

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER, AND CONSENT
NO. 2021069375801**

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

RE: Daniel Richard Hajduk (Respondent)
General Securities Representative, Registered Options Principal
CRD No. 830330

Pursuant to FINRA Rule 9216, Respondent Daniel Richard Hajduk 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 Respondent alleging violations based on the same factual findings described in this AWC.

I.

ACCEPTANCE AND CONSENT

- A. Respondent accepts and consents to the following findings by FINRA without admitting or denying them:

BACKGROUND

Respondent first became registered with FINRA in 1976 as a General Securities Representative (GSR) through an association with a former member firm. From 1976 until 1991, Respondent was registered as a GSR through several member and former member firms. Beginning in 1990, Respondent also became registered as an Options Principal (OP) through one of those firms.

From April 1991 to March 1992, and since May 1992, Respondent has been registered as a GSR through an association with member firm Coordinated Capital Securities, Inc. (BD No. 14762) (CCSI). Since April 1991, Respondent has been registered as an OP through CCSI.

Respondent has the following disciplinary history:

- In August 1993, FINRA accepted an Offer of Settlement from Respondent in Complaint No. C8A920083, wherein Respondent consented to the entry of findings that he violated Article III, Section 1 of the NASD Rules of Fair Practice in that he executed securities transactions for public customers when he was not registered as a GSR due to his failure to requalify as a GSR as required by an AWC in a prior disciplinary action. Respondent was suspended in all capacities for 20 business days, fined \$5,000 and censured.

- In February 1992, FINRA accepted an AWC from Respondent in Case No. C8A910030 wherein Respondent consented to the entry of findings that he violated Article III, Sections 1 and 2 of the NASD Rules of Fair Practice by recommending and effecting securities transactions in the account of a public customer without having reasonable ground for believing such recommendations were suitable for the customer based on the customer's investment objective, financial situation and needs. Respondent was fined \$15,000, censured and required to requalify as a GSR.
- In May 1983, the Chicago Board of Options Exchange (CBOE) issued a Decision in Case No. 81-0131 wherein Respondent was suspended for three days from CBOE membership and association for recommending spreading and ratio writing transactions for the account of a customer which were unsuitable based upon the customer's knowledge, experience and financial ability to bear the risks of the transactions.¹

OVERVIEW

Respondent violated FINRA Rules 8210 and 2010 by refusing to appear and provide on-the-record testimony requested pursuant to FINRA Rule 8210.

FACTS AND VIOLATIVE CONDUCT

This matter originated from a FINRA cycle examination of CCSI, which included a review of certain trades Respondent effected for CCSI customers.

FINRA Rule 8210(a)(1) states that FINRA has the right to require a "person subject to FINRA's jurisdiction to provide information orally, in writing, or electronically . . . with respect to any matter involved in the investigation, complaint, examination or proceeding." FINRA Rule 8210(c) provides that "[n]o person shall fail to provide information or testimony . . . pursuant to this Rule." Conduct that violates FINRA Rule 8210 also violates FINRA Rule 2010, which requires associated persons to "observe high standards of commercial honor and just and equitable principals of trade."

On August 29, 2022, FINRA sent a request to Respondent for on-the-record testimony pursuant to FINRA Rule 8210. As stated during his phone call with FINRA on September 1, 2022, and by this agreement, Respondent acknowledges that he received FINRA's request and will not appear for on-the-record testimony at any time. By refusing to appear for on-the-record testimony as requested pursuant to FINRA Rule 8210, Respondent violated FINRA Rules 8210 and 2010.

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

- a bar from associating with any FINRA member in all capacities.

¹ For more information about the respondent, including prior regulatory events, visit BrokerCheck® at www.finra.org/brokercheck.

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, he 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 in this AWC shall be effective on a date set by FINRA. 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 him;
- 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 its acceptance or rejection.

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 action 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 its subject matter 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 right to take legal or factual positions in litigation or other legal proceedings in which FINRA is not a party. Nothing in this provision affects Respondent's testimonial obligations in any litigation or other legal proceedings.

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; Respondent understands and acknowledges that FINRA does not represent or advise him and Respondent cannot rely on FINRA for legal advice. Respondent has agreed to the AWC's provisions voluntarily; and no offer, threat, inducement, or promise of any kind, other than the terms set forth in this AWC and the prospect of avoiding the issuance of a complaint, has been made to induce him to submit this AWC.

9-8-2022
Date

Daniel Richard Hajduk
Daniel Richard Hajduk
Respondent

Accepted by FINRA:

September 26, 2022

Date

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



Frank M. Weber
Senior Counsel
FINRA
Department of Enforcement
Two Jericho Plaza
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