FINANCIAL INDUSTRY REGULATORY AUTHORITY LETTER OF ACCEPTANCE, WAIVER AND CONSENT NO. 2015044783401

- TO: Department of Enforcement Financial Industry Regulatory Authority ("FINRA")
- RE: Thomas E. Stamborski ("Stamborski"), Respondent General Securities Representative CRD No. 838908

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, Respondent Stamborski 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 him alleging violations based on the same factual findings described herein.

I.

ACCEPTANCE AND CONSENT

A. I hereby accept and consent, 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

Stamborski entered the securities industry when he became associated with a FINRA member firm in February 1984 as a General Securities Representative (Series 7 license). Between February 1984 and August 2005, Stamborski was registered with various FINRA member firms. In September 2005, he became associated with LaSalle St. Securities. LLC ("LaSalle" or "Firm"). Stamborski was permitted to voluntarily resign from LaSalle in December 2015.

LaSalle reported Stamborski's resignation on an Amended Form U5 dated January 4, 2016, which stated that Stamborski "failed to update an Outside Business Activity with his firm when a material change occurred." Pursuant to Article V, Section 4 of FINRA's By-Laws FINRA retains jurisdiction.

OVERVIEW

Stamborski violated FINRA Rules 8210 and 2010 by failing to respond to requests for information and testimony concerning his resignation from LaSalle,

and he agrees to be barred from associating with any FINRA member in any capacity.

FACTS AND VIOLATIVE CONDUCT

On January 5, 2016, in connection with an investigation into the circumstances surrounding Stamborski's above-referenced resignation from LaSalle, and pursuant to FINRA Rule 8210, FINRA staff sent a written request to Stamborski seeking documents and information relevant to the investigation. FINRA staff requested that such documents and information be produced by January 26, 2016. After requesting and being granted an extension to respond, Stamborksi submitted a letter through counsel in which he stated that he would decline to provide any response to FINRA staff's request.

On February 1, 2016, pursuant to FINRA Rule 8210, FINRA staff sent a written request that Stamborski appear for testimony on March 3, 2016 at FINRA's office in Chicago, Illinois.

On February 9, 2016, pursuant to FINRA Rule 8210, FINRA staff sent a second request to Stamborski for the documents and information requested on January 5, 2016.

On February 15, 2016, through his counsel, Stamborski stated that he would not appear for testimony or provide the requested documents and information.

By failing to provide the documents, information and testimony requested pursuant to Rule 8210, Stamborski violated FINRA Rules 8210 and 2010.

B. I also consent to the imposition of the following sanctions:

A bar from associating with any FINRA member in any capacity.

I understand that if I am barred or suspended from associating with any FINRA member, I become 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, I 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 herein shall be effective on a date set by FINRA staff. Pursuant to FINRA Rule 8313(e), a bar or expulsion shall become effective upon approval or acceptance of this AWC.

II.

WAIVER OF PROCEDURAL RIGHTS

I specifically and voluntarily waive the following rights granted under FINRA's Code of Procedure:

- A. To have a Complaint issued specifying the allegations against me;
- 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, I specifically and voluntarily waive any right to claim bias or prejudgment 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 acceptance or rejection of this AWC.

I further specifically and voluntarily waive 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

I understand 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 me; and

- C. If accepted:
 - 1. this AWC will become part of my permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against me;
 - 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. I 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. I 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 my: (i) testimonial obligations; or (ii) right to take legal or factual positions in litigation or other legal proceedings in which FINRA is not a party.

I certify that I have read and understand all of the provisions of this AWC and have been given a full opportunity to ask questions about it; that I have agreed to its provisions voluntarily; and that no offer, threat. inducement, or promise of any kind, other than the terms set forth herein and the prospect of avoiding the issuance of a Complaint, has been made to induce me to submit it.

<u>4/1/2016</u> Date (mm/dd/yyyy)

Christopher Williams, Esq.

Lavelle Law, Ltd. Counsel for Respondent 501 West Colfax Street Palatine, IL 60067

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Thomas E. Stamborski. Respondent

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Accepted by FINRA:

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

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Russell G. Ryan, Sk Vice President FINRA Department of Enforcement 15200 Omega Drive Suite 300 Rockville, MD 20850