

NASD OFFICE OF HEARING OFFICERS

DEPARTMENT OF ENFORCEMENT,

Complainant,

v.

SHANNON BREMMER
(CRD No. 4862090),

Respondent.

Disciplinary Proceeding
No. 2005003490501

Hearing Officer – DMF

DEFAULT DECISION

April 17, 2007

Summary

Respondent is barred from associating with any NASD member in any capacity for conversion of funds, in violation of Rule 2110.

DECISION

I. Introduction

The Department of Enforcement filed the attached Complaint on November 27, 2006, alleging that Respondent Shannon Bremmer converted funds in violation of Rule 2110. Respondent did not file an Answer to the Complaint. On February 21, 2007, Enforcement filed a motion for a default decision to which Respondent did not reply.¹

II. Respondent's Default

On November 22, 2006, Enforcement sent the Complaint and Notice of Complaint to Respondent by regular and certified first class mail addressed to Respondent's most current residential address listed in the Central Registration Depository (the CRD address). On December 18, 2006, Enforcement sent the Complaint

¹ The factual determinations in this decision are based on the allegations of the attached Complaint, which are deemed admitted, and the additional materials filed by Enforcement with its motion.

and Second Notice of Complaint to Respondent by regular and certified first class mail addressed to the CRD address. Respondent did not file an Answer or otherwise respond to the Complaint.

Enforcement served the Complaint and the Notices of Complaint on Respondent in accordance with Rule 9134, giving her constructive notice of this proceeding. By failing to respond to the Complaint, she defaulted. Pursuant to Rule 9269, the Hearing Officer will deem the allegations in the Complaint admitted.

III. Jurisdiction

Respondent became associated with NASD member Fifth Third Securities, Inc. as an unregistered person in September 2004. She completed a Form U-4 to become registered through Fifth Third Securities as an investment company and variable contracts products representative, but Fifth Third Securities terminated her employment in December 2005, before she became registered, for the conduct alleged in the Complaint. Although she has not been associated with an NASD member since then, she remains subject to NASD jurisdiction for purposes of this proceeding, pursuant to Art. V, § 4 of NASD's By-Laws, because the Complaint was filed within two years after the termination of her association with Fifth Third Securities and it charges her with misconduct while she was associated with that firm.

IV. Violation

The Complaint alleges that Respondent, who worked in a branch bank affiliate of Fifth Third Securities, was assigned the duties of the vault custodian at the branch bank for the month of November 2005. While assigned those duties, Respondent removed approximately \$4,000 in cash belonging to the bank from the vault without authority. In

addition, during October and November 2005, while working as a teller in the branch, Respondent removed approximately \$3,800 of the bank's funds from her cash drawer, without authority. Thus, Respondent converted to her own use a total of approximately \$7,800 of the bank's funds. Enforcement represents that after other bank employees discovered that funds were missing from the vault Respondent admitted her actions to the branch manager, the bank and NASD staff. These allegations are sufficient to establish that Respondent violated Rule 2110, which requires NASD members and associated persons to observe high standards of commercial honor and just and equitable principles of trade.

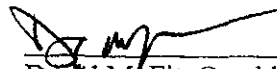
V. Sanctions

For conversion, the Sanction Guidelines recommend a bar as the standard sanction, regardless of the amount converted. NASD Sanction Guidelines at 38 (2006). There is no evidence of any mitigation in this case that would justify a lesser sanction.

VI. Conclusion

Respondent Shannon Bremmer is barred from associating with any NASD member in any capacity for conversion of funds, in violation of Rule 2110. The bar will be effective immediately if this decision becomes NASD's final disciplinary action.

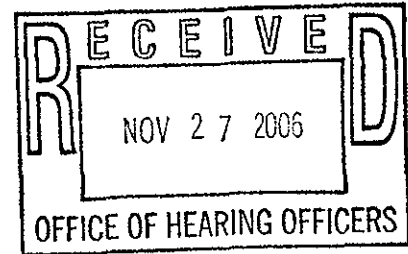
SO ORDERED.



David M. FitzGerald
Hearing Officer

Copies to: Shannon Bremmer (*via overnight courier and first class mail*)
Kevin G. Kulling, Esq. (*via electronic and first class mail*)
Mark Dauer, Esq. (*via electronic and first class mail*)
Rory C. Flynn, Esq. (*via electronic and first class mail*)

**NASD
OFFICE OF HEARING OFFICERS**



DEPARTMENT OF ENFORCEMENT,

Complainant

v.

Shannon Bremmer
Registered Representative
(CRD No. 4862090)

Respondent

**Disciplinary Proceeding
No. 2005003190501**

Hearing Officer

COMPLAINT

Upon information and belief, Complainant alleges as follows:

1. Shannon Bremmer ("Respondent") entered the securities industry in 2004 as an associated person when she completed a Form U-4 on or about September 24, 2004 to become registered with Fifth Third Securities, Inc. ("Member"), a member of NASD, where she remained as an associated person until December 1, 2005. Respondent therefore is subject to the jurisdiction of the NASD, pursuant to Article V, Section 4 of NASD's By-Laws.

**FIRST CLAIM
Conversion from Bank Affiliate
Violation of NASD Conduct Rule 2110**

2. Respondent Bremmer, who worked in a branch bank affiliate of the Member, was assigned the duties of the vault custodian at the bank branch for the month of November 2005.

3. While assigned the duties of vault custodian during the month of November 2005, Respondent Bremmer removed approximately \$4,000 in cash from the bank vault without authority.

4. In addition, between October and November 2005, Respondent removed approximately \$3,800 from her cash drawer while working as a teller at the bank.

5. Respondent removed and converted the approximately \$7,800 belonging to the Member's bank affiliate for her own use or benefit, or for the benefit of someone other than the bank, without the knowledge or consent of the bank.

6. The above acts, practices and conduct constitute a violation of NASD Conduct Rules 2110 by Respondent.

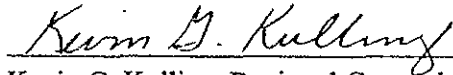
PRAYER FOR RELIEF

WHEREFORE, Complainant respectfully requests:

- A. Findings of fact and conclusions of law that Respondent committed the violation charged and alleged herein;
- B. An order imposing sanctions upon Respondent in accordance with NASD Rule 8310;
- C. An order imposing such costs of any proceeding as are deemed fair and appropriate under the circumstances in accordance with NASD Rule 8330; and,
- D. An order imposing any other fitting sanction.

**NASD DEPARTMENT OF
ENFORCEMENT**

Date: November 22, 2006



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