

BrokerCheck Report

SHAWN BRUCE DAVIS

CRD# 2911230

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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:

- o 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
- o 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 <https://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



For additional information about the contents of this report, please refer to the User Guidance or 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.

SHAWN B. DAVIS

CRD# 2911230

This broker is not currently registered.

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 not currently registered.

This broker has passed:

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

Registration History

This broker was previously registered with the following securities firm(s):

- B INDEPENDENT FINANCIAL GROUP, LLC**
CRD# 7717
AUBURN, CA
02/2014 - 05/2017
- B WFG INVESTMENTS, INC.**
CRD# 22704
AUBURN, CA
08/2012 - 01/2014
- B BERTHEL, FISHER & COMPANY FINANCIAL SERVICES, INC.**
CRD# 13609
AUBURN, CA
06/2005 - 08/2012

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
Customer Dispute	12

Investment Adviser Representative Information

The information below represents the individual's record as a broker. For details on this individual's record as an investment adviser representative, visit the SEC's Investment Adviser Public Disclosure website at

<https://www.adviserinfo.sec.gov>

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 broker is not currently registered.



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 1 principal/supervisory exam, 3 general industry/product exams, and 2 state securities law exams.

Principal/Supervisory Exams

Exam	Category	Date
B General Securities Principal Examination	Series 24	02/20/2006

General Industry/Product Exams

Exam	Category	Date
B Securities Industry Essentials Examination	SIE	05/02/2017
B General Securities Representative Examination	Series 7	02/06/2001
B Investment Company Products/Variable Contracts Representative Examination	Series 6	01/27/1998

State Securities Law Exams

Exam	Category	Date
B IA Uniform Combined State Law Examination	Series 66	08/13/2001
B Uniform Securities Agent State Law Examination	Series 63	01/27/1998

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/.

Broker Qualifications



Professional Designations

This section details that the representative has reported **0** professional designation(s).

No information reported.



Registration and Employment History

Registration History

The broker previously was registered with the following firms:

Registration Dates	Firm Name	CRD#	Branch Location
B 02/2014 - 05/2017	INDEPENDENT FINANCIAL GROUP, LLC	7717	AUBURN, CA
B 08/2012 - 01/2014	WFG INVESTMENTS, INC.	22704	AUBURN, CA
B 06/2005 - 08/2012	BERTHEL, FISHER & COMPANY FINANCIAL SERVICES, INC.	13609	AUBURN, CA
B 04/2005 - 06/2005	ROYAL ALLIANCE ASSOCIATES, INC.	23131	JERSEY CITY, NJ
B 11/2004 - 04/2005	QA3 FINANCIAL CORP.	14754	OMAHA, NE
B 03/1998 - 11/2004	NYLIFE SECURITIES INC.	5167	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	Employer Name	Position	Investment Related	Employer Location
05/2016 - Present	Uncommon Capital	Investment Advisor Representative	Y	Granite Bay, CA, United States
02/2014 - Present	INDEPENDENT FINANCIAL GROUP LLC	FINANCIAL ADVISOR	Y	AUBURN, CA, United States
11/2010 - Present	LEADS FROM THE VINE	OWNER	Y	ROSEVILLE, CA, United States
01/2009 - Present	SOFA - EDUCATIONAL WORKSHOPS	PRESIDENT	Y	ROSEVILLE, CA, United States
04/2005 - Present	DAVIS FINANCIAL ADVISORS	PRESIDENT/REPRESENTATIVE	Y	ROSEVILLE, CA, United States
08/2012 - 01/2014	WFG INVESTMENTS, INC.	REGISTERED REPRESENTATIVE	Y	AUBURN, CA, United States
04/2010 - 01/2014	EVERBANK	FINANCIAL ADVISOR	Y	ISLANDIA, NY, United States



Registration and Employment History

Employment History, continued

Employment	Employer Name	Position	Investment Related	Employer Location
06/2005 - 08/2012	BERTHEL FISHER & COMPANY FINANCIAL SERVICES,INC.	REGISTERED REPRESENTATIVE	Y	MARION, IA, United States

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) 100% OWNER AND CA INSURANCE AGENT OF DBA "DAVIS FINANCIAL ADVISORS" OFFERING LIFE, HEALTH, DISABILITY INSURANCE AND FIXED ANNUITIES SINCE APRIL 2011. INVESTMENT RELATED. 100% TIME SPENT. BUSINESS CONDUCTED AT OFFICE ADDRESS OF RECORD.(2) 100% OWNER OF "UNCOMMON CAPITAL LLC" A CA STATE REGISTERED INVESTMENT ADVISOR SINCE 2016. INVESTMENT RELATED. 1% TIME SPENT. BUSINESS CONDUCTED AT ADDRESS OF RECORD.



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:**
 - o A law enforcement agency must file formal charges before a broker is required to disclose a particular criminal event.
 - o 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.
 - o
3. **Disclosure events in BrokerCheck reports come from different sources:**
 - o 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.
 - o
4. **There are different statuses and dispositions for disclosure events:**
 - o 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.
 - o 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
Customer Dispute	8	4	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.

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 4

Reporting Source:	Firm
Employing firm when activities occurred which led to the complaint:	INDEPENDENT FINANCIAL GROUP, LLC AND BERTHEL FISHER & CO. FINANCIAL SERVICES
Allegations:	ALLEGE THEY WERE INVESTED IN LARGE CONCENTRATIONS OF HIGH RISK, ILLIQUID INVESTMENTS THAT WERE NOT SUITABLE
Product Type:	Direct Investment-DPP & LP Interests Other: REITS AND NON-TRADED REITS
Alleged Damages:	\$0.00
Alleged Damages Amount Explanation (if amount not exact):	The SOC does not specify an amount
Is this an oral complaint?	No
Is this a written complaint?	No
Is this an arbitration/CFTC reparation or civil litigation?	Yes
Arbitration/Reparation forum or court name and location:	FINRA
Docket/Case #:	20-00282



Filing date of arbitration/CFTC reparation or civil litigation: 01/24/2020

Customer Complaint Information

Date Complaint Received: 01/27/2020

Complaint Pending? No

Status: Evolved into Arbitration/CFTC reparation (the individual is a named party)

Status Date: 01/27/2020

Settlement Amount:

Individual Contribution Amount:

Arbitration Information

Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.): FINRA

Docket/Case #: 20-00282

Date Notice/Process Served: 01/27/2020

Arbitration Pending? Yes

Reporting Source: Firm

Employing firm when activities occurred which led to the complaint: Berthel Fisher and Company Financial Services, Inc. & Independent Financial Group, LLC

Allegations: The clients allege the investments they purchased in 2011 were unsuitable and misrepresented to them by the representative. The clients also allege the firm failed supervise the actions of the representative.

Product Type: Direct Investment-DPP & LP Interests
Equipment Leasing
Real Estate Security

Alleged Damages: \$0.00

Alleged Damages Amount Explanation (if amount not exact): The firm has made a good faith determination that the damages for the alleged conduct would be more than \$5,000.00.



Arbitration Information

Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):	FINRA
Docket/Case #:	20-00282
Date Notice/Process Served:	01/27/2020
Arbitration Pending?	No
Disposition:	Settled
Disposition Date:	04/07/2020
Monetary Compensation Amount:	\$7,000.00
Individual Contribution Amount:	\$0.00
Firm Statement	The Firm, solely to compromise and settle disputed claims, agreed to settle an arbitration with the Claimant.

Disclosure 2 of 4

Reporting Source:	Firm
Employing firm when activities occurred which led to the complaint:	Berthel Fisher & Company Financial Services, Inc.
Allegations:	The clients allege the investments they purchased between 2007 & 2011 were unsuitable and misrepresented to them by the representative. The clients also allege the firm failed to supervise the actions of the representative.
Product Type:	Direct Investment-DPP & LP Interests Oil & Gas Real Estate Security
Alleged Damages:	\$500,000.00
Is this an oral complaint?	No
Is this a written complaint?	No
Is this an arbitration/CFTC reparation or civil litigation?	Yes



**Arbitration/Reparation forum
or court name and location:** FINRA

Docket/Case #: 18-01268

**Filing date of
arbitration/CFTC reparation
or civil litigation:** 04/05/2018

Customer Complaint Information

Date Complaint Received: 04/16/2018

Complaint Pending? No

Status: Settled

Status Date: 12/28/2020

Settlement Amount: \$210,000.00

**Individual Contribution
Amount:** \$0.00

Firm Statement The Firm, solely to compromise and settle disputed claims, agreed to settle an arbitration with the Claimants.

Disclosure 3 of 4

Reporting Source: Firm

**Employing firm when
activities occurred which led
to the complaint:** Berthel Fisher & Company Financial Services, Inc. and Royal Alliance Associates, Inc.

Allegations: The claimants allege the investments they purchased between 2005 & 2006 were unsuitable and misrepresented by the representative. The claimants also allege the firms failed to supervise the actions of the representative.

Product Type: Direct Investment-DPP & LP Interests
Real Estate Security

Alleged Damages: \$1,500,000.00

Is this an oral complaint? No

Is this a written complaint? No

**Is this an arbitration/CFTC
reparation or civil litigation?** Yes

Arbitration/Reparation forum FINRA



or court name and location:

Docket/Case #: 18-01092
Filing date of arbitration/CFTC reparation or civil litigation: 03/22/2018

Customer Complaint Information

Date Complaint Received: 03/27/2018
Complaint Pending? No
Status: Denied
Status Date: 11/19/2018
Settlement Amount: \$0.00
Individual Contribution Amount: \$0.00

Civil Litigation Information

Type of Court: State Court
Name of Court: Superior Court of California, Sutter County
Location of Court: Sutter County, California
Docket/Case #: CVCS19-0000434
Date Notice/Process Served: 02/12/2019
Litigation Pending? No
Disposition: Settled
Disposition Date: 12/28/2020
Monetary Compensation Amount: \$80,000.00
Individual Contribution Amount: \$0.00

Firm Statement The Claimants' claims are dismissed pursuant to Rule 12206 of the Code, without prejudice to any right Claimants have to file in court. The Firm, solely to compromise and settle disputed claims, agreed to settle the litigation with the Plaintiff.



Reporting Source: Firm

Employing firm when activities occurred which led to the complaint: ROYAL ALLIANCE ASSOCIATES

Allegations: CLIENTS ALLEGE SUITABILITY CONCERNING REIT INVESTMENTS

Product Type: Real Estate Security

Alleged Damages: \$850,000.00

Is this an oral complaint? No

Is this a written complaint? No

Is this an arbitration/CFTC reparation or civil litigation? Yes

Arbitration/Reparation forum or court name and location: FINRA

Docket/Case #: 18-01092

Filing date of arbitration/CFTC reparation or civil litigation: 03/22/2018

Customer Complaint Information

Date Complaint Received: 03/23/2018

Complaint Pending? No

Status: Arbitration Award/Monetary Judgment (for respondents/defendants)

Status Date: 11/20/2018

Settlement Amount: \$0.00

Individual Contribution Amount:

Disclosure 4 of 4

Reporting Source: Firm

Employing firm when activities occurred which led to the complaint: BERTHEL FISHER & COMPANY FINANCIAL SERVICES, INC.

Allegations: CLAIMANT ALLEGES THAT THE INVESTMENTS PURCHASED FROM 2005 TO



2008 WERE UNSUITABLE AND MISREPRESENTED BY THE REPRESENTATIVE. THE CLAIMANT ALSO ALLEGED THAT THE FIRM FAILED TO SUPERVISE THE REPRESENTATIVE.

Product Type: Direct Investment-DPP & LP Interests
Equipment Leasing
Real Estate Security

Alleged Damages: \$0.00

Alleged Damages Amount Explanation (if amount not exact): NO ALLEGED DAMAGES SPECIFIED, HOWEVER THE FIRM BELIEVES THE DAMAGES TO BE OVER \$5000.00.

Is this an oral complaint? No

Is this a written complaint? No

Is this an arbitration/CFTC reparation or civil litigation? Yes

Arbitration/Reparation forum or court name and location: FINRA

Docket/Case #: 13-02524

Filing date of arbitration/CFTC reparation or civil litigation: 08/23/2013

Customer Complaint Information

Date Complaint Received: 09/23/2013

Complaint Pending? No

Status: Settled

Status Date: 08/15/2014

Settlement Amount: \$52,500.00

Individual Contribution Amount: \$0.00

Firm Statement THE FIRM, SOLELY TO COMPROMISE AND SETTLE DISPUTED CLAIMS, AGREED TO SETTLE AN ARBITRATION WITH THE CLAIMANT.

Reporting Source: Broker



Employing firm when activities occurred which led to the complaint: BERTHEL, FISHER & COMPANY FINANCIAL SERVICES, INC.

Allegations: CLAIMANT ALLEGES THAT THE INVESTMENTS PURCHASED FROM 2005 TO 2008 WERE UNSUITABLE AND MISREPRESENTED BY THE REPRESENTATIVE. THE CLAIMANT ALSO ALLEGED THAT THE FIRM FAILED TO SUPERVISE THE REPRESENTATIVE.

Product Type: Direct Investment-DPP & LP Interests
Equipment Leasing
Real Estate Security

Alleged Damages: \$0.00

Alleged Damages Amount Explanation (if amount not exact): NO ALLEGED DAMAGES SPECIFIED, HOWEVER THE FIRM BELIEVES THE DAMAGES TO BE OVER \$5000.00.

Is this an oral complaint? No

Is this a written complaint? No

Is this an arbitration/CFTC reparation or civil litigation? Yes

Arbitration/Reparation forum or court name and location: FINRA

Docket/Case #: 13-02524

Filing date of arbitration/CFTC reparation or civil litigation: 08/23/2013

Customer Complaint Information

Date Complaint Received: 09/23/2013

Complaint Pending? No

Status: Settled

Status Date: 08/07/2014

Settlement Amount: \$52,500.00

Individual Contribution Amount: \$0.00

Broker Statement THE CLAIM WAS SETTLED BY BERTHEL FISHER AND ITS CARRIER



WITHOUT ADMISSION OF LIABILITY. NO PAYMENT TOWARDS SETTLEMENT
WAS MADE BY SHAWN DAVIS WHO WAS NOT A RESPONDENT IN THE CASE.



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 8

Reporting Source:	Firm
Employing firm when activities occurred which led to the complaint:	INDEPENDENT FINANCIAL GROUP, LLC
Allegations:	ALLEGE INVESTMENTS WERE NOT DIVERSIFIED AND THEIR MONEY WAS OVERCONCENTRATED IN ILLIQUID SECURITIES.
Product Type:	Other: REITS AND NON-TRADED REITS
Alleged Damages:	\$5,001.00
Alleged Damages Amount Explanation (if amount not exact):	SOC DOES NOT LIST ANY DOLLAR AMOUNTS (OF INVESTMENTS OR FOR DAMAGES). BASED ON PRELIMINARY CALCULATIONS CLIENTS MAY NOT HAVE LOST ANY MONEY; HOWEVER, IN THE INTEREST OF FULL DISCLOSURE THIS MATTER IS BEING REPORTED.
Is this an oral complaint?	No
Is this a written complaint?	No
Is this an arbitration/CFTC reparation or civil litigation?	Yes
Arbitration/Reparation forum or court name and location:	FINRA
Docket/Case #:	20-03498
Filing date of arbitration/CFTC reparation or civil litigation:	10/12/2020

Customer Complaint Information

Date Complaint Received:	10/15/2020
Complaint Pending?	Yes
Settlement Amount:	
Individual Contribution Amount:	



Disclosure 2 of 8

Reporting Source:	Firm
Employing firm when activities occurred which led to the complaint:	INDEPENDENT FINANCIAL GROUP, LLC AND BERTHEL FISHER & CO. FINANCIAL SERVICES
Allegations:	ALLEGE REIT INVESTMENTS WERE UNSUITABLE, NOT IN LINE WITH THEIR INVESTMENT OBJECTIVES AND THAT THEY WERE INAPPROPRIATELY OVER-CONCENTRATED IN ILLIQUID INVESTMENTS.
Product Type:	Other: REITS
Alleged Damages:	\$206,000.00
Alleged Damages Amount Explanation (if amount not exact):	TOTAL AMOUNT ALLEGED IS 860,134.22; OF THAT ONLY 206,000 WAS FOR INVESTMENTS MADE WHILE DAVIS WAS AFFILIATED WITH ifg
Is this an oral complaint?	No
Is this a written complaint?	No
Is this an arbitration/CFTC reparation or civil litigation?	Yes
Arbitration/Reparation forum or court name and location:	FINRA
Docket/Case #:	20-01898
Filing date of arbitration/CFTC reparation or civil litigation:	06/16/2020

Customer Complaint Information

Date Complaint Received:	06/19/2020
Complaint Pending?	Yes
Settlement Amount:	
Individual Contribution Amount:	

Reporting Source:	Firm
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Employing firm when activities occurred which led to the complaint: Berthel Fisher & Company Financial Services, Inc.; Independent Financial Group, LLC

Allegations: The clients allege the investments they purchased in 2007-2010 were unsuitable and misrepresented to them by the representative. The clients also allege the firm failed to supervise the representative.

Product Type: Direct Investment-DPP & LP Interests
Equipment Leasing
Oil & Gas
Real Estate Security

Alleged Damages: \$0.00

Alleged Damages Amount Explanation (if amount not exact): The clients allege the damages are between \$100,000.00 and \$500,000.00.

Is this an oral complaint? No

Is this a written complaint? No

Is this an arbitration/CFTC reparation or civil litigation? Yes

Arbitration/Reparation forum or court name and location: FINRA

Docket/Case #: 20-01898

Filing date of arbitration/CFTC reparation or civil litigation: 06/16/2020

Customer Complaint Information

Date Complaint Received: 06/22/2020

Complaint Pending? Yes

Settlement Amount:

Individual Contribution Amount:

Disclosure 3 of 8

Reporting Source: Firm



Employing firm when activities occurred which led to the complaint: INDEPENDENT FINANCIAL GROUP, LLC, BERTHEL FISHER & CO. FINANCIAL SERVICES, WFG INVESTMENTS, INC.

Allegations: ALLEGES INVESTMENTS WERE NOT SUITABLE

Product Type: Direct Investment-DPP & LP Interests
Other: REITS

Alleged Damages: \$100,000.00

Arbitration Information

Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.): FINRA

Docket/Case #: 20-01637

Date Notice/Process Served: 05/28/2020

Arbitration Pending? Yes

Firm Statement STATEMENT OF CLAIM FAILS TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED. FIRM INTENDS TO DEFEND CLAIM AS WITHOUT MERIT.

Reporting Source: Firm

Employing firm when activities occurred which led to the complaint: Berthel Fisher & Company Financial Services, Inc.; WFG Investments, Inc.; Independent Financial Group, LLC

Allegations: The client alleges the investments he purchased in 2011 were unsuitable and misrepresented to him by the representative. The client also alleges the firm failed to supervise the representative.

Product Type: Direct Investment-DPP & LP Interests
Equipment Leasing
Oil & Gas
Real Estate Security
Other: Business Development Company

Alleged Damages: \$0.00

Alleged Damages Amount Explanation (if amount not exact): The client alleges the compensatory damages are between \$100,000.00 and \$500,000.00.

Arbitration Information



Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.): FINRA

Docket/Case #: 20-01637

Date Notice/Process Served: 05/28/2020

Arbitration Pending? Yes

Disclosure 4 of 8

Reporting Source: Firm

Employing firm when activities occurred which led to the complaint: Independent Financial Group, LLC

Allegations: Claimants allege their DPP and REIT investments were not suitable.

Product Type: Direct Investment-DPP & LP Interests
Other: REITs

Alleged Damages: \$800,000.00

Is this an oral complaint? No

Is this a written complaint? No

Is this an arbitration/CFTC reparation or civil litigation? Yes

Arbitration/Reparation forum or court name and location: FINRA

Docket/Case #: 19-03103

Filing date of arbitration/CFTC reparation or civil litigation: 10/15/2019

Customer Complaint Information

Date Complaint Received: 10/18/2019

Complaint Pending? Yes

Settlement Amount:

Individual Contribution Amount:



Disclosure 5 of 8

Reporting Source:	Firm
Employing firm when activities occurred which led to the complaint:	Berthel Fisher & Company Financial Services, Inc., WFG Investments, Inc., & Independent Financial Group, LLC
Allegations:	The clients allege the investments they purchased in 2012 were unsuitable and misrepresented to them by the representative. The clients also allege the firm failed to conduct adequate due diligence and failed to supervise the representative.
Product Type:	Direct Investment-DPP & LP Interests Equipment Leasing Real Estate Security Other: BDC
Alleged Damages:	\$0.00
Alleged Damages Amount Explanation (if amount not exact):	the firm has made a good faith determination that the damages from the alleged conduct would be more than \$5,000.00.
Is this an oral complaint?	No
Is this a written complaint?	No
Is this an arbitration/CFTC reparation or civil litigation?	Yes
Arbitration/Reparation forum or court name and location:	FINRA
Docket/Case #:	18-02735
Filing date of arbitration/CFTC reparation or civil litigation:	08/01/2018

Customer Complaint Information

Date Complaint Received:	08/13/2018
Complaint Pending?	No
Status:	Evolved into Civil litigation (the individual is a named party)
Status Date:	03/04/2019

**Settlement Amount:****Individual Contribution Amount:****Civil Litigation Information**

Type of Court:	State Court
Name of Court:	Superior Court for the State of CA for the County of Placer
Location of Court:	Placer County, CA
Docket/Case #:	SCV0042532
Date Notice/Process Served:	03/25/2019
Litigation Pending?	Yes
Firm Statement	The arbitration claims were dismissed pursuant to FINRA Rule 12206 on 3/4/2019. Berthel Fisher and Company Financial Services, Inc. ("Berthel Fisher") was dismissed from the litigation with prejudice on 10/17/2019. Shawn Davis the registered representative remains a named defendant in the matter which is ongoing. Berthel Fisher will receive no further updates on this matter since the firm is no longer a party to the litigation.

Disclosure 6 of 8

Reporting Source:	Firm
Employing firm when activities occurred which led to the complaint:	WFG Investments
Allegations:	Claims investments were unsuitable; appears all purchases were made while Mr. Davis was associated with another BD (NOT IFG).
Product Type:	Direct Investment-DPP & LP Interests Other: REITs
Alleged Damages:	\$560,000.00
Alleged Damages Amount Explanation (if amount not exact):	Not specified. Amount listed is total amount of investments as indicated in the Statement of Claim.
Is this an oral complaint?	No
Is this a written complaint?	No



**Is this an arbitration/CFTC
reparation or civil litigation?** Yes

**Arbitration/Reparation forum
or court name and location:** FINRA

Docket/Case #: 18-02173

**Filing date of
arbitration/CFTC reparation
or civil litigation:** 06/11/2018

Customer Complaint Information

Date Complaint Received: 07/24/2018

Complaint Pending? No

Status: Evolved into Arbitration/CFTC reparation (the individual is a named party)

Status Date: 07/24/2018

Settlement Amount:

**Individual Contribution
Amount:**

Arbitration Information

**Arbitration/CFTC reparation
claim filed with (FINRA, AAA,
CFTC, etc.):** FINRA

Docket/Case #: 18-02173

Date Notice/Process Served: 07/24/2018

Arbitration Pending? Yes

Firm Statement Rep's prior BD (WFG is no longer in business--filed Bankruptcy). Appears that none of the investments in question were purchased through IFG. In addition, though there is a notice of terminated AP, it is IFG's understanding that Mr. Davis is still in the business as a RIA.

Disclosure 7 of 8

Reporting Source: Firm

**Employing firm when
activities occurred which led
to the complaint:** Berthel Fisher & Company Financial Services, Inc.



Allegations: The clients allege that the investments they purchased between 2005-2010 were unsuitable and misrepresented to them by the representative. The clients also allege that the firm failed to supervise the actions of the representative.

Product Type: Oil & Gas
Real Estate Security

Alleged Damages: \$800,000.00

Arbitration Information

Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.): FINRA

Docket/Case #: 16-02660

Date Notice/Process Served: 09/26/2016

Arbitration Pending? No

Disposition: Withdrawn

Disposition Date: 02/17/2017

Civil Litigation Information

Type of Court: State Court

Name of Court: Placer County

Location of Court: Roseville, California

Docket/Case #: SCV00400085

Date Notice/Process Served: 10/31/2017

Litigation Pending? Yes

Firm Statement Claimants withdrew their claims, without prejudice.

Reporting Source: Broker

Employing firm when activities occurred which led to the complaint: BERTHEL FISCHER

Allegations: ALLEGATIONS INCLUDED UNSUITABLE INVESTMENTS, NEGLIGENCE, BREACH OF FIDUCIARY DUTY, FRAUD IN CONNECTION WITH DPP INVESTMENTS PURCHASED FROM 2008-2010.



Product Type:	Direct Investment-DPP & LP Interests Equipment Leasing Oil & Gas Other: REITS
Alleged Damages:	\$740,000.00
Arbitration Information	
Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):	FINRA
Docket/Case #:	16-02660
Date Notice/Process Served:	10/20/2016
Arbitration Pending?	No
Disposition:	Withdrawn
Disposition Date:	02/17/2017
Broker Statement	CLAIMANTS WITHDREW THEIR CLAIMS WITHOUT PREJUDICE.

Disclosure 8 of 8

Reporting Source:	Firm
Employing firm when activities occurred which led to the complaint:	WFG SECURITIES AND INDEPENDENT FINANCIAL GROUP, LLC
Allegations:	CLIENT CORRESPONDENCE ALLEGED THEY WERE NOT FULLY INFORMED OF THE RISKS ASSOCIATED WITH REIT OFFERINGS PURCHASED FROM 2013 TO 2015.
Product Type:	Direct Investment-DPP & LP Interests
Alleged Damages:	\$0.00
Alleged Damages Amount Explanation (if amount not exact):	NO SPECIFIED DAMAGES
Is this an oral complaint?	No
Is this a written complaint?	Yes
Is this an arbitration/CFTC reparation or civil litigation?	No



Customer Complaint Information

Date Complaint Received: 03/22/2016
Complaint Pending? No
Status: Evolved into Arbitration/CFTC reparation (the individual is a named party)
Status Date: 09/12/2017
Settlement Amount:

Individual Contribution Amount:

Arbitration Information

Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.): FINRA

Docket/Case #: 17-02219
Date Notice/Process Served: 09/12/2017
Arbitration Pending? No
Disposition: Settled
Disposition Date: 01/24/2019
Monetary Compensation Amount: \$18,000.00
Individual Contribution Amount: \$0.00

Civil Litigation Information

Type of Court: State Court
Name of Court: SUPERIOR COURT STATE OF CALIFORNIA
Location of Court: SACRAMENTO COUNTY
Docket/Case #: 34-2017-00212182
Date Notice/Process Served: 05/18/2017
Litigation Pending? No
Disposition: Other: COMPELLED TO ARBITRATION SEE ABOVE
Disposition Date: 08/03/2017



Firm Statement EVOLVED TO ARBITRATION 17-02219 WHICH IS PENDING AND PREVIOUSLY FILED. THIS FILING IS INTENDED TO CLOSE THE WRITTEN COMPLAINT DRP 1877293.

Reporting Source: Firm

Employing firm when activities occurred which led to the complaint: WFG Investments, Inc. and Independent Financial Group

Allegations: Claimants allege misrepresentation in the course of recommending unsuitable Real Estate Investment Trusts.

Product Type: Real Estate Security

Alleged Damages: \$0.00

Alleged Damages Amount Explanation (if amount not exact): No amount has been stated.

Civil Litigation Information

Type of Court: State Court

Name of Court: Superior Court of California

Location of Court: Sacramento, CA

Docket/Case #: 34-2017-00212182

Date Notice/Process Served: 05/18/2017

Litigation Pending? Yes

Reporting Source: Broker

Employing firm when activities occurred which led to the complaint: WFG SECURITIES AND INDEPENDENT FINANCIAL GROUP, LLC

Allegations: CLIENT CORRESPONDENCE ALLEGED THEY WE NOT FULLY INFORMED OF THE RISKS ASSOCIATED WITH THE REIT OFFERINGS THEY PURCHASED FROM 2013 TO 2015.

Product Type: Direct Investment-DPP & LP Interests

Alleged Damages: \$0.00



Alleged Damages Amount NO SPECIFIED DAMAGES
Explanation (if amount not exact):

Is this an oral complaint? No

Is this a written complaint? Yes

Is this an arbitration/CFTC reparation or civil litigation? No

Customer Complaint Information

Date Complaint Received: 03/22/2016

Complaint Pending? Yes

Settlement Amount:

Individual Contribution Amount:

End of Report



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