

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2017053006702**

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

RE: Ann Marie Comcowich, Respondent
Former Registered Representative
CRD No. 3161377

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, I, Ann Marie Comcowich, submit 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 me 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

Comcowich first became registered with a FINRA member firm in 2000 as an Investment Company and Variable Contracts Products Representative ("IR") with Prudential Investment Management Services LLC ("Prudential"). Prudential terminated Comcowich's registration on November 16, 2016. Although Comcowich is not currently registered or associated with a FINRA member firm, FINRA retains jurisdiction over her pursuant to Article V, Section 4 of the FINRA By-Laws.

OVERVIEW

In 2017, while being investigated in connection with unauthorized withdrawals from customer accounts, Comcowich, through her counsel, informed FINRA staff that she would not produce information and documents requested pursuant to FINRA Rule 8210. Comcowich thereby violated FINRA Rules 8210 and 2010.

FACTS AND VIOLATIVE CONDUCT

On February 8, 2017, FINRA staff sent a request to Comcowich for information and documents pursuant to FINRA Rule 8210. The request was made to Comcowich in connection with an amended Uniform Termination Notice for Securities Industry Registration ("Form U5") filed by Prudential on January 20, 2017, which stated, among other things, that Comcowich was suspected of processing 13 unauthorized withdrawals from customer accounts. Comcowich was sent the same request for information and documents on February 23, 2017, and March 30, 2017. In an email and follow up telephone call with FINRA staff on April 3, 2017, and by this agreement, Comcowich acknowledges that she received FINRA's requests and will not produce the information and documents requested.

FINRA Rule 8210 requires that persons subject to FINRA's jurisdiction provide information, documents and testimony as part of a FINRA investigation. FINRA Rule 2010 provides that "[a] member in the conduct of its business shall observe high standards of commercial honor and just and equitable principles of trade." A violation of FINRA Rule 8210 is also a violation of FINRA Rule 2010.

By refusing to produce information and documents requested pursuant to FINRA Rule 8210, Comcowich violates FINRA Rules 8210 and 2010.

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

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

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

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).

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 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 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.

04/13/2017

Date (mm/dd/yyyy)

Ann Marie Comcowich

Respondent, Ann Marie Comcowich

Reviewed by:

Christopher B. Jones

Christopher B. Jones, Esquire

Christopher B. Jones, P.C.

406 Jefferson Avenue


Scranton, PA 18510

Tel: (570) 342-9295

Accepted by FINRA:

4.17.2017
Date

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


for Michael Wajda
Senior Counsel
FINRA Department of Enforcement
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