

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

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REGISTRATION & DISCLOSURE

DEPARTMENT OF ENFORCEMENT,

Complainant,

v.

KYLE PATRICK MacDONALD
(CRD No. 4674276),

Respondent.

Disciplinary Proceeding
No. 20090183759

COMPLAINT

The Department of Enforcement alleges:

RESPONDENT and JURISDICTION

1. Respondent first became registered with a FINRA-regulated broker-dealer in 2003. Respondent was an associated person with Ameriprise Financial Services, Inc. ("Ameriprise" or the "Firm"), a FINRA-regulated broker-dealer, from on or about June 19, 2003 through on or about April 17, 2009, when he voluntarily terminated his employment. Respondent is no longer associated with a FINRA-regulated broker-dealer.
2. FINRA retains jurisdiction over Respondent pursuant to Article V, Section 4 of FINRA's By-Laws.

SOLE CAUSE OF ACTION

(Conversion - FINRA Rule 2010)

3. Enforcement realleges and incorporates by reference paragraphs 1-2 above.
4. During all relevant times, FK and AK were members of the public and maintained a joint account at the Firm. During all relevant times, DW was a member of the public and maintained an account at the Firm.
5. In February 2009, FK and AK wrote a check payable to Respondent for \$500 for financial planning fees. In March 2009, DW wrote a check payable to Respondent for \$600 for financial planning fees.
6. Although FK, AK, and DW intended to make these payments to Ameriprise for financial planning fees due and owing to the Firm, Respondent instructed them to make their checks payable to him personally.
7. Respondent, without permission or authority, wrongfully cashed the \$500 check from FK and AK and the \$600 check from DW and used these funds for Respondent's own uses and purposes.
8. The above acts, practices, and conduct constitute conversion, in violation of FINRA Rule 2010.

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), including monetary sanctions, be imposed.
- B. order that the Respondent bear such costs of proceeding as are deemed fair and appropriate under the circumstances in accordance with FINRA Rule 8330.

FINRA DEPARTMENT OF ENFORCEMENT

Date: December 23, 2009



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