

**NASD
OFFICE OF HEARING OFFICERS**

Department of Enforcement,

Complainant

v.

Jeffrey Charles Plunkett
Registered Representative
CRD No. 2731884

Respondents

DISCIPLINARY PROCEEDING
2005003235201

Hearing Officer: _____

COMPLAINT

The Department of Enforcement alleges:

1. Respondent Jeffrey Charles Plunkett entered the securities industry in May 1996 as an Investment Company and Variable Contracts Products Representative with member firm Pruco Securities Corporation. In April 2000, he voluntarily ended his employment with Pruco Securities; however in December 2000, he re-registered with the firm as, among other things, a General Securities Representative. Plunkett voluntarily terminated his employment with Pruco Securities on May 6, 2005. On May 13, 2005, he registered with member firm MML Investors Services, Inc. as, among other things, a General Securities Representative; however, on October 28, 2005, he ended his employment with MML Investors, and since that time he has not been registered with any other

NASD member firm.

2. NASD retains jurisdiction to file this complaint against Plunkett pursuant to Article V, Section 4 of the NASD By-Laws, which provides that the NASD shall retain jurisdiction over a formerly associated person for two years after the effective date of termination of registration. Plunkett's Form U-5 was filed on October 28, 2005, which gave the NASD until October 27, 2007 to file a complaint against him. This complaint against Plunkett was timely filed because it was filed prior to October 28, 2007. Therefore, NASD has jurisdiction over Plunkett during the pendency of this proceeding.

FIRST CAUSE OF ACTION

(Plunkett Forged Customer Signatures and

Converted Customer Funds (Rules 2110 and 2330(a))

3. Paragraphs 1 and 2 above are incorporated herein by reference.
4. During the period from September 1999 to December 2003, Respondent Jeffrey Charles Plunkett, while associated with member firm Pruco Securities Incorporated, drew approximately 43 checks against two accounts belonging to customer W. M., forged the customer's signature on each check, and then cashed the checks, all without the customer's authorization, knowledge or consent. By forging W. B.'s checks, Plunkett converted approximately \$240,769 to his own use and benefit.
5. During the period from about December 2003 to about August 2005, Plunkett,

while associated with Pruco Securities Incorporated, drew approximately 47 checks against an account belonging to customer R. K., forged the customer's signature on each check, and then cashed the checks, all without the customer's authorization, knowledge or consent. By forging R. K.'s checks, Plunkett converted approximately \$298,483 to his own use and benefit. Plunkett also transferred \$73,189 from R. K.'s account to account belonging to customer W. M., again without R. K.'s authorization, knowledge, or consent.

6. Such acts, practices, and conduct constitute separate and distinct violations of NASD Conduct Rules 2110 and 2330(a) by Respondent Jeffrey Charles Plunkett.

SECOND CAUSE OF ACTION

(Plunkett Failed to Respond To Requests for Information (Rules 2110 and 8210))

7. Paragraphs 1 – 5 above are incorporated herein by reference.
8. By letter dated December 2, 2005, the District staff requested, pursuant to Rule 8210, that Plunkett provide information to the staff regarding his handling of W. B.'s accounts and R. K.'s account. This request letter was mailed to Plunkett, via regular mail, at his CRD home address. According to the terms of the letter, Plunkett was to provide the requested information no later than December 16, 2005. Plunkett never provided any of the requested information, and the December 2nd letter has never been returned to the District office.
9. By letter dated January 4, 2006, the District staff requested, pursuant to Rule

8210, that Plunkett provide the previously requested information. A copy of the previous request letter was enclosed with the January 4th letter.

10. The January 4th request letter was mailed, via certified mail and regular mail, to Plunkett at his CRD home address, and requested that he provide the information no later than January 18, 2006. Plunkett never provided the requested information.
11. The January 4th letters have never been returned to the District office. The District staff obtained a "Track & Confirm" receipt from the US postal service's website which reflected that the certified mailing of the January 4th letter was delivered on January 11, 2006.
12. By letter dated October 12, 2006, the District staff again requested that Plunkett provide the previously requested information. Copies of all previous request letters mailed to Plunkett were included with the October 12th letter. In the October 12th letter, the District staff requested, pursuant to Rule 8210, that Plunkett provide the previously requested information no later than October 26, 2006.
13. The October 12th request letter was mailed, via certified mail and regular mail, to Plunkett at his CRD home address. The return receipt card for the certified mailing was signed by K. Plunkett and returned to the District office. The regular mailing of the October 12th request letter has never been returned to the District office. Plunkett never provided any response to the October 12th request letter.
14. To date, Plunkett has not responded, in any manner, to any of the letters referenced in this Cause of Complaint.

15. Such acts, practices, and conduct constitute separate and distinct violations of NASD Conduct Rule 2110 and NASD Procedural Rule 8210 by Respondent Jeffrey Charles Plunkett.

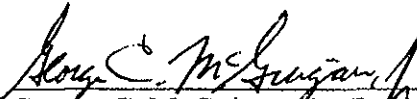
PRAYER FOR RELIEF

WHEREFORE, the Department respectfully requests that the Panel:

- A. order that one or more of the sanctions provided under NASD Rule 8310(a), including monetary sanctions, be imposed;
- B. order that the Respondent bear such costs of proceeding as are deemed fair and appropriate under the circumstances in accordance with NASD Rule 8330.

**NASD DEPARTMENT OF
ENFORCEMENT**

Date: April 26, 2007


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Formal Complaint
2005003235201/Jeffrey Charles Plunkett

NASD Regional Director

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