

FINANCIAL INDUSTRY REGULATORY AUTHORITY
OFFICE OF HEARING OFFICERS

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REGISTRATION & DISCLOSURE

Department of Enforcement,

Complainant,

v.

Angelo Cappelli
CRD No. 2662154

Respondent.

DISCIPLINARY PROCEEDING
No. 2007009723301

ORDER ACCEPTING OFFER OF
SETTLEMENT

July 24, 2008

INTRODUCTION

Disciplinary Proceeding No. 2007009723301 was filed on June 19, 2008, by the Department of Enforcement of the Financial Industry Regulatory Authority ("FINRA"). ("Complainant"). Respondent Cappelli submitted an Offer of Settlement ("Offer") to Complainant on July 17, 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

Angelo Cappelli first became registered with a FINRA member firm, as a general securities representative, in October 1995. He became registered as a municipal securities principal in January 1996, and as a general securities principal in March 1996. Cappelli was registered with FINRA member SunTrust Investment Services, Inc. (SIS), as a general securities representative, general securities principal and municipal securities principal from August 12, 2003, until July 10, 2007. Cappelli's employment end-date with SIS was June 19, 2007. Cappelli currently is not registered with a FINRA member and has no disciplinary history.

FINDINGS AND CONCLUSIONS

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

1. SunTrust Bank client MG bequeathed his entire estate of about \$155,000 to a charitable organization. In or about May and June, 2007, Respondent Cappelli, in his capacity as a SunTrust bank trust officer, sent only \$45,373 of those funds to the charity, and directed the remaining \$110,500 to the Yale Club of Tampa Bay, of which Cappelli was the Treasurer. Cappelli subsequently used \$75,000 of the funds sent to the Yale Club for personal purposes. In addition, Cappelli forged the signature of another bank employee on the SunTrust debit tickets, and then approved the tickets in his capacity as Trust Officer, in order to withdraw the funds from MG's accounts.
2. The conversion of funds from MG's estate account and the forgery of another bank employee's signature constitute conduct inconsistent with high standards of commercial

honor and just and equitable principles of trades by Respondent Cappelli, in violation of 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 barred from association with any FINRA member in all capacities. Pursuant to IM-8310-3(e), a bar or expulsion shall become effective upon approval or acceptance of this Order.

SO ORDERED.

FINRA

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

A handwritten signature in black ink, appearing to read "Gene E. Carasick", is written over a horizontal line.

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