

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2009017310501**

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

RE: Rodney Bruck, Respondent
CRD No. 1670280

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

Rodney Bruck ("Bruck") (CRD No. 1670280) entered the securities industry in April 1988. From November 1999 until June 1, 2007, Bruck was associated with Allstate Financial Services LLC ("Allstate" or the "Firm") as an Investment Company Products/Variable Annuity Representative (Series 6).

Bruck has not been employed in the brokerage industry since June 1, 2007. An Amendment to his Form U5 was filed on March 10, 2009, to reflect a customer complaint. As the Amendment disclosing the customer complaint was filed within two years after the effective date of his resignation and the conduct which serves as the basis for the complaint commenced prior to his resignation, FINRA retains jurisdiction until at least March 9, 2011.

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RELEVANT DISCIPLINARY HISTORY

Bruck has no prior disciplinary history.

OVERVIEW

Between May 2006 and August 2006, Bruck commingled \$7,000 in customer funds in his business account. By doing so, Bruck failed to observe high standards of commercial honor and just and equitable principles of trade in violation of NASD Conduct Rule 2110.

FACTS AND VIOLATIVE CONDUCT

Between May 2006 and August 2006, Bruck violated NASD Conduct Rule 2110 by commingling customer funds in his business account.

In or around April 2006, customer "NL" was introduced to Bruck by a family friend. NL was a 49 year old widow who inherited approximately \$504,000 in 2002.

One of NL's objectives was to establish an "emergency fund" in order to provide some security for unexpected expenses such as medical costs. On May 18, 2006, NL wrote a check for \$7,000 payable directly to Bruck with the intent to establish her emergency fund. Bruck deposited the check into a business account he owned and operated. Between June 9, 2006, and August 11, 2006, Bruck wrote checks to NL, or to another entity on her behalf, from his business account, totaling \$7,001.62. Annotations on the checks indicate these were withdrawals from NL's "emergency fund." Bruck did not seek approval from his supervisor, nor anyone with his employer firm, to commingle NL's funds in accounts under his personal control.

By commingling customer funds in his personal business account, Bruck failed to observe high standards of commercial honor and just and equitable principles of trade and thereby violated NASD Conduct Rule 2110.

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

A bar from associating with any FINRA registered firm in any capacity.

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 Article III, Section 4 of FINRA's By-Laws, incorporating Section 3(a)(39) of the Securities Exchange Act of 1934. Accordingly, he 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. Pursuant to FINRA Rule 8313(e), the bar shall become effective upon approval or acceptance of this AWC.

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 him;
- 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 him; and
- C. If accepted:
 - 1. this AWC will become part of his permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against him;
 - 2. this AWC will be made available through FINRA's public disclosure program in response to public inquiries about his 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.

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 he 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 him to submit it.

August 27 2010

Date (mm/dd/yyyy)

[Signature]

Rodney Bruck

Reviewed by:

[Signature]

Mark Coleman, Esq.
Counsel for Respondent
Mark Coleman Law Office
29955 Southwest Boones Ferry Road
Wilsonville, OR 97070-9228
(503) 682-7079

Accepted by FINRA:

August 20, 2010
Date

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



Susan Light
Senior Vice President and Chief Counsel
FINRA Department of Enforcement
14 Wall Street – 14th Floor
New York, NY 10005