

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
OFFICE OF HEARING OFFICERS**

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REGISTRATION & DISCLOSURE

DEPARTMENT OF ENFORCEMENT,

COMPLAINANT,

v.

**DENING SUZANNE LOHEZ
(CRD No. 2920965),**

RESPONDENT.

DISCIPLINARY PROCEEDING
No. 2006005954101

Hearing Officer Alan W. Heifetz

**ORDER ACCEPTING OFFER OF
SETTLEMENT**

INTRODUCTION

Disciplinary Proceeding No. 2006005954101 was filed on October 11, 2007, by the Department of Enforcement of the FINRA (formerly NASD) ("Complainant"). Respondent Dening Suzanne Lohez submitted an Offer of Settlement ("Offer") to Complainant on April 10, 2008. Pursuant to NASD Rule 9270(e), the Complainant and the National Adjudicatory Council ("NAC"), a Review Subcommittee of the NAC, or the Office of Disciplinary Affairs ("ODA") have accepted the uncontested Offer. Accordingly, this Order now is issued pursuant to NASD Rule 9270(e)(3). The findings, conclusions and sanctions set forth in this Order are those stated in the Offer as accepted by the Complainant and approved by the NAC.

Under the terms of the Offer, Respondent has consented, without admitting or denying the allegations of the Complaint, and solely for the purposes of this proceeding and any other proceeding brought by or on behalf of FINRA, or to which FINRA is a party, to the entry of findings and violations consistent with the allegations of the Complaint, and to the imposition of the sanctions set forth below, and fully understands that this Order will become part of

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Respondent's permanent disciplinary record and may be considered in any future actions brought by FINRA.

BACKGROUND

From in or around April 2006 through October 2007, Respondent was an "associated person," as this phrase is defined in NASD By-Laws, of member firm Hold Brothers On-Line Investment Services LLC (BD No. 36816) ("Hold Brothers"). She became an associated person by virtue of the fact that, *inter alia*, she completed and executed a Uniform Application for Securities Industry Registration or Transfer (Form U4) that was submitted to FINRA on her behalf by Hold Brothers on April 27, 2006.

Respondent first became registered with FINRA as a General Securities Representative (GSR) on September 6, 2006 through her association with Hold Brothers where she was registered until October 16, 2007.

Respondent is not currently registered with the FINRA or employed in the securities industry. However, pursuant to Article V, Section 4 of the NASD's By-Laws, she is subject to FINRA's jurisdiction.

FINDINGS AND CONCLUSIONS

It has been determined that the Offer be accepted and that findings be made as follows:

Possession of Unauthorized Material During Qualification Examination

On June 20, 2006, Respondent took the Series 7 Examination at the Thompson Prometric Testing Center in Rego Park, New York.

Prior to the start of the examination, as part of the testing package, each candidate electronically received rules that advised that the candidate understood, among other things, that

he/she “must not take any personal items such as notes, formulas, or study materials into the examination/training room. (I will check my pockets, wallet, purse, etc. to avoid inadvertently retaining such items).”

Respondent also signed a Disclosure Form that specifically asked the question - “Did you place ALL personal belongings in the locker provided to you, including your cell phone, pager, palm pilot, digital watch, papers and tissues?” – to which Respondent circled “yes” and signed her name on the sheet.

During the examination, a paper was discovered on Respondent’s desk by the testing center staff. The paper had, on one side, handwritten notes including formulas related to the examination.

By possessing unauthorized material during a qualification examination, Respondent violated NASD Conduct Rule 2110.

Based on these considerations, the sanctions hereby imposed by the acceptance of the Offer are in the public interest, are sufficiently remedial to deter Respondent from any future misconduct, and represent a proper discharge by FINRA, of its regulatory responsibility under the Securities Exchange Act of 1934.

SANCTIONS

It is ordered that Respondent be:

- Suspended from associating with any FINRA member firm in any capacity for two (2) years; and
- Fined \$5,000. Such fine shall be due and payable either immediately upon reassociation with a member firm following the two year suspension noted above, or prior to any application or request for relief from any statutory disqualification

resulting from this or any other event or proceeding, whichever is earlier.

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

SO ORDERED.

FINRA

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



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