Date
Alabama	Agent	APPROVED	01/09/2012	Texas	Agent	APPROVED	04/05/2010
California	Agent	APPROVED	05/10/2012	Utah	Agent	APPROVED	02/02/2011
Connecticut	Agent	APPROVED	03/04/2010				
Florida	Agent	APPROVED	03/10/2010				
Georgia	Agent	APPROVED	05/15/2014				
Illinois	Agent	APPROVED	03/09/2010				
Maryland	Agent	APPROVED	04/01/2015				
Massachusetts	Agent	APPROVED	03/17/2010				
New Jersey	Agent	APPROVED	02/24/2010				
New York	Agent	APPROVED	02/23/2010				
Ohio	Agent	APPROVED	03/01/2010				
Pennsylvania	Agent	APPROVED	01/31/2012				

## Broker Qualifications



### Employment 1 of 1, continued

#### Branch Office Locations

**NATIONAL SECURITIES CORPORATION**  
399 THORNALL STREET  
1ST FLOOR  
EDISON, NJ 08837

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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.

**This individual has passed 0 principal/supervisory exams, 1 general industry/product exam, and 1 state securities law exam.**

### Principal/Supervisory Exams

Exam	Category	Date
No information reported.		

### General Industry/Product Exams

Exam	Category	Date
General Securities Representative Examination	Series 7	10/29/1991

### State Securities Law Exams

Exam	Category	Date
Uniform Securities Agent State Law Examination	Series 63	02/05/1992

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/).



## Registration and Employment History

### Registration History

The broker previously was registered with the following firms:

Registration Dates	Firm Name	CRD#	Branch Location
06/2006 - 02/2010	WELLS FARGO ADVISORS, LLC	19616	NEW YORK, NY
04/2002 - 06/2006	RYAN BECK & CO.	3248	NEW YORK, NY
07/1997 - 05/2002	GRUNTAL & CO., L.L.C.	372	NEW YORK, NY
10/1991 - 07/1997	OPPENHEIMER & CO., INC.	630	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 Dates	Employer Name	Employer Location
02/2010 - Present	NATIONAL SECURITIES CORP	ISELIN, NJ
06/2006 - 02/2010	WACHOVIA SECURITIES, LLC	NEW YORK, NY
04/2002 - 06/2006	RYAN, BECK & CO.	NEW YORK, NY

### 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.

(1)..NATIONAL INSURANCE; INVESTMENT RELATED; LIFE INSURANCE AND ANNUITIES; TINTON FALLS, NJ; INSURANCE AGENT; 20 HOURS A MONTH / 1-2 DURING TRADING HOURS; JUNE 2011; OFFERING INSURANCE SOLUTIONS TO CLIENT...(2) HUDSONPOINT CAPITAL D/B/A/ 399 THORNALL ST 1ST FLOOR EDISON NJ 08837 SR VICE PRESIDENT INVESTMENTS START 8/2015 160 PER MONTH...(2)POINT BENEFIT INSURANCE REGISTERED AGENT 10 HRS PER MONTH ALL DURING TRADING HRS



## 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.
4. **There are different statuses and dispositions for disclosure events:**
  - A disclosure event may have a status of *pending*, *on appeal*, or *final*.
    - A "pending" event involves allegations that have not been proven or formally adjudicated.
    - An event that is "on appeal" involves allegations that have been adjudicated but are currently being appealed.
    - A "final" event has been concluded and its resolution is not subject to change.
  - A final event generally has a disposition of *adjudicated*, *settled* or *otherwise resolved*.
    - An "adjudicated" matter includes a disposition by (1) a court of law in a criminal or civil matter, or (2) an administrative panel in an action brought by a regulator that is contested by the party charged with some alleged wrongdoing.
    - A "settled" matter generally involves an agreement by the parties to resolve the matter. Please note that brokers and brokerage firms may choose to settle customer disputes or regulatory matters for business or other reasons.
    - A "resolved" matter usually involves no payment to the customer and no finding of wrongdoing on the part of the individual broker. Such matters generally involve customer disputes.

For your convenience, below is a matrix of the number and status of disclosure events involving this broker. Further information regarding these events can be found in the subsequent pages of this report. You also may wish to contact the broker to obtain further information regarding these events.

	Pending	Final	On Appeal
Regulatory Event	0	1	0





Criminal	0	1	0
Customer Dispute	1	2	N/A
Financial	0	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 involves (1) a final, formal proceeding initiated by a regulatory authority (e.g., a state securities agency, self-regulatory organization, federal regulatory such as the Securities and Exchange Commission, foreign financial regulatory body) for a violation of investment-related rules or regulations; or (2) a revocation or suspension of a broker's authority to act as an attorney, accountant, or federal contractor.

#### Disclosure 1 of 1

<b>Reporting Source:</b>	Regulator
<b>Regulatory Action Initiated By:</b>	FINRA
<b>Sanction(s) Sought:</b>	
<b>Date Initiated:</b>	02/16/2016
<b>Docket/Case Number:</b>	2015045012301
<b>Employing firm when activity occurred which led to the regulatory action:</b>	National Securities Corporation
<b>Product Type:</b>	No Product
<b>Allegations:</b>	Without admitting or denying the findings, Labarca consented to the sanction and to the entry of findings that he refused to provide information and documents requested by FINRA in connection with its investigation of allegations made against Labarca in a statement of claim filed by a customer. The findings stated that in response, Labarca, through counsel, acknowledged that he received FINRA's request and stated that he would not provide FINRA with the requested documents and information at any time.
<b>Current Status:</b>	Final
<b>Resolution:</b>	Acceptance, Waiver & Consent(AWC)



**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:**

02/16/2016

**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 1**

**Sanction Type:** Bar (Permanent)

**Capacities Affected:** any capacity

**Duration:**

**Start Date:** 02/16/2016

**End Date:**



## Criminal - Final Disposition

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

### Disclosure 1 of 1

<b>Reporting Source:</b>	Broker
<b>Court Details:</b>	NEW YORK POLICE DEPARTMENT 9K029664
<b>Charge Date:</b>	05/02/1989
<b>Charge Details:</b>	CHARGED WITH ASSAULT WITH INTENT TO CAUSE PHYSICAL INJURY; CRIMINAL POSSESSION WEAPON WITH INTENT TO USE.
<b>Felony?</b>	Yes
<b>Current Status:</b>	Final
<b>Status Date:</b>	01/19/1990
<b>Disposition Details:</b>	CHARGED WITH ONE YEAR PROBATION FOR MISDEMEANOR CHARGE.
<b>Broker Statement</b>	NOT PROVIDED



## 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 2

<b>Reporting Source:</b>	Broker
<b>Employing firm when activities occurred which led to the complaint:</b>	NATIONAL SECURITIES CORP
<b>Allegations:</b>	SUITABILITY
<b>Product Type:</b>	Equity-OTC
<b>Alleged Damages:</b>	\$0.00
<b>Alleged Damages Amount Explanation (if amount not exact):</b>	THE FIRM IS UNABLE TO MAKE A GOOD FAITH DETERMINATION THAT THE DAMAGES FROM THE ALLEGED CONDUCT WOULD BE LESS THAN \$5,000.
<b>Is this an oral complaint?</b>	Yes
<b>Is this a written complaint?</b>	No
<b>Is this an arbitration/CFTC reparation or civil litigation?</b>	No

### Customer Complaint Information

<b>Date Complaint Received:</b>	09/05/2014
<b>Complaint Pending?</b>	No
<b>Status:</b>	Settled
<b>Status Date:</b>	12/15/2014
<b>Settlement Amount:</b>	\$28,750.00
<b>Individual Contribution Amount:</b>	\$0.00

### Disclosure 2 of 2

<b>Reporting Source:</b>	Firm
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**Employing firm when activities occurred which led to the complaint:** RYAN BECK & CO.

**Allegations:** CUSTOMER VERBALLY ALLEGED THAT UNAUTHORIZED PURCHASES OF WERNER HOLDING CO. BONDS WERE MADE ON DECEMBER 20, 2004.

**Product Type:** Debt - Corporate

**Alleged Damages:** \$103,000.00

### Customer Complaint Information

**Date Complaint Received:** 09/29/2006

**Complaint Pending?** No

**Status:** Settled

**Status Date:** 05/24/2007

**Settlement Amount:** \$50,000.00

**Individual Contribution Amount:** \$0.00

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**Reporting Source:** Broker

**Employing firm when activities occurred which led to the complaint:** RYAN BECK & CO.

**Allegations:** CUSTOMER VERBALLY ALLEGED THAT UNAUTHORIZED PURCHASES OF WERNER HOLDING CO. BONDS WERE MADE ON DECEMBER 20, 2004.

**Product Type:** Debt - Corporate

**Alleged Damages:** \$103,000.00

### Customer Complaint Information

**Date Complaint Received:** 09/29/2006

**Complaint Pending?** No

**Status:** Settled

**Status Date:** 05/24/2007

**Settlement Amount:** \$50,000.00



**Individual Contribution Amount:**

\$0.00

**Broker Statement**

I CATEGORICALLY DENY THIS ALLEGED VERBAL ACCUSATION. THE CLAIM WAS FILED AFTER MY EMPLOYMENT WITH RYAN BECK & CO AND WAS SETTLED WITHOUT MY KNOWLEDGE, VERIFICATION OR CONSENT. THE CLIENT WAS CONSTANTLY UPDATED AND MADE AWARE OF ALL ASSETS HELD IN HIS ACCOUNT. MANAGER REVIEWS VALIDATED THE ACCOUNT OBJECTIVES AND UPHELD THE FACT THAT ALL CONFIRMATIONS AND MONTHLY STATEMENTS WERE RECEIVED PROMPTLY.





## 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

<b>Reporting Source:</b>	Broker
<b>Employing firm when activities occurred which led to the complaint:</b>	NATIONAL SECURITIES
<b>Allegations:</b>	UNAUTHORIZED TRADING, NEGLIGENCE, BREACH OF FIDUCIARY DUTY
<b>Product Type:</b>	Equity-OTC
<b>Alleged Damages:</b>	\$800,000.00
<b>Is this an oral complaint?</b>	No
<b>Is this a written complaint?</b>	Yes
<b>Is this an arbitration/CFTC reparation or civil litigation?</b>	No

### Customer Complaint Information

<b>Date Complaint Received:</b>	05/27/2013
<b>Complaint Pending?</b>	No
<b>Status:</b>	Evolved into Arbitration/CFTC reparation (the individual is a named party)
<b>Status Date:</b>	06/25/2013
<b>Settlement Amount:</b>	

### Individual Contribution Amount:

### Arbitration Information

<b>Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):</b>	FINRA
<b>Docket/Case #:</b>	15-00737
<b>Date Notice/Process Served:</b>	04/13/2015
<b>Arbitration Pending?</b>	Yes



**Financial - Final**

This type of disclosure event involves a bankruptcy, compromise with one or more creditors, or Securities Investor Protection Corporation liquidation involving the broker or an organization/brokerage firm the broker controlled that occurred within the last 10 years.

**Disclosure 1 of 1**

<b>Reporting Source:</b>	Broker
<b>Action Type:</b>	Bankruptcy
<b>Bankruptcy:</b>	Chapter 7
<b>Action Date:</b>	10/28/2012
<b>Organization Investment-Related?</b>	
<b>Type of Court:</b>	Federal Court
<b>Name of Court:</b>	UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY
<b>Location of Court:</b>	TRENTON, NEW JERSEY
<b>Docket/Case #:</b>	12-36103
<b>Action Pending?</b>	No
<b>Disposition:</b>	Discharged
<b>Disposition Date:</b>	04/09/2013

## End of Report



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