

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

DEPARTMENT OF ENFORCEMENT,

Complainant,

v.

TONYA MARIE GRIFFIN
(CRD No. 4568590),

Respondent.

Disciplinary Proceeding
No. 2006006968202

Hearing Officer – Matthew Campbell

DEFAULT DECISION

February 2, 2009

Respondent is barred from associating with any FINRA member in any capacity for failing to respond to requests for information from FINRA staff, in violation of Conduct Rule 2110 and Procedural Rule 8210.

Appearances:

UnBo Chung, Senior Regional Counsel, Chicago, IL, for the Department of Enforcement.

No appearance by or for Tonya Marie Griffin.

DECISION

I. Background

On September 17, 2008, the Department of Enforcement (“Enforcement”) filed the attached one-cause Complaint in this disciplinary proceeding. The Complaint alleges that Respondent Tonya Marie Griffin (“Respondent”) violated Conduct Rule 2110 and Procedural Rule 8210 by failing to respond to two requests for information issued by FINRA staff pursuant to Rule 8210.

Enforcement served Respondent with the Complaint and Notice of Complaint by first-class and certified mail on two occasions at her most current residential address

recorded in the Central Registration Depository (the "CRD address"). Nonetheless, Respondent failed to submit an Answer to the Complaint.

Accordingly, on December 18, 2008, Enforcement filed a Motion for Entry of Default Decision ("Motion"), supported by the Declaration of UnBo Chung, Senior Regional Counsel in FINRA's Chicago, IL, office, and four exhibits. Respondent did not file a reply to the Motion.

Respondent defaulted by failing to answer the Complaint.¹ Accordingly, for the reasons set forth below, Enforcement's Motion is granted.

II. Findings of Fact and Conclusions of Law

A. Jurisdiction

Respondent is not currently associated with any FINRA member firm. She was, however, registered as an Investment Company Product/Variable Contracts Representative with FINRA member firm Farmers Financial Solutions, LLC, from November 7, 2002, to November 14, 2006.² Because the Complaint charges her with misconduct that commenced less than two years after the termination of her registration, and the Complaint was filed within that period, FINRA has jurisdiction to bring this proceeding pursuant to Art. V, § 4 of FINRA's By-Laws.

B. Respondent's Default

On September 17, 2008, Enforcement served the Complaint and Notice of Complaint on Respondent by first-class and certified mail, return receipt requested, at Respondent's CRD address. In the same manner, Enforcement served the Complaint and

¹ *Department of Enforcement v. Reynolds Verdiner*, No. CAF020004, 2003 NASD Discip. LEXIS 42 at *5 (N.A.C. Dec. 9, 2003).

² Enforcement Exhibit 1 (CRD records).

Second Notice of Complaint on Respondent at her CRD address on October 23, 2008. In each instance, neither the first-class nor the certified mailing was returned. Respondent did not file an Answer to the Complaint.

Enforcement complied with Rule 9134 by mailing the Complaint and Notices of Complaint to Respondent's last-known residential CRD address, thereby giving Respondent constructive notice of this proceeding. By failing to file an Answer, Respondent defaulted. Accordingly, pursuant to Rules 9215(f) and 9269(a)(2), the allegations in the Complaint are deemed admitted.

C. Failure to Respond to Requests for Information Made Pursuant to Rule 8210

The Complaint alleges that Respondent violated Conduct Rule 2110 and Procedural Rule 8210 when she failed to respond to two requests for information issued pursuant to Rule 8210. Each request sought information relating to Respondent's possible nondisclosure of material information on her Form U4. The Complaint alleges that each request was sent by first-class and certified mail to Respondent's CRD address. The first was sent on January 11, 2007, and the second was sent on February 8, 2007. According to the Complaint, neither first-class mailing was returned. The receipt for each certified mailing, however, appears to have been signed by Respondent.³

Nonetheless, Respondent failed to respond to either request letter. Her failures to do so violated Conduct Rule 2110 and Procedural Rule 8210.

D. Sanctions

The FINRA Sanction Guidelines ("Sanction Guidelines") recommend a bar when a respondent fails to respond in any manner to a request for information issued pursuant

³ Chung Decl. ¶ 9.

to Procedural Rule 8210.⁴ Where mitigation exists, the Sanction Guidelines recommend consideration of a suspension in all capacities of up to two years.

A bar is the appropriate sanction under the facts and circumstances of this case. The record reflects that Respondent received two requests for information and failed to respond in any manner. In addition, the record is devoid of mitigating factors that would justify the imposition of a lesser sanction.

E. Order

Respondent Tonya Marie Griffin is, therefore, barred from association with any FINRA member firm in any capacity for violating Procedural Rule 8210 and Conduct Rule 2110 by failing to respond to two requests for information issued by FINRA staff pursuant to Rule 8210. The bar will become effective immediately if this Default Decision becomes FINRA's final disciplinary action in this proceeding.


Matthew Campbell
Hearing Officer

Copies to: Tonya M. Griffin (*via FedEx and first-class mail*)
UnBo Chung, Esq. (*via electronic and first-class mail*)
David R. Sonnenberg, Esq. (*via electronic mail*)
Mark P. Dauer, Esq. (*via electronic mail*)

⁴ Sanction Guidelines 35 (2007), available at <http://www.finra.org/Industry/Enforcement/index.htm> (then follow "Sanction Guidelines" hyperlink).

FINANCIAL INDUSTRY REGULATORY AUTHORITY

OFFICE OF HEARING OFFICERS

Department of Enforcement,

Complainant,

v.

Tonya Griffin (CRD No. 4568590),

Respondent.

DISCIPLINARY PROCEEDING
No. 2006006968202

COMPLAINT

The Department of Enforcement alleges:

SUMMARY

1. Tonya Griffin ("Griffin") failed to respond to two requests for information made pursuant to Rule 8210.

RESPONDENT AND JURISDICTION

2. Griffin entered the securities industry as an Investment Company Product/Variable Contracts Representative of a FINRA member on July 25, 2002. Between July 25, 2002 and November 14, 2006, she was registered in this capacity with Farmers Financial Services, a FINRA member. Griffin is not currently registered with any FINRA members. Pursuant to Article V, Section 4 of the FINRA By-Laws, Griffin is subject to the jurisdiction of FINRA until November 14, 2008.

FIRST CAUSE OF ACTION
NASD Conduct Rule 2110 and NASD Procedural Rule 8210
Failure to Respond to Requests for Information

3. The Department realleges and incorporates by reference paragraphs 1-2 above.
4. On or about January 11, 2007, FINRA staff sent to Griffin a request that she provide information regarding possible nondisclosure of material information on her Form U4, pursuant to and in accordance with the provisions of NASD Procedural Rule 8210. That request for information was sent by first class and certified mail to Griffin's address of record as contained in the records of the Central Registration Depository ("CRD address"). The first class mailing to the CRD address was not returned to FINRA staff, but the certified mailing receipt to the CRD address was returned signed by Griffin.
5. On or about February 8, 2007, FINRA staff sent to Griffin a second request that she provide the information initially requested on January 11, 2007, pursuant to and in accordance with the provisions of NASD Procedural Rule 8210. This request for information was sent by first class and certified mail to Griffin's CRD address. The first class mailing to the CRD address was not returned to FINRA staff, but the certified mailing receipt to the CRD address was returned signed by Griffin.
6. Griffin has failed to respond to the requests for information described in Paragraphs 4 and 5 above to date, and the dates for responding to the requests have passed.

7. The acts, practices and conduct described above constitute separate and distinct violations of NASD Conduct Rule 2110 and Procedural Rule 8210 by Griffin.

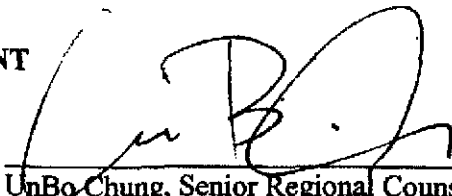
RELIEF REQUESTED

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.

FINRA DEPARTMENT OF ENFORCEMENT

Date: September 17, 2008



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Regional Chief Counsel
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