

# BrokerCheck Report DAVID WILLINGHAM LENTZ

CRD# 4335856

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Please be aware that fraudsters may link to BrokerCheck from phishing and similar scam websites, trying to steal your personal information or your money. Make sure you know who you' re dealing with when investing, and contact FINRA with any concerns. For more information read our <u>investor alert</u> on imposters.

#### 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
  - 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.

# Thank you for using FINRA BrokerCheck.



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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.

# DAVID W. LENTZ

# CRD# 4335856

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.

| This broker is not currently registered.   | Disclosure Events  |  |
|--|--|--|
| This broker has passed:  | All individuals registered to sell securities or provide<br>investment advice are required to disclose customer<br>complaints and arbitrations, regulatory actions,<br>employment terminations, bankruptcy filings, and<br>criminal or civil judicial proceedings. |  |
| <ul> <li>0 Principal/Supervisory Exams</li> </ul>  | Are there events disclo  | osed about this broker? Yes  |
| <ul> <li>3 General Industry/Product Exams</li> </ul>   |  |  |
| 1 State Securities Law Exam  | The following types of disclosures have been reported:   |  |
| Registration History   | Туре   | Count  |
| This broker was previously registered with the   | Regulatory Event   | 1  |
| ollowing securities firm(s):   | Customer Dispute   | 5  |
|  | Termination  | 1  |
| CRD# 42046<br>Kernersville, NC   | Financial  | 1  |
| B<br>PROSPERA FINANCIAL SERVICES, INC.<br>CRD# 10740<br>CHARLOTTE, NC  | Investment Advise  | er Representative  |
| B<br>CHARLOTTE, NC<br>06/2013 - 06/2017<br>TCA FINANCIAL GROUP, LLC<br>CRD# 131275<br>CHARLOTTE, NC<br>01/2008 - 06/2013 | record as a broker. Fo   | represents the individual's<br>r details on this individual's<br>nt adviser representative,<br>nent Adviser Public |

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

# **Principal/Supervisory Exams**

| Exam  |   | Category  | Date       |
|-------|---|-----------|------------|
|       | No information reported.                      |           |            |
| Gene  | ral Industry/Product Exams                    |           |            |
| Exam  |   | Category  | Date       |
| В     | Securities Industry Essentials Examination    | SIE       | 10/01/2018 |
| B     | Futures Managed Funds Examination             | Series 31 | 02/23/2010 |
| B     | General Securities Representative Examination | Series 7  | 07/11/2003 |
| State | State Securities Law Exams                    |           |            |
| Exam  |   | Category  | Date       |
| BIA   | Uniform Combined State Law Examination        | Series 66 | 09/08/2003 |

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.



User Guidance

# **Registration and Employment History**



User Guidance

# **Registration History**

The broker previously was registered with the following firms:

| Reg | istration Dates   | Firm Name                           | CRD#   | Branch Location  |
|-----|-------------------|-------------------------------------|--------|------------------|
| В   | 06/2017 - 10/2020 | KESTRA INVESTMENT SERVICES, LLC     | 42046  | Kernersville, NC |
| В   | 06/2013 - 06/2017 | PROSPERA FINANCIAL SERVICES, INC.   | 10740  | CHARLOTTE, NC    |
| В   | 01/2008 - 06/2013 | TCA FINANCIAL GROUP, LLC            | 131275 | CHARLOTTE, NC    |
| В   | 07/2003 - 09/2007 | AMERIPRISE FINANCIAL SERVICES, INC. | 6363   | CHARLOTTE, NC    |
| В   | 07/2003 - 07/2006 | IDS LIFE INSURANCE COMPANY          | 6321   | MINNEAPOLIS, MN  |

## **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               |
|-------------------|-----------------------------|---|--------------------|---------------------------------|
| 06/2017 - Present | KESTRA FINANCIAL, INC       | REGESTERED<br>REP/INVESTMENT<br>ADVISOR | Y                  | KERNERSVILLE, NC, United States |
| 06/2013 - 06/2017 | PROSPERA FINANCIAL SERVICES | REGISTERED REP                          | Y                  | DALLAS, TX, United States       |
| 10/2007 - 06/2013 | TRIUNE CAPITAL ADVISORS     | REGISTERED REP                          | Y                  | CHARLOTTE, NC, 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.

Business Name: Thorium Wealth Management, LLC Investment Related: Yes Address: 210 N Main St #214 Kernersville NC 27284 Nature of Business: Registered Rep Activities through Kestra Investment Services, LLC using a DBA name Position, Title or Relationship: Director of Investments, VP Start Date: 6/15/2017 Hours per month: 100%+ (More than 160 hours) Hours per month during trading hours: Up to 100% (0 to 160 hours) Duties: Leading technical research and investment committee meeting

Implementation of clients' investment recommendations and custom portfolio design process

# **Registration and Employment History**



# **Other Business Activities, continued**

Assist in administrative and operational tasks

Provide investment prospective for digital marketing effortsBusiness Name: The Cason Group, General Agency Investment Related: Yes Address: 1612 Marion Street Columbia SC 29201 Nature of Business: Insurance Position, Title or Relationship: Producing Agent Start Date: 7/6/2017 Hours per month: 11% - 20% (17 - 32 hours) Hours per month during trading hours: 11% - 20% (15 - 28 hours) Duties: Provide life insurance solutions for clients



#### 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.

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#### 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.

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#### 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 |
|------------------|---------|-------|-----------|
| Regulatory Event | 0       | 1     | 0         |
| Customer Dispute | 3       | 2     | N/A       |
| Termination      | N/A     | 1     | N/A       |
| Financial        | 0       | 1     | N/A       |



# **Disclosure Event Details**

When evaluating this information, please keep in mind that a discloure 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 involve (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   |  |
|---|--|
| Reporting Source:   | Regulator  |
| Regulatory Action Initiated<br>By:  | FINRA  |
| Sanction(s) Sought:   |  |
| Date Initiated:   | 08/11/2008   |
| Docket/Case Number:   | 2007010505801  |
| Employing firm when activity<br>occurred which led to the<br>regulatory action: | AMERIPRISE FINANCIAL SERVICES  |
| Product Type:   | No Product   |
| Allegations:  | NASD RULE 2110: LENTZ CUT AND PASTED THE CUSTOMERS' SIGNATURES<br>ONTO THE "EXPLANATION OF TRANSACTION" FORMS WITHOUT THE<br>CUSTOMERS' AUTHORIZATION OR KNOWLEDGE AND PLACED THE FORMS<br>IN THE CUSTOMER FILES UNTIL HE RECEIVED THE SIGNED FORMS. |
| Current Status:   | Final  |
| Resolution:   | Acceptance, Waiver & Consent(AWC)  |



| Does the order constitute a<br>final order based on<br>violations of any laws or<br>regulations that prohibit<br>fraudulent, manipulative, or<br>deceptive conduct? | No   |
|---|--|
| Resolution Date:  | 08/11/2008   |
| Sanctions Ordered:  | Civil and Administrative Penalty(ies)/Fine(s)<br>Suspension  |
| Regulator Statement   | WITHOUT ADMITTING OR DENYING THE FINDINGS, RESPONDENT<br>CONSENTED TO THE DESCRIBED SANCTIONS AND TO THE ENTRY OF<br>FINDINGS; THEREFORE, HE IS FINED \$5,000 AND SUSPENDED FROM<br>ASSOCIATION WITH ANY FINRA MEMBER IN ANY CAPACITY FOR ONE<br>MONTH. THE SUSPENSION IN ANY CAPACITY WILL BE IN EFFECT FROM<br>SEPTEMBER 2, 2008, THROUGH OCTOBER 1, 2008. FINES PAID ON AUGUST<br>26, 2008. |
|   |  |
| Reporting Source:   | Broker   |
| Regulatory Action Initiated<br>By:  | FINRA  |
| Sanction(s) Sought:   |  |
| Date Initiated:   | 08/11/2008   |
| Docket/Case Number:   | <u>2007010505801</u>   |
| Employing firm when activity<br>occurred which led to the<br>regulatory action:   | AMERIPRISE FINANCIAL SERVICES  |
| Product Type:   | No Product   |
| Allegations:  | NASD RULE 2110: LENTZ CUT AND PASTED THE CUSTOMERS' SIGNATURES<br>ONTO THE "EXPLANATION OF TRANSACTION" FORMS WITHOUT THE<br>CUSTOMERS' AUTHORIZATION OR KNOWLEDGE AND PLACED THE FORMS<br>IN THE CUSTOMERS FILES UNTIL HE RECEIVED THE SIGNED FORMS.  |
| Current Status:   | Final  |
| Resolution:   | Acceptance, Waiver & Consent(AWC)  |
|   |  |



| Does the order constitute a<br>final order based on<br>violations of any laws or<br>regulations that prohibit<br>fraudulent, manipulative, or<br>deceptive conduct? | No   |
|---|--|
| Resolution Date:  | 08/11/2008   |
| Sanctions Ordered:  | Civil and Administrative Penalty(ies)/Fine(s)<br>Suspension  |
| Sanction 1 of 1   |  |
| Sanction Type:  | Suspension   |
| Capacities Affected:  | Any capacity   |
| Duration:   | 30 days  |
| Start Date:   | 09/02/2008   |
| End Date:   | 10/01/2008   |
| Monetary Sanction 1 of 1  |  |
| Monetary Related Sanction:  | Civil and Administrative Penalty(ies)/Fine(s)  |
| Total Amount:   | \$5,000.00   |
| Portion Levied against individual:  | \$5,000.00   |
| Payment Plan:   |  |
| Is Payment Plan Current:  |  |
| Date Paid by individual:  | 08/26/2008   |
| Was any portion of penalty waived?  | No   |
| Amount Waived:  |  |
| Broker Statement  | I was advised by Ameriprise Compliance to immediately obtain signatures on<br>switch letters from three of my clients regarding some recent transactions. I asked<br>my clients to sign and return the forms that I was sending them immediately. Even<br>though I was out of the office, Compliance was pressuring me to obtain the switch<br>letters the same day as their request so in order to meet their deadline I turned in<br>forms using older signatures from my files. When the newly signed switch letters<br>were received back from my clients, I forwarded those to Compliance which<br>caused them to question the first forms received and to conduct an Internal Review |



during which time I resigned to seek other employment. A year later, FINRA initiated its review. In order to avoid on-going legal defense costs and without admitting or denying the findings, I agreed to a one-month suspension and a fine of \$5,000.



# 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 1   |   |
|---|---|
| Reporting Source:   | Firm  |
| Employing firm when<br>activities occurred which led<br>to the complaint: | AMERIPRISE FINANCIAL SERVICES,INC.  |
| Allegations:  | CLIENTS ALLEGED VULS PURCHASED IN APRIL 2006 WERE NOT SUITABLE<br>AND SURRENDER TERMS WERE NOT FULLY DISCLOSED. |
| Product Type:   | Insurance   |
| Alleged Damages:  | \$9,000.00  |
| Is this an oral complaint?  | No  |
| Is this a written complaint?  | Yes   |
| Is this an arbitration/CFTC reparation or civil litigation?               | No  |
| Customer Complaint Infor  | mation  |

### **Customer Complaint Information**

| Date Complaint Received:           | 04/08/2009  |
|------------------------------------|---|
| Complaint Pending?                 | No  |
| Status:                            | Settled   |
| Status Date:                       | 07/23/2009  |
| Settlement Amount:                 | \$8,794.07  |
| Individual Contribution<br>Amount: | \$0.00  |
| Firm Statement                     | THE FIRM FOUND THE VUL INSURANCE POLICIES APPEARED TO BE<br>UNSUITABLE INVESTMENTS AT THE TIME OF SALE. |
|                                    |   |

| Reporting Source:   | Broker   |
|---|--|
| Employing firm when<br>activities occurred which led<br>to the complaint: | AMERIPRISE FINANCIAL SERVICES,INC.                             |
| Allegations:  | CLIENTS ALLEGED VULS PURCHASED IN APRIL 2006 WERE NOT SUITABLE |

. .



#### AND SURRENDER TERMS WERE NOT FULLY DISCLOSED.

| Product Type:   | Insurance  |
|---|------------|
| Alleged Damages:  | \$9,000.00 |
| 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:           | 04/08/2009 |
|------------------------------------|------------|
| Complaint Pending?                 | No         |
| Status:                            | Settled    |
| Status Date:                       | 07/23/2009 |
| Settlement Amount:                 | \$8,794.07 |
| Individual Contribution<br>Amount: | \$0.00     |

**Broker Statement** 

In April 2009 (following the 2008 historical market downturn) and 2 years after I left Ameriprise, my former husband/wife clients filed a complaint alleging that the Variable Universal Life policies they bought in April 2006 were not suitable and that the surrender terms had not been fully disclosed. I advised the Ameriprise field compliance supervisor that the information regarding the sale could be found in the client's file (which I left behind as part of their records) and included a comprehensive financial analysis of the client's situation, identifying the financial gaps and needs to help achieve their overall financial goals. Upon much discussion of various different products and the pros and cons of each, the clients agreed to purchase the VUL to address their life insurance needs as well as other accumulation goals. They reviewed the illustrations and prospectus, which had to be signed off on before the underwriting could be completed, and we fully discussed the surrender schedule and liquidity aspects of the product. The clients had a child born after I was no longer with the company and wanted to cash in the policy. In their quest for cash in a market decline, they apparently forgot about our previous planning discussions about other liquid assets and the long-term perspective of this particular product and, in my opinion, filed the complaint to get that cash. Ameriprise chose to settle the matter to avoid the risks and uncertainties of possible litigation.



# Customer Dispute - Closed-No Action / Withdrawn / Dismissed / Denied

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   |  |
|---|--|
| Reporting Source:   | Broker   |
| Employing firm when<br>activities occurred which led<br>to the complaint: | Kestra Investment Services, LLC  |
| Allegations:  | Between January 2017 through June 2019 the customer alleges they had realized losses in the amount of 115K due to poor recommendations and advice from their Advisor.                  |
| Product Type:   | No Product   |
| Alleged Damages:  | \$115,000.00   |
| 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:  | 07/30/2019   |
| Complaint Pending?  | No   |
| Status:   | Denied   |
| Status Date:  | 09/03/2019   |
| Settlement Amount:  |  |
| Individual Contribution<br>Amount:  |  |
| Broker Statement  | Review indicated that losses in the account were primarily due to accelerated withdrawal rate by customer. Firm found that advisor acted appropriately and in best interest of client. |
|   |  |



# **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 3   |  |
|---|--|
| Reporting Source:   | Firm   |
| Employing firm when<br>activities occurred which led<br>to the complaint: | Ameriprise Financial Services, LLC   |
| Allegations:  | Beginning in 2004, a former Ameriprise client alleges mismanagement of her finances in unsuitable investments, forgery, misrepresentation, churning, day trading that resulted in financial losses |
| Product Type:   | Other: Unknown   |
| Alleged Damages:  | \$2,000,000.00   |
| Civil Litigation Information  | n  |
| Type of Court:  | Federal Court  |
| Name of Court:  | US District Court  |
| Location of Court:  | Western Section of Tennessee, Western Division   |
| Docket/Case #:  | 2:22-CV-02348  |
| Date Notice/Process Served:   | 07/18/2022   |
| Litigation Pending?   | Yes  |
|   |  |

| Disclosure 2 of 3   |  |
|---|--|
| Reporting Source:   | Firm   |
| Employing firm when<br>activities occurred which led<br>to the complaint: | Prospera Financial Services, Inc   |
| Allegations:  | Customer alleges multiple violations of the Tennessee Securities Act to include<br>Breach of Fiduciary Duty, Negligence and Gross Negligence, Common Law Fraud,<br>Conversion, Breach of Contract, and Failure to Supervise over the 18 year history<br>of her investments by the Advisor through several different firms, leading to the<br>total loss of her investment portfolio. |
| Product Type:   | Equity Listed (Common & Preferred Stock)   |



|                             | Money Market Fund<br>Mutual Fund<br>Options<br>Real Estate Security<br>Unit Investment Trust |
|-----------------------------|--|
| Alleged Damages:            | \$2,000,000.00   |
| Civil Litigation Informatio | n  |
| Type of Court:              | Federal Court  |
| Name of Court:              | US District Court of the Western Section of Tennessee, Western Division                      |
| Location of Court:          | Memphis, TN  |
| Docket/Case #:              | Case 2:22-cv-02348-JPM-atc   |
| Date Notice/Process Served: | 06/06/2022   |
| Litigation Pending?         | Yes  |

# Disclosure 3 of 3

| Disclosure 3 of 3   |   |
|---|---|
| Reporting Source:   | Firm  |
| Employing firm when<br>activities occurred which led<br>to the complaint: | Kestra Investment Services LLC  |
| Allegations:  | Client alleges mismanagement of finances and investments including allegations of misrepresentation, unauthorized day trading, and forgery. |
| Product Type:   | Equity-OTC<br>Options   |
| Alleged Damages:  | \$1,292,500.00  |
| <b>Civil Litigation Information</b>                                       | 1   |
| Type of Court:  | State Court   |
| Name of Court:  | US District Court for the Western Section of Tennessee  |
| Location of Court:  | Tennessee   |
| Docket/Case #:  | 2:22-cv-02348-JPM-atc   |
| Date Notice/Process Served:   | 06/06/2022  |
| Litigation Pending?   | Yes   |
|   |   |



# **Employment Separation After Allegations**

This type of disclosure event involves a situation where the broker voluntarily resigned, was discharged, or was permitted to resign after being accused of (1) violating investment-related statutes, regulations, rules or industry standards of conduct; (2) fraud or the wrongful taking of property; or (3) failure to supervise in connection with investment-related statutes, regulations, rules, or industry standards of conduct.

| Disclosure 1 of 1    |  |
|----------------------|--|
| Reporting Source:    | Broker   |
| Employer Name:       | AMERICAN EXPRESS FINANCIAL ADVISORS  |
| Termination Type:    | Voluntary Resignation  |
| Termination Date:    | 08/27/2007   |
| Allegations:         | THE ADVISOR RESIGNED WHILE UNDER REVIEW FOR SIGNATURE DISCREPANCIES.   |
| Product Type:        | No Product   |
| Other Product Types: |  |
| Broker Statement     | COMPLIANCE ADVISED TO FORWARD 3 SWITCH LETTERS TO CLIENTS FOR<br>SIGNATURE. DUE TO THE FACT I WAS ON VACATION AT TIME OF REQUEST,<br>I CONTACTED CLIENTS AND TOLD THEM I WOULD BE SENDING THE<br>LETTERS TO THEM, AND NEEDED IMMEDIATE TURN AROUND. SINCE<br>COMPLIANCE WANTED IT AS OF THAT DAY, I TRANSPOSED THEIR<br>SIGNATURES ON EACH DOCUMENT AND FORWARDED THEM TO<br>COMPLIANCE. SUBSEQUENTLY, THE ACTUAL LETTERS WERE RECEIEVED<br>BACK SIGNED FROM THE CLIENTS. FINRA ATLANTA DISTRICT OFFICE<br>CONTACTED ME AS PART OF THE REVIEW. |



# **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   |  |
|---|--|
| Reporting Source:   | Broker   |
| Action Type:  | Compromise   |
| Action Date:  | 10/30/2019   |
| Organization Investment-<br>Related?                            |  |
| Action Pending?   | No   |
| Disposition:  | Direct Payment Procedure   |
| Disposition Date:   | 10/30/2019   |
| If a compromise with creditor, provide:                         |  |
| Name of Creditor:   | Discover Bank  |
| Original Amount Owed:   | \$9,748.31   |
| Terms Reached with Creditor:                                    | Advisor agreed to make a lump sum payment in the amount of \$6,337.00 as settlement in full for balance of consumer account. |
| Amount Paid:  | \$6,337.00   |
| SIPA (Securities Investor<br>Protection Act)Trustee:            |  |
| Currently Open?   | No   |
| Date Direct Payment<br>Initiated/Filed or Trustee<br>Appointed: | 10/30/2019   |



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