

### **BrokerCheck Report**

### **DOUG MARSHALL MCKELVEY**

CRD# 4502849

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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:
  - 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.

Thank you for using FINRA BrokerCheck.



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.

www.finra.org/brokercheck User Guidance

### **DOUG M. MCKELVEY**

CRD# 4502849

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:

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

### **Registration History**

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

- B MORGAN STANLEY CRD# 149777 Southlake, TX 06/2009 - 05/2022
- B CITIGROUP GLOBAL MARKETS INC. CRD# 7059 SOUTHLAKE, TX

11/2008 - 06/2009

B UBS FINANCIAL SERVICES INC. CRD# 8174

DALLAS, TX 04/2002 - 11/2008

### **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:

Туре	Count	
Regulatory Event	1	
Customer Dispute	2	
Termination	1	

# 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

www.finra.org/brokercheck
User Guidance

### **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, 2 general industry/product exams, and 1 state securities law exam.

### **Principal/Supervisory Exams**

Exam		Category	Date		
	No information reported.				
Gene	General Industry/Product Exams				
Exam		Category	Date		
B	Securities Industry Essentials Examination	SIE	10/01/2018		
В	General Securities Representative Examination	Series 7	04/04/2002		
State	State Securities Law Exams				
Exam		Category	Date		
BIA	Uniform Combined State Law Examination	Series 66	04/25/2002		

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/.

www.finra.org/brokercheck
User Guidance

### **Broker Qualifications**

# FINCA

### **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:

Reg	istration Dates	Firm Name	CRD#	Branch Location
B	06/2009 - 05/2022	MORGAN STANLEY	149777	Southlake, TX
B	11/2008 - 06/2009	CITIGROUP GLOBAL MARKETS INC.	7059	SOUTHLAKE, TX
B	04/2002 - 11/2008	UBS FINANCIAL SERVICES INC.	8174	DALLAS, TX

### **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.

<b>Employment</b>	Employer Name	Position	Investment Related	<b>Employer Location</b>
01/2015 - Present	MORGAN STANLEY PRIVATE BANK, NATIONAL ASSOCIATION	FINANCIAL ADVISOR	Υ	NEW YORK, NY, United States
06/2009 - Present	MORGAN STANLEY SMITH BARNEY	Mass Transfer	Υ	SOUTHLAKE, TX, United States
11/2008 - Present	CITIGROUP GLOBAL MARKETS, INC.	PERSONAL BANKER/FINANCIAL ASSOCIATE	Υ	SOUTHLAKE, TX, 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.

No information reported.

### **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.
- 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.

### 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.

### 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	1	1	N/A
Termination	N/A	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

Regulatory Action Initiated FINRA

By:

Sanction(s) Sought:

**Date Initiated:** 08/26/2022

**Docket/Case Number:** 2022074899601

Employing firm when activity occurred which led to the regulatory action:

MORGAN STANLEY

Product Type: No Product

**Allegations:** Without admitting or denying the findings, McKelvey consented to the sanction and

to the entry of findings that he refused to provide information and documents requested by FINRA. The findings stated that this matter originated from a Uniform

Termination Notice for Securities Industry Registration (Form U5) filed by

McKelvey's member firm stating that he had been discharged because of concerns regarding his unauthorized activity and misappropriation of client funds from client

accounts, which were held by his relatives.

Current Status: Final

Resolution: Acceptance, Waiver & Consent(AWC)

Does the order constitute a No.



final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct?

**Resolution Date:** 08/26/2022

**Sanctions Ordered:** Bar (Permanent)

No

If the regulator is the SEC, CFTC, or an SRO, did the action result in a finding of a willful violation or failure to

supervise?

(1) willfully violated any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the **Investment Advisers Act of** 1940, the Investment Company Act of 1940, the **Commodity Exchange Act, or** any rule or regulation under any of such Acts, or any of the rules of the Municipal Securities Rulemaking Board, or to have been unable to comply with any provision of such Act, rule or regulation?



(2) willfully aided, abetted, counseled, commanded, induced, or procured the violation by any person of any provision of the Securities Act of 1933, the **Securities Exchange Act of** 1934, the Investment Advisers Act of 1940, the **Investment Company Act of** 1940, the Commodity Exchange Act, or any rule or regulation under any of such Acts, or any of the rules of the Municipal Securities Rulemaking Board? or

(3) failed reasonably to supervise another person subject to your supervision, with a view to preventing the violation by such person of any provision of the Securities Act of 1933, the **Securities Exchange Act of** 1934, the Investment Advisers Act of 1940, the **Investment Company Act of** 1940, the Commodity Exchange Act, or any rule or regulation under any such Acts, or any of the rules of the Municipal Securities Rulemaking Board?

Sanction 1 of 1

Sanction Type: Bar (Permanent)

Capacities Affected: All Capacities

**Duration:** Indefinite

**Start Date:** 08/26/2022

**End Date:** 





### **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** activities occurred which led

to the complaint:

Allegations: THE COMPLAINT AROSE OUT OF THE SALE OF AN AUCTION RATE

UBS FINANCIAL SERVICES, INC.

SECURITY (ARS) THAT WAS MADE PRIOR TO THE WIDESPREAD

ILLIQUIDITY IN THE ARS MARKET THAT OCCURRED IN FEBRUARY 2008.

**Product Type:** Other: AUCTION RATE SECURITIES

**Alleged Damages:** \$0.00

**Alleged Damages Amount Explanation (if amount not** 

exact):

THE CUSTOMER DID NOT MAKE A CLAIM FOR COMPENSATORY DAMAGES.

AND/OR DAMAGES WERE DETERMINED TO BE LESS THAN \$5,000.

Is this an oral complaint? Nο

Is this a written complaint?

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

### **Customer Complaint Information**

**Date Complaint Received:** 07/17/2008

**Complaint Pending?** No

Settled Status:

**Status Date:** 12/23/2008

Settlement Amount: \$175,000.00

**Individual Contribution** 

Amount:

\$0.00

**Firm Statement** THE COMPLAINT AROSE IN CONNECTION WITH THE INDUSTRY WIDE

BREAKDOWN OF LIQUIDITY IN THE MARKET FOR AUCTION RATE SECURITIES ("ARS"). THE FIRM AGREED TO REPURCHASE THE ARS SECURITIES AT ISSUE AT PAR VALUE FROM THE CLIENT PURSUANT TO A GLOBAL REPURCHASE AGREEMENT IT ENTERED INTO WITH SEVERAL



REGULATORY BODIES. THIS WAS NOT A SETTLEMENT OF A DISPUTE BETWEEN THE CLIENT AND THE REPRESENTATIVE AND WAS NOT BASED ON THE MERITS OF THE CLIENT'S SPECIFIC CONCERNS OR ANY FINDING OF FAULT OR WRONGDOING BY THE NAMED REPRESENTATIVE. THE NAMED REPRESENTATIVE WAS NOT A PARTY TO, AND DID NOT AGREE TO OR PARTICIPATE IN, THE REPURCHASE AGREEMENT BETWEEN THE FIRM AND THE RELEVANT REGULATORY BODIES. THE NAMED REPRESENTATIVE DID NOT MAKE ANY PAYMENTS TO THE CLIENT AND THE NAMED REPRESENTATIVE WAS NOT ASKED TO AND DID NOT CONTRIBUTE TO THE SETTLEMENT AMOUNT. THE LISTED "SETTLEMENT AMOUNT" REPRESENTS ONLY THE GROSS INITIAL PAR VALUE OF THE ARS POSITION AND DOES NOT TAKE INTO ACCOUNT THE ACTUAL VALUE OF THE ARS POSITION AT THE TIME THE FIRM RECEIVED IT BACK FROM THE CLIENT IN CONNECTION WITH THE SETTLEMENT. THIS MATTER IS BEING REPORTED AS A SETTLEMENT PURSUANT TO THE REQUIREMENTS OF FINRA **REGULATORY NOTICE 09-12.** 

Reporting Source: Broker

Employing firm when activities occurred which led to the complaint:

UBS FINANCIAL SERVICES INC.

Allegations: THE COMPLAINT AROSE OUT OF THE SALE OF AN AUCTION RATE

SECURITY (ARS) THAT WAS MADE PRIOR TO THE WIDESPREAD

ILLIQUIDITY IN THE ARS MARKET THAT OCCURRED IN FEBRUARY 2008.

Product Type: Other: AUCTION RATE SECURITIES

Alleged Damages: \$0.00

Alleged Damages Amount Explanation (if amount not exact):

THE CUSTOMER DID NOT MAKE A CLAIM FOR COMPENSATORY DAMAGES

AND/OR DAMAGES WERE DETERMINE TO BE LESS THAN \$5,000.

**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:** 07/17/2008

Complaint Pending? No



Status: Settled

**Status Date:** 12/23/2008

Settlement Amount: \$175,000.00

**Individual Contribution** 

Amount:



### **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 1

**Reporting Source:** Firm

**Employing firm when** activities occurred which led to the complaint:

Allegations:

Claimant alleges, inter alia, FA misappropriated funds from Claimants' accounts -

2016 to 2022.

Unspecified

MORGAN STANLEY SMITH BARNEY

**Product Type:** Other: Managed/Wrapped Account (17)

**Alleged Damages:** \$0.00

**Alleged Damages Amount Explanation (if amount not** 

exact):

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 #: 22-00950

Filing date of arbitration/CFTC reparation

or civil litigation:

05/02/2022

**Customer Complaint Information** 

**Date Complaint Received:** 05/02/2022

**Complaint Pending?** Yes

**Settlement Amount:** 

**Individual Contribution** 

Amount:



### **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: Firm

Employer Name: MORGAN STANLEY

Termination Type: Discharged

Termination Date: 04/08/2022

Allegations: Allegations regarding representative's unauthorized activity and misappropriation

of funds from client accounts, which were held by relatives of the representative.

Product Type: No Product

### **End of Report**



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