

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2009017673201**

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

RE: Heriberto A. Artiga, Sr., Respondent
Investment Company Products/Variable Contracts Representative
CRD No. 2374368

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

I.

ACCEPTANCE AND CONSENT

- A. I hereby accept and consent, 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

Artiga was associated with Lincoln Financial Securities Corporation ("the Firm") from February 12, 2002 through December 15, 2008 as an Investment Company Products/Variable Contracts Representative. He is not currently associated with a FINRA member and has no disciplinary history.

OVERVIEW

Artiga violated NASD Conduct Rules 3040 and 2110 by selling approximately \$2.5 million of securities in the form of promissory notes to 29 investors without providing any notice to his firm. Artiga's investors collectively lost about \$2.2 million.

FACTS AND VIOLATIVE CONDUCT

Between February 28, 2007 and January 19, 2008, Artiga, primarily through his wholly owned company, Dynamic Financial Group, Inc., engaged in private securities transactions by selling approximately \$2.5 million of promissory notes to 29 individuals. In turn, Artiga invested the sale proceeds into Maximum Return Investments, Inc. ("MRI"), a company that was promising purportedly risk-free, high yield investment programs that would earn a 25 to 35% return in a short period of time (usually 30 to 90 days). Artiga received commissions of approximately \$157,000.00 from the sale of the promissory notes and the investment of the sale proceeds. He engaged in this activity without providing prior written notice, or any notice at all, to the Firm.

MRI ultimately defaulted on its obligations and was the subject of a lawsuit brought by the United States Securities and Exchange Commission that resulted in a judgment enjoining it from future violations of the anti-fraud provisions of the securities laws and ordering it and its principal to disgorge more than \$10 million. Artiga's investors ultimately lost more than \$2.2 million of the \$2.5 million that they had invested.

As a result of the foregoing conduct, Artiga violated NASD Conduct Rules 3040 and 2110.

B. I also consent to the imposition of the following sanction:

- A bar from associating with any FINRA member in any capacity.

I understand that if I am barred or suspended from associating with any FINRA member, I become 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, I 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), a bar or expulsion shall become effective upon approval or acceptance of this AWC.

II.

WAIVER OF PROCEDURAL RIGHTS

I specifically and voluntarily waive the following rights granted under FINRA's Code of Procedure:

- A. To have a Complaint issued specifying the allegations against me;
- 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, I specifically and voluntarily waive 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.

I further specifically and voluntarily waive 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

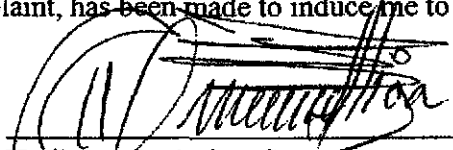
I understand that:

- 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 me; and
- C. If accepted:
 - 1. this AWC will become part of my permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against me;

2. this AWC will be made available through FINRA's public disclosure program in response to public inquiries about my 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. I 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. I 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 my right to take legal or factual positions in litigation or other legal proceedings in which FINRA is not a party.

I certify that I have read and understand all of the provisions of this AWC and have been given a full opportunity to ask questions about it; that I have 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 me to submit it.

12/08/2009
Date (mm/dd/yyyy)


Heriberto A. Artiga, Sr.

Accepted by FINRA:

2/8/2010
Date

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


Joel T. Kornfeld, Senior Regional Counsel
FINRA Department of Enforcement
300 S. Grand Avenue, Suite 1600
Los Angeles, California 90071
Email: joel.kornfeld@finra.org
(213) 613-2643; (213) 617-1570 (Fax)