

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

DEPARTMENT OF MARKET REGULATION,

Complainant,

v.

LAWRENCE R. KAJMOWICZ
(CRD No. 4637591),

and

BEN JAMES RAATZ
(CRD No. 4637287),

Respondents.

Disciplinary Proceeding
No. 20080148227-02

Hearing Officer—DRS

**ORDER GRANTING MOTION FOR WITHDRAWAL OF AMENDED COMPLAINT
WITH PREJUDICE**

On December 29, 2016, the Department of Market Regulation moved under FINRA Rule 9212(c) for leave to withdraw the Amended Complaint in this matter with prejudice. The motion submits that good cause exists for granting the request based on the following representations: (1) the parties have agreed to settle this matter through the execution and acceptance of Letters of Acceptance, Waiver and Consent pursuant to Nasdaq Rule 9216 ("AWCs"); (2) the AWCs have been accepted by FINRA's Office of Disciplinary Affairs ("ODA") on behalf of the Nasdaq Review Council, and will be effective on the date that Market Regulation's motion is granted; (3) the sanctions imposed by the AWCs are sufficiently remedial to deter Respondents from any future misconduct, and, along with the withdrawal of the Amended Complaint, represent the proper discharge by Nasdaq and FINRA of their regulatory responsibilities under the Securities Exchange Act of 1934; (4) ODA authorized Market Regulation to file the motion; and (5) Respondents consent to the relief requested in the motion.

Because the hearing on the merits in this case has already started, under FINRA Rule 9212(c), "the Extended Hearing Panel, after considering the facts and circumstances of the request, shall determine whether the withdrawal shall be granted with prejudice." Having done

so, and finding that good cause exists, the Extended Hearing Panel **GRANTS** the motion; the Amended Complaint is hereby deemed **WITHDRAWN WITH PREJUDICE**.

SO ORDERED.


David R. Sonnenberg
Hearing Officer, on behalf of the Extended
Hearing Panel

Date: January 3, 2017

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