

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

Department of Enforcement,

Complainant,

v.

Hye R. Oh (CRD No. 4882880),

Respondent.

DISCIPLINARY PROCEEDING

No. 20080133830

HEARING OFFICER ANDREW H. PERKINS

**ORDER ACCEPTING OFFER OF
SETTLEMENT**

Date: October 27, 2010

INTRODUCTION

Disciplinary Proceeding No. 20080133830 was filed on June 2, 2010 by the Department of Enforcement of the Financial Industry Regulatory Authority (FINRA) (Complainant). Respondent Hye Oh (Oh) submitted an Offer of Settlement (Offer) to Complaint dated October 5, 2010. 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 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

Oh was born in [REDACTED] Oh first became registered with the NASD as a Financial Services Associate ("FSA") in November 2004 with FINRA member PruCo Securities, LLC ("PruCo" or the "Firm"). Oh was employed as an FSA and later a registered representative ("RR") at the Firm where she remained until her termination on June, 5 2008. Oh has not been associated with any member of FINRA since June 5, 2008. Although Respondent has not been associated with a FINRA member firm since June 5, 2008, she remains subject to FINRA's jurisdiction for purposes of this proceeding, pursuant to Article V, Section 4 of FINRA's By-Laws, because (1) the Complaint was filed within two years after the date upon which she ceased to be associated with a FINRA member and (2) the Complaint charges her with failing to appear for on-the-record testimony during the two-year period after the date upon which she ceased to be associated with a FINRA member.

On or about October 5, 2010, an Offer of Settlement was entered, pursuant to which Oh consented, without admitting or denying the allegations, to findings that she had violated FINRA Procedural Rule 8210 and FINRA Conduct Rule 2010 for failing to appear and testify in response to a FINRA Procedural Rule 8210 request in a timely manner. Oh also consented to a suspension in all capacities for six months and a fine in the amount of \$2,500 to be paid upon reentry to the industry.

FINDINGS AND CONCLUSIONS

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

I. Failure to Appear and Testify in a Timely Manner

On or about January 15, 2010 and pursuant to FINRA Procedural Rule 8210, Enforcement staff sent a letter (the "January 15 Letter") to Oh requesting that she appear as a witness and provide testimony in an ongoing investigation. The January 15 Letter required that Oh appear on February 29, 2010. In addition, the January 15 Letter warned Oh that if she did not appear she could be subject to disciplinary action, including a permanent bar from the securities industry. The January 15 Letter was sent by Federal Express and by first class mail to Oh's last known residential address, as reflected in the FINRA Central Registration Depository ("CRD"): [REDACTED] (the "CRD Address"). The first class copy of the January 15 Letter was not returned to FINRA. The Federal Express copy of the January 15 Letter was returned to FINRA marked as unable to be delivered for "security reasons/restrictions." Federal Express first attempted to leave the January 15 Letter on January 19, 2010. Federal Express records indicate that during this attempted delivery a door tag was left at the location indicating that there was an attempted delivery, and that the item could be picked up at a nearby Federal Express location. Federal Express records also indicate that Federal Express attempted to leave the January 15 Letter on January 20, 21 and 22 at the CRD Address. Federal Express records indicate that door tags were left at the CRD Address indicating that there were attempted deliveries. Federal Express sent back the January 15 Letter to FINRA on January 23, 2010. Oh never responded to the January 15 Letter.

On February 29, 2010 Oh did not appear and testify as required by the January 15 Letter.

On or about March 31, 2010 and pursuant to FINRA Procedural Rule 8210, Enforcement staff sent a second letter (the "March 31 Letter") to Oh requesting that she appear as a witness and provide testimony in an ongoing investigation. The March 31 Letter instructed Oh to appear and provide testimony on April 14, 2010. In addition, the March 31 Letter warned Oh that if she did not appear she could be subject to disciplinary action, including a permanent bar from the securities industry. The March 31 Letter was sent by Federal Express and by first class mail to Oh's CRD address. The first class copy of the March 31 Letter was not returned to FINRA. The Federal Express copy of the March 31 Letter was returned to FINRA marked "Moved." Oh never responded to the March 31 Letter.

On February April 14, 2010, Oh did not appear and testify as required by the March 31 Letter.

Because Oh did not appear and testify as required, FINRA filed the Complaint in this matter. After receiving the Complaint, Oh contacted FINRA and provided testimony on July 30, 2010.

Based on the foregoing, it is evident that Oh was properly served with requests for testimony at the address listed on CRD and failed to respond to those requests in a timely manner, in violation of FINRA Procedural Rule 8210 and FINRA Conduct Rule 2010.

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:

1. Suspended from association with any member of FINRA in any capacity for a period of six months; and
2. Fined in the amount of \$2,500. 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.

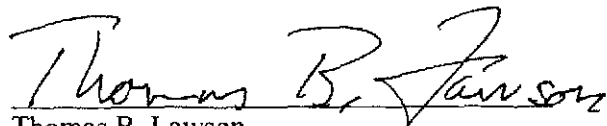
The sanctions imposed herein shall be effective on a date set by FINRA staff.

SO ORDERED

Dated: October 27, 2010

FINRA

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



Thomas B. Lawson
Vice President
FINRA Department of Enforcement
1801 K Street, N.W.
Washington, DC 20006
Phone: 202-974-2800
Fax: 202.974-2805