

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2017056329801**

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

**RE: Lawrence J. Fawcett Jr., Respondent
General Securities Representative
CRD No. 5851474**

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, Lawrence J. Fawcett Jr. ("Fawcett" or "Respondent") 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 Fawcett alleging violations based on the same factual findings described herein.

I.

ACCEPTANCE AND CONSENT

- A. Fawcett 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

Fawcett first became registered with a FINRA member firm in July 2011. In June 2015, Fawcett registered with FINRA as a General Securities Representative through an association with Westpark Capital, Inc. (BD No. 39914) ("Westpark" or the "Firm"). On March 6, 2018, Westpark filed a Uniform Termination Notice for Securities Industry Registration terminating Fawcett's registration with the Firm.

Although Fawcett is not currently registered with FINRA or associated with a FINRA member firm, FINRA retains jurisdiction over him under Article V, Section 4 of the FINRA By-Laws.

RELEVANT DISCIPLINARY HISTORY

In December 2017, Fawcett executed an AWC in which he consented to a finding that he recommended unsuitable mutual fund transactions to a customer in violation of FINRA Rules 2111 and 2101. Fawcett was suspended in all

capacities for 15 business days, fined \$2,500 and ordered to pay disgorgement of commissions received in the amount of \$22,714.30.

OVERVIEW

Fawcett failed to produce documents and information, and failed to appear for on-the-record testimony, in response to FINRA Rule 8210 requests, in violation of FINRA Rules 8210 and 2010.

FACTS AND VIOLATIVE CONDUCT

FINRA Rule 8210(a)(1) states, in relevant part, that FINRA may “require a ... person associated with a member ... to provide information orally, in writing, or electronically ... and to testify at a location specified by FINRA staff, under oath ... if requested, with respect to any matter involved in the investigation” FINRA Rule 8210(c) states that “[n]o member or person shall fail to provide information or testimony ... pursuant to this Rule.” A failure to comply with FINRA Rule 8210 is a violation of FINRA Rule 2010.

On February 20, 2018, in connection with an investigation regarding Fawcett’s outside business activities, FINRA staff sent a request to Fawcett, pursuant to FINRA Rule 8210, requesting that he appear for on-the-record testimony on March 5, 2018. On February 23, 2018, FINRA staff sent a second request to Fawcett, also pursuant to FINRA Rule 8210, for documents and information. The second Rule 8210 request required Fawcett to provide the requested documents and information by March 2, 2018. Fawcett did not provide the requested documents and information by March 2, 2018 and he did not appear for on-the-record testimony on March 5, 2018. As stated in a written response from Fawcett’s counsel dated March 1, 2018 and by this agreement, Fawcett acknowledges that he received FINRA’s requests and will not produce the documents or information requested and will not appear for on-the-record testimony at any time.

By virtue of the foregoing, Fawcett violated FINRA Rules 8210 and 2010.

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

- a bar from association with any FINRA member firm in any capacity.

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, Respondent 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. 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 Respondent;**
- 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 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.

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:

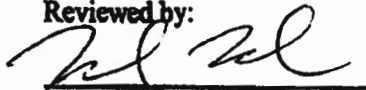
1. this AWC will become part of Respondent's permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against Respondent;
2. this AWC will be made available through FINRA's public disclosure program in accordance with FINRA Rule 8313;
3. FINRA 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: (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.

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; that he has 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 him to submit it.

03/13/2018
Date (mm/dd/yyyy)


Respondent

Reviewed by:



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Accepted by FINRA:

March 26, 2018

Date

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



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