

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 20080147263**

RECEIVED

JUL 19 2008

FINRA
SAN FRANCISCO DISTRICT OFFICE

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

RE: Bear W. Woznick, Respondent
General Securities Representative
Limited Representative – Investment Company and Variable Contracts Products
CRD No. 3152968

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, Respondent submits 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 Respondent alleging violations based on the same factual findings described herein.

I.

ACCEPTANCE AND CONSENT

- A. Respondent hereby accepts and consents, 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

Respondent entered the securities industry in November 1998 by filing a Form U4 to become registered with FINRA member Financial West Group ("FWG"). He passed the Series 6 examination in December 1998 and subsequently became registered at FWG as an Investment Company and Variable Contracts Products Representative. In November 1999, Respondent passed the Series 7 examination and subsequently became registered at FWG as a General Securities Representative. Respondent remained registered in each of these capacities until his termination from FWG on August 11, 2008. He has not since become associated with any other FINRA member.

RELEVANT DISCIPLINARY HISTORY

Respondent has no disciplinary history.

OVERVIEW

Respondent engaged in an outside business activity without providing prompt written notice to his employing member firm. He also engaged in a private securities transaction without providing prior written notice to his employing member firm. Finally, Respondent failed to provide complete information in response to requests for information from FINRA.

FACTS AND VIOLATIVE CONDUCT

1. Outside Business Activities

From at least April 8, 2008 through August 11, 2008, Respondent was employed by Hawaii Tandem Surf Association, Inc. ("HTSA"), as its president, vice-president, treasurer, secretary and director. Respondent failed to provide FWG with prompt written notice of his employment at HTSA, in violation of NASD Rules 3030 and 2110.

2. Private Securities Transaction

On or about April 6, 2008, Respondent sold 17,500 of his personal shares of HTSA stock to FWG customer DF at \$1.00 per share. The sale occurred outside the regular scope of Respondent's employment with FWG. Respondent failed to provide prior written notice of this private securities transaction to FWG, in violation of NASD Rules 3040 and 2110.

3. Failure to Provide Information

In March 2009 and May 2009, pursuant to NASD Rule 8210, FINRA staff sent Respondent letters requesting information about his termination from FWG. Respondent provided the requested information in June 2009.

On January 22, 2010, pursuant to FINRA Rule 8210, FINRA staff sent Respondent a letter requesting information concerning his activities with HTSA. In February 2010, Respondent provided information to FINRA staff that was partially responsive to the January 22 letter. Among the requested items that Respondent failed to provide were copies of formation documents for HTSA, a list of all investors in HTSA and the 2007 and 2008 tax returns for Respondent and HTSA.

On April 1, 2010, pursuant to FINRA Rule 8210, FINRA staff sent Respondent a letter requesting the outstanding information from the January 22 letter, as well as additional information not previously requested. Respondent never provided the requested information.

On April 12, 2010, Respondent orally informed FINRA staff that he would not provide the information requested in the April 1 letter and was ceasing his cooperation with FINRA's investigation.

On April 20, 2010, pursuant to FINRA Rule 8210, FINRA staff sent Respondent a second letter requesting the information described in the April 1 letter. Respondent never provided the requested information.

By failing to provide information requested by FINRA in connection with an investigation, Respondent violated FINRA Rules 8210 and 2010.

B. Respondent also consents to the imposition of the following sanctions:

1. A two-year suspension from association with all FINRA members in all capacities; and
2. A \$15,000 fine.

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

Respondent specifically and voluntarily waives any right to claim that he is unable to pay, now or at any time hereafter, the monetary sanction imposed in this matter.

Respondent understands that if he is barred or suspended from associating with any FINRA member, he becomes 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, Respondent 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).

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

II.

WAIVER OF PROCEDURAL RIGHTS

Respondent specifically and voluntarily waives the following rights granted under FINRA's Code of Procedure:

- A. To have a Complaint issued specifying the allegations against Respondent;
- 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, Respondent specifically and voluntarily waives 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.

Respondent further specifically and voluntarily waives 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

Respondent understands 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 Respondent;
- C. If accepted:
 - 1. this AWC will become part of Respondent's permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against Respondent;
 - 2. this AWC will be made available through FINRA's public disclosure program in response to public inquiries about Respondent's 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. Respondent 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. Respondent 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 Respondent's right to take legal or factual positions in litigation or other legal proceedings in which FINRA is not a party; and

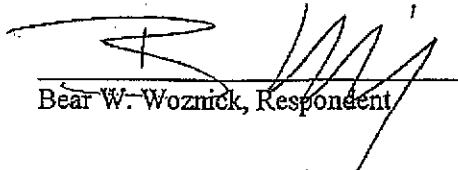
- D. Respondent may attach a Corrective Action Statement to this AWC that is a statement of demonstrable corrective steps taken to prevent future misconduct. Respondent understands that he may not deny the charges or make any statement that is inconsistent with the AWC in this Statement. This Statement does not constitute factual or legal findings by FINRA, nor does it reflect the views of FINRA or its staff.

Respondent certifies that he has read and understands all of the provisions of this AWC and has been given a full opportunity to ask questions about it; that Respondent has 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 Respondent to submit it.

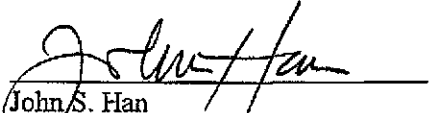
7/16/2010
Date (mm/dd/yyyy)

Accepted by FINRA:

07/22/2010
Date


Bear W. Woznick, Respondent

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


John S. Han
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