

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

DEPARTMENT OF ENFORCEMENT,

COMPLAINANT,

V.

JASON PINSKY (CRD NO. 2518458),

RESPONDENT.

DISCIPLINARY PROCEEDING
No. 2007011534801-01

HEARING OFFICER MATTHEW
CAMPBELL

**ORDER ACCEPTING OFFER OF
SETTLEMENT**

Date: December 8, 2009

INTRODUCTION

Disciplinary Proceeding No. 2007011534801-01 was filed on August 24, 2009, by the Department of Enforcement of the Financial Industry Regulatory Authority ("FINRA") ("Complainant"). Respondent Jason Pinsky ("Pinsky" or "Respondent") submitted an Offer of Settlement ("Offer") to Complainant on November 17, 2009. Pursuant to FINRA 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 FINRA 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

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Complaint, and to the imposition of the sanctions set forth below, and fully understands that this Order will become part of Respondent's permanent disciplinary record and may be considered in any future actions brought by FINRA.

BACKGROUND

In July 1995, Pinsky first became registered with FINRA with a former member firm as a General Securities Representative ("GSR"). Since that time, Pinsky has been registered with 12 member firms as a GSR, including Westrock Advisors, Inc. (BD No. 114338) ("Westrock"), where he was employed from November 2006 until October 2007. Pinsky is currently registered with a FINRA member firm and therefore remains subject to FINRA's jurisdiction.

FINDINGS AND CONCLUSIONS

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

1. Pinsky violated NASD Conduct Rule 2110 by effecting two unauthorized trades in the account of Westrock customer KH in June 2007.
2. Customer KH opened an account with Pinsky at Westrock in December 2006.
3. On June 26, 2007, Pinsky effected the purchase of 3,600 shares of Blackstone Group L.P. ("Blackstone") stock in KH's Westrock account at a total cost of \$119,210.
4. KH never spoke to Pinsky prior to this purchase on June 26, 2007 and did not authorize Pinsky to effect it.

5. On June 29, 2007, Pinsky effected the sale of 4,000 shares of Blackstone stock in KH's Westrock account at a total price of \$119,304.
6. KH never spoke to Pinsky prior to this sale on June 29, 2007 and did not authorize Pinsky to effect it.
7. As a result of these unauthorized transactions, KH sustained losses of approximately \$13,395.¹
8. Based on the foregoing, Pinsky 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 assessed the following sanctions:

- A suspension from associating with any FINRA member in any capacity for a period of ten business days;
- A fine in the amount of \$5,000; and
- Restitution in the amount of \$13,395.²

¹ While Paragraph 11 of the Complaint alleges that KH paid approximately \$3,600 in commissions and sustained losses of approximately \$15,000 as a result of the alleged unauthorized transactions, at the request of the Respondent, Enforcement agreed to re-examine these figures. Based on that re-examination, the parties agree that Respondent is responsible for paying \$13,395.00 in restitution.

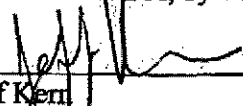
² Restitution is ordered to be paid to KH as set forth in Attachment A of the Offer of Settlement in the total amount of \$13,395, plus interest at the rate set forth in Section 6621(a)(2) of the Internal Revenue Code, 26 U.S.C. 6621(a)(2), from June 29, 2007, until the date this Offer is accepted by the NAC.

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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