

**FINANCIAL INDUSTRY REGULATORY AUTHORITY (FINRA)
OFFICE OF HEARING OFFICERS**

DEPARTMENT OF ENFORCEMENT,

Complainant,

v.

HAROLD EDWIN BISSETT, JR.,
(CRD No. 858422)

Respondent.

Disciplinary Proceeding
No. 2009016924901

COMPLAINT

The Department of Enforcement alleges:

RESPONDENT AND JURISDICTION

1. Harold Edwin Bissett, Jr. was first registered with a FINRA member firm as a general securities representative in October 1978. Bissett was also registered as a general securities sales supervisor in July 1993 and as a general securities principal in October 1993. Bissett was registered with two FINRA member firms prior to becoming employed by FINRA member LPL Financial Corporation (LPL) in July 1993. Bissett remained with LPL until February 2010.
2. Bissett is currently associated with a FINRA member firm, and is therefore subject to FINRA's jurisdiction.

SUMMARY

3. Bissett used discretion in a customer's account to purchase and sell mutual fund positions, without written authorization from the customer or acceptance of the

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customer's account as discretionary, in violation of NASD Conduct Rules 2510(b) and 2110.

CAUSE OF ACTION

NASD Conduct Rules 2510(b) and 2110

(Use of Discretion)

4. The Department realleges and incorporates by reference paragraphs 1 through 3 above.
5. At all times relevant to this Complaint, customer K.R. maintained an account with LPL that was serviced by Bissett.
6. Customer K.R.'s account was not accepted by LPL as a discretionary account, nor does LPL allow the use of discretion in customer accounts.
7. Customer K.R. did not give Bissett written authorization to exercise discretion in her account.
8. During the period from August 2008 to October 2008, Bissett exercised discretion in customer K.R.'s account on two occasions.
9. Specifically, Bissett used discretion on August 5, 2008, when he bought 2319.16 shares of the BlackRock Equity Dividend B Fund (MBDVX) for K. R.'s account, for a total investment of \$42,005.
10. Bissett also used discretion on October 20, 2008 when he sold 1,960.60 Class A shares of the Janus Advisor Series Long/Short Fund and purchased 1,858.74 Class A shares of Ivy Funds Large Cap Growth Fund (WLGAX), for K.R.'s account.
11. Such acts, practices and conduct constitute separate and distinct violations of NASD Conduct Rules 2510(b) and 2110 by Respondent Bissett.

RELIEF REQUESTED

WHEREFORE, the Department respectfully requests that the Panel:

- A. Order that one or more of the sanctions provided under FINRA Rule 8310(a) be imposed, including that the Respondent be required to disgorge fully any and all ill-gotten gains, together with interest.
- B. Order that the Respondent bear such costs of the proceeding as are deemed fair and appropriate under the circumstances in accordance with FINRA Rule 8330.

FINRA DEPARTMENT OF ENFORCEMENT

Date: 4/18/11


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