

**FINANCIAL INDUSTRY REGULATORY AUTHORITY  
LETTER OF ACCEPTANCE, WAIVER, AND CONSENT  
NO. 2022074906201**

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

RE: Blake Eskew (Respondent)  
Former General Securities Representative (GSR)  
CRD No. 6959564

Pursuant to FINRA Rule 9216, Respondent Blake Eskew 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 registered with FINRA as a General Securities Representative (GSR) in July 2018 through an association with Merrill Lynch Pierce Fenner & Smith Incorporated (CRD No. 7691). On March 29, 2022, the firm filed a Uniform Termination Notice for Securities Industry Registration (Form U5), reporting Respondent's voluntary termination from the firm. On May 5, 2022, the firm filed an Amended Form U5, disclosing that at the time of his resignation, Respondent was the subject of an internal review that "concluded that the registered representative altered an email requested by the Firm and accepted a trade without proper authorization."

Respondent was registered with FINRA as a GSR through an association with another member firm between May 2022 and June 2022.

Respondent is not currently associated with a FINRA member but remains subject to FINRA's jurisdiction pursuant to Article V, Section 4 of FINRA's By-Laws.<sup>1</sup>

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<sup>1</sup> For more information about the respondent, visit BrokerCheck® at [www.finra.org/brokercheck](http://www.finra.org/brokercheck).

## OVERVIEW

Respondent refused to appear for on-the-record testimony requested pursuant to FINRA Rule 8210. By virtue of this misconduct, Respondent violated FINRA Rules 8210 and 2010.

## FACTS AND VIOLATIVE CONDUCT

This matter originated from a tip made to FINRA and from FINRA's review of the May 2022 Amended Form U5.

FINRA Rule 8210(a) states, in relevant part, that FINRA has the right to require a "person subject to FINRA's jurisdiction to provide information orally, in writing, or electronically . . . and to testify at a location specified by FINRA staff, under oath or affirmation . . . with respect to any matter involved in the investigation, complaint, examination, or proceeding." FINRA Rule 8210(c) also specifies that "[n]o . . . person shall fail to provide information or testimony . . . pursuant to this Rule."

A failure to provide information requested by FINRA pursuant to Rule 8210 violates Rule 8210. 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 December 5, 2022, FINRA sent a request to Respondent to appear for on-the-record testimony pursuant to FINRA Rule 8210 on January 5, 2023. Respondent failed to appear for testimony. On January 6, 2023, FINRA sent a second letter, also pursuant to FINRA Rule 8210, requesting that Respondent appear for testimony on January 20, 2023. Respondent failed to appear for testimony. As stated in Respondent's email to FINRA on January 23, 2023, and by this agreement, Respondent acknowledges that he received FINRA's requests 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.

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 prejudice 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.

February 8, 2023

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Date

*Blake Eskew*

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Blake Eskew  
Respondent

Accepted by FINRA:

February 16, 2023

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Date

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

*Katherine Wyman*

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Katherine Wyman  
Principal Counsel  
FINRA  
Department of Enforcement  
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