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**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 20070094492**

TO: Department of Enforcement
Financial Industry Regulatory Authority ("FINRA")

RE: Anthony Basir Shakoor, Respondent
General Securities Representative
CRD No. 4068946

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

I.

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 FINRA, or to which FINRA 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 FINRA:

BACKGROUND

Anthony Basir Shakoor ("Shakoor") entered the securities industry in March 1999. Between March 1999 and February 2000, Shakoor was associated with Morgan Wilshire Securities, Inc. as a non-registered trainee. In March 2000, Shakoor became employed with GBI Capital Partners Inc., where he was registered in June 2000 and worked as an investment advisor until September 2001. Between September 2001 and December 2001, Shakoor worked with Harrison Securities Inc. as a registered representative. Between February 2002 and March 2002, Shakoor was employed as a registered representative with H&R Block Financial Advisors, Inc. Between March 2002 and July 2002, Shakoor was employed with PHD Capital Corp. as a registered representative.

In March 2004, Shakoor became dually employed as a financial specialist with Wachovia Bank, N.A. (the "Bank") and Wachovia Securities, LLC (the "Firm") (collectively, "Wachovia") and was registered with the Firm. Shakoor voluntarily

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terminated his employment with Wachovia in November 2004. In February 2005, Shakoor returned to Wachovia to work as a financial specialist, but voluntarily terminated his employment in March 2006. In June 2006, Shakoor resumed his employment as a financial specialist with Wachovia and was again registered with the Firm. In February 2007, Wachovia terminated Shakoor's employment. In a Form U-5 dated March 8, 2007, the Firm stated that Shakoor had been discharged on February 16, 2007 for "unauthorized posting of messages, showing his Wachovia Corporate e-mail address, to Google Finance discussion groups."

In June 2007, Shakoor became registered with Chase Investment Services Corp. as a financial advisor, but voluntarily terminated his employment on August 26, 2007. Since then, he has not been registered with FINRA or associated with any member firm.

RELEVANT DISCIPLINARY HISTORY

Shakoor has no relevant disciplinary history.

OVERVIEW

During the period between November 2006 and January 2007, Shakoor posted approximately 100 electronic bulletin board messages to the Google Finance¹ website while he was a dual employee of the Bank and the Firm. Shakoor posted the messages using his Wachovia e-mail address (i.e., [REDACTED] as his user name for his membership to the Google Finance website. This identified Shakoor to users of the Google Finance bulletin board as an employee of Wachovia. In his messages, Shakoor discussed several securities in which he held positions and traded these securities during the same time frame as he posted messages.² With regard to these messages, Shakoor failed to obtain approval from a principal of his member employer. In certain messages, Shakoor also failed to disclose material information about the securities that he recommended, included false and/or misleading information, posted messages that contained predictions and/or projections of future price performance for securities and failed to include a reasonable basis for the securities that he recommended.

Based upon this conduct, Shakoor violated NASD Conduct Rules 2210(b), 2210(d)(1)(A), 2210(d)(1)(B), 2210(d)(1)(D), 2110 and NASD IM-2210-1(6).

¹ Google Finance is a website service that features financial news headlines about corporations, stock information and price charts, sector performance within the markets, a listing of top market movers along with relevant and major news events.

² Shakoor's postings did not cause an impact in the price of any of the securities that he discussed.

FACTS AND VIOLATIVE CONDUCT

Shakoor Failed to Obtain Firm Approval for Messages that He Posted on an Electronic Bulletin Board, Failed to Disclose Material Information about Securities He Recommended, Disseminated Electronic Messages to the Public that Contained False and/or Misleading Information, Disseminated Electronic Messages to the Public that Contained Predictions and/or Projections of Future Stock Performance and Failed to Provide a Reasonable Basis for Securities He Recommended

Background

NASD Rule 2210(a)(1) defines an "advertisement" as "any material, other than an independently prepared reprint and institutional sales material, that is published, or used in any electronic or other public media, including any Web site, newspaper, magazine or other periodical, radio, television, telephone or tape recording, videotape display, signs or billboards, motion pictures, or telephone directories (other than routine listings)."

NASD Rule 2210(b)(1)(A) states that "a registered principal of the member must approve by signature or initial and date each advertisement, item of sales literature and independently prepared reprint before the earlier of its use or filing with NASD's Advertising Regulation Department." NASD Rule 2210(d)(1)(A) requires all member communications with the public to be based on fair dealing and good faith, to be fair and balanced, and to provide a sound basis for evaluating the facts in connection with a security and/or service being discussed.

NASD Rule 2210(d)(1)(B) prohibits false, exaggerated, unwarranted or misleading statements or claims in any communication with the public. The rule also prohibits the publishing, circulation or distribution of public communications that contain untrue statements of a material fact or are otherwise false or misleading. NASD Rule 2210(d)(1)(D) states that "[c]ommunications with the public may not predict or project performance, imply that past performance will recur or make any exaggerated or unwarranted claim, opinion or forecast."

NASD IM-2210-1(6) states in pertinent part that "in making a recommendation in advertisements... a member must have a reasonable basis for the recommendation."

Shakoor Posted Unapproved Messages on Electronic Bulletin Boards

In or about August 2006, Shakoor signed up for a membership to Google Finance. The Google Finance website gave him access to interest rate information, stock quotes and other financial industry news. Shakoor's Google Finance membership also permitted him to post messages on electronic bulletin boards about specific securities. In order to obtain a membership, Shakoor was prompted to enter an e-mail address as his user name to the Google Finance site. Shakoor responded to

that prompt by entering his Wachovia e-mail address, which was [REDACTED]. In the months that followed, Shakoor began posting messages to Google Finance electronic bulletin boards. Whenever Shakoor posted a message, it identified [REDACTED] as the Google Finance member posting the message to anyone who read the message. Shakoor's messages were, and remain, accessible to both Google Finance members and the general public. Shakoor posted approximately 100 electronic messages between November 2006 and January 2007. His messages involved discussions, and in some cases recommendations and predictions, about particular securities.

Since the electronic messages discussed securities, identified Shakoor as an employee of Wachovia and were disseminated to the public, Shakoor was required to obtain approval from a registered principal of his member employer before distributing them to the public. Shakoor failed to obtain approval from anyone at his member employer prior to posting the messages on Google Finance electronic bulletin boards.

Shakoor Failed to Disclose Pertinent Information in Bulletin Board Messages

Shakoor posted approximately 23 messages in which he failed to disclose material information and/or the messages were misleading because they failed to provide potential investors with a sound basis to evaluate the securities discussed. In a number of instances, Shakoor failed to disclose the risks associated with trading the stocks he discussed or recommended, including the risks specific to tech or bio-tech companies, companies with small market capitalizations, and the risks associated with short-selling. Shakoor also failed to disclose that he held positions in some securities for which he made recommendations.

For example, in a message posted at 11:35 p.m. on December 26, 2006, Shakoor said the following about Local.com (ticker symbol: "LOCL," hereinafter referred to as "LOCAL"): "True support at 4.25. Price target 6 short term." Shakoor failed to disclose that he owned shares of LOCAL. In another message posted at 1:48 p.m. on January 12, 2007, Shakoor said the following about CuraGen Corporation (ticker symbol: "CRGN," hereinafter referred to as "CuraGen"): "[CuraGen] earnings are up, stock is very cheap here and the short term price target is \$8." CuraGen had a small market capitalization and was a bio-technology company. Shakoor failed to disclose the risks associated with investing in small-cap, bio-tech companies and failed to disclose that at the time that he posted the message, he owned shares of CuraGen.

Shakoor Made False, Exaggerated, Unwarranted or Misleading Statements

Shakoor also posted approximately five messages that contained statements or claims that were false, exaggerated, unwarranted and/or misleading. For example, in a message posted at 3:32 p.m. on December 21, 2006, Shakoor said the following about Northwest Airlines Corporation (ticker symbol: "NWACQ")

hereinafter "Northwest"): "I bought [Northwest] at .80 cents and sold out at 5 dollars, all on a rumor. That's the fastest 600k I made all year. I daytrade all day long." According to the account statements for Shakoor's brokerage account at Wachovia, Shakoor did not hold a position in Northwest in the 12 months prior to this message.¹ Therefore, Shakoor's statements that he bought and sold a position in Northwest and that he made \$600,000 on the transaction are false and misleading.

In another message posted at 7:59 p.m. on December 21, 2006, Shakoor said the following: "The stock market is always the best place to invest. I has over and over out performed inflation, interest earned at banks or any other investment. EVEN REAL ESTATE !!! If you want to make 5% a year, than do everything buffet does, if you want to buy 2 vacation homes and 3 more cars, than you listen to me! Is there risk?? Of course! Buffet makes his 5% a year for the past 300 years (how ever old he is). I made 5000% on one stock last week. [Northwest]. See the difference? I am a technical guy. I follow market trends, support and resistance levels. I have 5 screens on 24/7. I find out what's going on in China and Japan and trade currencies as well. Am I a billionaire? No, am I a millionaire? Yes. Then again I am only 27, which means I have another 273 years to catch up to buffet. (if he is 300 yrs old)." Shakoor's statement that "the stock market is always the best place to invest" is misleading because it does not take into account the investment profiles and objectives of different customers. Further, his statement that he "made 5000% on one stock last week... [Northwest]" is false.

Shakoor Posted Messages Containing Predictions or Projections of Future Stock Performance

Shakoor also posted approximately 28 messages in which he gave predictions or projections of future stock performance. For example, in a message posted at 3:47 p.m. on January 3, 2007, Shakoor said the following about Google, Inc. (ticker symbol: "GOOG," hereinafter "Google"): "HOUSTON WE HAVE LIFTOFF!!! AND ... WE DON'T! SORRY HOUSTON, [Google] IS HEADED TO 423." In another message posted at 11:03 a.m. on January 5, 2007, Shakoor said the following about StemCells Inc. (ticker symbol: "STEM," hereinafter referred to as "StemCells"): "Buy now and when all the news hits a couple months later, it will be too late. This is how real money is made. Price target is \$6 short term. Year end \$8. Don't buy it when the news hits your tv screens. You buy now cause by than its time to simply sell and bring home the bacon." In these two messages Shakoor provided predictions about the specific performance of Google and StemCells stock.

¹ Shakoor did not have any other individual brokerage accounts or joint brokerage accounts while he was employed with Wachovia.

Shakoor Posted Messages Containing Investment Recommendations

Shakoor posted approximately 31 messages in which he gave investment recommendations regarding specific securities. In each case, Shakoor failed to provide a reasonable basis for the recommendation. For example, in a message posted at 12:13 p.m. on December 21, 2006, Shakoor said the following about LOCAL: "Great time to buy!!! Notice the small profit takers. Each trade is just a couple hundred shares. Anyone that missed the last push, now is a perfect time to buy." Shakoor provided a specific recommendation that investors buy shares of LOCAL, but he failed to provide a reasonable basis for the recommendation.

In another message posted at 12:24 a.m. on December 24, 2006, Shakoor said the following about Google: "I wouldn't short here, 450 is not [Google]'s True support level. That is not where the major institutions I deal with buy nor bought. The low 420's is!!! But do as you wish." Here, Shakoor provided a specific recommendation that investors should not short Google at a share price of \$450, but Shakoor failed to provide a reasonable basis for his recommendation.

Conclusion

Based upon the foregoing, Shakoor violated NASD Rules 2210(b) and 2110 by failing to obtain approval from a principal of his member employer for messages that he posted to a Google Finance website bulletin board; violated NASD Rules 2210(d)(1)(A) and 2110 by posting messages to a Google Finance website bulletin board that failed to disclose material information about securities he recommended; violated NASD Rules 2210(d)(1)(B) and 2110 by posting messages to a Google Finance website bulletin board that contained false and/or misleading information; violated NASD Rules 2210(d)(1)(D) and 2110 by posting messages to a Google Finance website bulletin board that contained predictions and/or projections of future price performance for the securities he recommended and violated NASD IM-2210-1(6) by failing to provide a reasonable basis for the securities he recommended.

B. I also consent to the imposition of the following sanctions:

1. A six-month suspension from associating with any member firm in any capacity; and
2. A fine of \$10,000.

The fine shall be due and payable either immediately upon reassociation with a member firm following the six-month 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.

I specifically and voluntarily waive any right to claim that I am unable to pay, now or at any time hereafter, the monetary sanction(s) imposed in this matter.

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

II.

WAIVER OF PROCEDURAL RIGHTS

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

- A. To have a Complaint issued specifying the allegations against me;
- B. To be notified of the 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 National Adjudicatory Council ("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 prejudgment 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 FINRA Rule 9143 or the separation of functions prohibitions of FINRA 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.

III.

OTHER MATTERS

I understand that:

- A. Submission of this AWC is voluntary and will not resolve this matter unless and until it has been reviewed and accepted by the NAC, a Review Subcommittee of

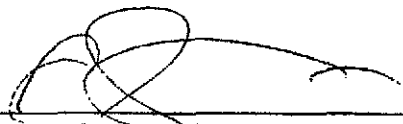
the NAC, or the Office of Disciplinary Affairs ("ODA"), pursuant to FINRA Rule 9216;

- B. If this AWC is not accepted, its submission will not be used as evidence to prove any of the allegations against me; and
- C. If accepted:
 - 1. this AWC will become part of my permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against me;
 - 2. this AWC will be made available through FINRA's public disclosure program in response to public inquiries about my disciplinary record;
 - 3. FINRA may make a public announcement concerning this agreement and the subject matter thereof in accordance with FINRA Rule 8313; and
 - 4. 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 is without factual basis. I may not take any position in any proceeding brought by or on behalf of FINRA, or to which FINRA is a party, that is inconsistent with any part of this AWC. Nothing in this provision affects my right to take legal or factual positions in litigation or other legal proceedings in which FINRA is not a party.
- D. 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 FINRA, nor does it reflect the views of FINRA or its staff.
- E. I understand that if I am barred or suspended from associating with any FINRA 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 FINRA member in any capacity, including clerical or ministerial functions, during the period of the bar or suspension (see FINRA Rules 8310 and 8311).

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; that I have agreed to its provisions voluntarily; and that no offer, threat, inducement, or promise of any kind, other than the terms set forth herein and the

prospect of avoiding the issuance of a Complaint, has been made to induce me to submit it.

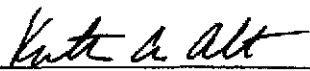
8/15/09
Date


Anthony Basir Shakoor

Accepted by FINRA:

8/20/09
Date

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


Keith Alt
Counsel
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