

FINANCIAL INDUSTRY REGULATORY AUTHORITY
OFFICE OF HEARING OFFICERS

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REGISTRATION & DISCLOSURE

DEPARTMENT OF ENFORCEMENT,

Complainant,

v.

GARY ROBERT STREMEL
(CRD No. 1586775)

Respondent.

Disciplinary Proceeding
No. 2008013884701

Hearing Officer: Andrew H. Perkins

ORDER ACCEPTING OFFER OF SETTLEMENT

INTRODUCTION

Disciplinary Proceeding No. 2008013884701 was filed on June 23, 2009, by the Department of Enforcement (Complainant) of the Financial Industry Regulatory Authority (FINRA). Respondent Gary Robert Stremel (Respondent) submitted an Offer of Settlement (Offer) to Complainant on July 27, 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 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.

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BACKGROUND

Gary Robert Stremel ("Stremel" or "Respondent") entered the securities industry in July 1996, when he was employed by a FINRA member and was first registered as a general securities representative in September 1996. Stremel was subsequently employed by FINRA member Citigroup Global Markets, Inc. (Citigroup) in January 2001 as a general securities representative. Stremel remained with Citigroup until May 2008. Stremel is not currently employed by a FINRA member, but remains subject to FINRA's jurisdiction pursuant to Article V, Section 4 of FINRA's By-Laws.

FINDINGS AND CONCLUSIONS

It has been determined that the Offer be accepted and that findings be made as follows: Customer J.P. maintained an account with Citigroup that was serviced by Stremel. Customer J.P. allowed Stremel to exchange investment company positions for other mutual funds, but did not give Stremel written authorization to exercise discretion in his account. Customer J.P.'s account was not accepted by Citigroup as a discretionary account, although Citigroup did allow discretionary accounts. During the period from March 11, 2008 to March 14, 2008, Stremel exercised discretion in customer J.P.'s account in connection with five transactions without written authorization from customer J.P. or acceptance of J.P.'s account as a discretionary account by Citigroup. Based on the foregoing, Respondent violated NASD Conduct Rules 2510(b) and 2110.

On or about September 22, 2008, FINRA's Atlanta District Office initiated an investigation into the allegations on a Uniform Termination Notice for Securities Industry Registration ("Form U5") filed by Citigroup on behalf of Stremel. On December 30, 2008, FINRA sent Stremel a letter via first class and certified mail addressed to Stremel's residential CRD address of record [REDACTED]

[REDACTED] This letter was sent pursuant to FINRA Procedural Rule 8210, and requested that Stremel appear and testify on January 15, 2009, at FINRA's Atlanta District Office. The December 30, 2008 letter sent by first class mail was not returned. A receipt for the December 30, 2008 letter sent by

certified mail was returned on January 12, 2009, signed by Stremel. Stremel failed to appear and testify on January 15, 2009, as requested.

On January 16, 2009, FINRA sent Stremel a second letter via first class and certified mail addressed to Stremel's residential CRD address of record. The January 16, 2009 letter was also sent pursuant to FINRA Procedural Rule 8210, and again requested that Stremel appear and testify this time on January 26, 2009, at FINRA's Atlanta District Office. The January 16, 2009 letter sent by first class mail was not returned. The January 16, 2009 letter sent by certified mail was returned to FINRA indicating that it was "unclaimed." Stremel failed to appear and testify on January 26, 2009, as requested.

FINRA conducted a LexisNexis SmartLinx computer based search regarding Stremel. The search did not identify any other address for Stremel more current than the residential address listed in CRD. As of the date hereon, Stremel has not appeared and testified as requested.

Based on the foregoing, Respondent violated 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

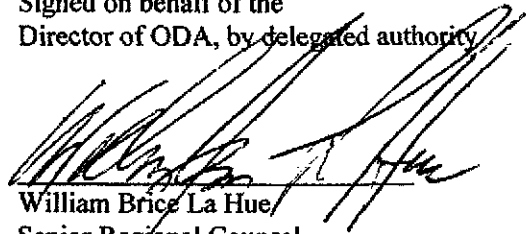
It is ordered that Respondent be barred from association with any FINRA member in any capacity.

The sanctions imposed herein shall be effective on a date set by FINRA staff. Pursuant to FINRA Rule 8313(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 'William Brice La Hue', is written over a horizontal line.

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