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ALLEGED VIOLATION DISCLOSURE

NASD
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2005001078101

TO: Department of Enforcement
NASD

RE: Jason John Konior
Respondent
(CRD No. 2818111)

Pursuant to Rule 9216 of NASD Code of Procedure, I, Jason John Konior, submit this Letter of Acceptance, Waiver and Consent ("AWC") for the purpose of proposing a settlement of the alleged rule violations described in Part II below. This AWC is submitted on the condition that, if accepted, NASD will not bring any future actions against me alleging violations based on the same factual findings.

I understand that:

1. Submission of this AWC is voluntary and will not resolve this matter unless and until it has been reviewed and accepted by NASD's Department of Enforcement and National Adjudicatory Council ("NAC") Review Subcommittees or Office of Disciplinary Affairs ("ODA"), pursuant to NASD Rule 9216;
2. If this AWC is not accepted, its submission will not be used as evidence to prove any of the allegations against me; and
3. If accepted:
 - a. this AWC will become part of my permanent disciplinary record and may be considered in any future actions brought by NASD or any other regulator against me;
 - b. this AWC will be made available through NASD's public disclosure program in response to public inquiries about my disciplinary record;
 - c. NASD may make a public announcement concerning this agreement and the subject matter thereof in accordance with NASD Rule 8310 and IM-8310-2; and
 - d. I 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

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is without factual basis. Nothing in this provision affects my testimonial obligations or right to take legal or factual positions in litigation or other legal proceedings in which NASD is not a party.

I also understand that my experience in the securities industry and disciplinary history may be factors that will be considered in deciding whether to accept this AWC. That experience and history are as follows:

Konior first became registered with NASD as a General Securities Representative ("GSR") in December 1996 through his association with former member firm. From December 1996 through February 2006, Konior was registered as a GSR with 15 different member firms.

From January 3, 2005, through May 9, 2005, Konior was registered as a GSR through his association with Westrock Advisors, Inc. (BD No. 114338) ("Westrock"). On May 9, 2005, Westrock filed a Uniform Termination Notice for Securities Industry Registration ("Form U-5"), stating that Konior was permitted to resign.

Most recently, from January 3, 2006 through February 9, 2006, Konior was registered as a GSR through his association with another member firm.

Konior is not currently registered with NASD or associated with any NASD member firm. However, he remains subject to NASD's jurisdiction pursuant to Article V, Section 4 of its By-Laws.

Konior does not have any relevant disciplinary history with the Securities and Exchange Commission, any state securities regulator, or self-regulatory organization.

I.

WAIVER OF PROCEDURAL RIGHTS

I specifically and voluntarily waive the following rights granted under NASD's Code of Procedure:

- A. To have a Formal Complaint issued specifying the allegations against me;
- B. To be notified of the Formal 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 NAC and then to the U.S. Securities and

Exchange Commission and a U.S. Court of Appeals.

Further, I specifically and voluntarily waive any right to claim bias or prejudice of the General Counsel, 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 acceptance or rejection of this AWC.

I further specifically and voluntarily waive any right to claim that a person violated the ex parte prohibitions of Rule 9143 or the separation of functions prohibitions of 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.

II.

ACCEPTANCE AND CONSENT

A. I hereby accept and consent, without admitting or denying the findings, and solely for the purposes of this proceeding and any other proceeding brought by or on behalf of NASD, or to which NASD is a party, prior to a hearing and without an adjudication of any issue of law or fact, to the entry of the following findings by NASD:

1. On or about March 19, 2005, while registered through Westrock, Konior recommended the purchase of 10,000 shares of a volatile and speculative stock to customer JM at a cost of \$204,558. Konior did not have reasonable grounds for believing that this recommendation was suitable for JM based upon JM's financial situation, investment objectives and needs. Additionally, Konior made no reasonable effort to obtain information about JM's tax or financial status prior to recommending the above-described security.

By reason of the foregoing Konior violated NASD Conduct Rules 2310 and 2110.

B. I also consent to the imposition, at a maximum, of the following sanctions:

- a 30-business day suspension from association with any NASD member in any capacity.¹

The sanctions imposed herein shall be effective on a date set by NASD staff.

¹ On March 2, 2006, Konior filed a voluntary petition for relief under Chapter 7 of Title 11 of the United States Code. Due to his bankruptcy filing, no monetary sanction has been imposed. However, this AWC does not preclude the customers from pursuing their own actions for such remedies as they deem appropriate.

III.

OTHER MATTERS

- A. I understand that I may attach a Corrective Action Statement to this AWC that is a statement of demonstrable corrective steps taken to prevent future misconduct. I understand that I may not deny the charges or make any statement that is inconsistent with the AWC in this Statement. This Statement does not constitute factual or legal findings by NASD, nor does it reflect the views of NASD or its staff.
- B. I understand that if I am barred or suspended from associating with any NASD member, I become subject to a statutory disqualification as that term is defined in Section 3(a)(39) of the Securities Exchange Act of 1934, as amended. Accordingly, I may not be associated with any NASD member in any capacity, including clerical or ministerial functions, during the period of the bar or suspension. (See NASD Rule 8310 and IM-8310-1.)

I certify that I have read and understand all of the provisions of this AWC and have been given a full opportunity to ask questions about it, and that no offer, threat, inducement, or promise of any kind, other than the terms set forth herein, has been made to induce me to submit it.

7/12/07
Date

Jason John Komor
(CRD No. 2818111)

Reviewed by:

Michael Uilla, Esq.
Counsel for Respondent

Accepted by NASD:

August 17, 2007
Date

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

Paul Hare
Senior Regional Attorney
NASD Department of Enforcement
1 Liberty Plaza

New York, New York 10006
(212) 858-4773

NASD District Director
Hans Reich
Senior Vice President
NASD
District 10
1 Liberty Plaza
New York, New York 10006