

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 20090209281**

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

RE: Tyler Jack Harris, Respondent
CRD No. 5377730

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, Tyler Jack Harris ("Harris" or "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

Harris was registered as a Financial Advisor at Edward Jones & Co ("Edward Jones" or the "Firm") from July 2, 2007 until his termination from the Firm on November 18, 2009. From March 16, 2010 until he resigned on October 11, 2010, Harris was registered as a General Securities Representative with Park Avenue Securities LLC. Harris has not been associated with a FINRA regulated broker-dealer since October 2010. FINRA retains jurisdiction over Harris pursuant to Article V, Section 4(a) of the By-Laws because the conduct that serves as the basis for this action commenced prior to his termination of registration from a FINRA regulated broker-dealer and this AWC has been filed within two years after the effective date of Harris's termination of registration from a FINRA regulated broker-dealer.

Harris has no prior disciplinary history.

OVERVIEW

Between on or about September 2009 and November 2009 (the "Relevant Period"), Harris engaged in private securities transactions by recommending that five of his customers invest in a private company, Bio-Fuel Technologies, Inc. ("Bio-Fuel"), which was not a Firm approved investment. Two of the five customers invested approximately \$70,000 in Bio-Fuel in exchange for a 10% interest in Bio-Fuel and an option to redeem that interest for cash on a date approximately one year from the date of investment. Respondent never informed the Firm that he recommended that certain of his customers invest in Bio-Fuel and never sought or obtained any approval from the Firm for making those recommendations. By engaging in private securities transactions, without obtaining the requisite approval from the Firm, Respondent violated NASD Rule 3040 and FINRA Rule 2010.

FACTS AND VIOLATIVE CONDUCT

Harris's Relationship with Bio-Fuel

During the Relevant Period, Respondent's father, M.H., was the Chief Operating Officer, Chief Financial Officer and Co-Founder of Bio-Fuel. On September 1, 2009, M.H. e-mailed Respondent information regarding Bio-Fuel, including a "corporate overview," "a numerical review and pro-forma," and "notes that reference information about alternate fuel, biodiesel, etc... ."

Harris Recommends Bio-Fuel to his Customers

During the Relevant Period, while Harris was registered as a financial advisor with Edward Jones, Harris engaged in private securities transactions by recommending that five of his customers invest in Bio-Fuel. Bio-Fuel, which was not a Firm approved investment, was described by Respondent as a new company seeking initial investors. Respondent told these customers that if they invested in Bio-Fuel, they would receive a promissory note from Bio-Fuel.

Mr. and Mrs. R.G. became customers of Harris in March 2008. During the Relevant Period, Respondent recommended that Mr. and Mrs. R.G. invest in Bio-Fuel and provided them with M.H.'s telephone number. During the Relevant Period, M.H., and Bio-Fuel's Chief Executive Office, K.R., met with R.G. in person. Based on Harris's recommendation, Mr. and Mrs. R.G. invested approximately \$70,000 in Bio-Fuel in exchange for a 10% interest in the company. In addition, Mr. and Mrs. R.G. received an option to redeem their interest in the company for cash on a date approximately one year from the date of their investment. Mr. and Mrs. R.G. declined to exercise this option.

Customer L.M. became a customer of Harris in October 2008. During the Relevant Period, Respondent recommended that L.M. invest in Bio-Fuel and provided him with M.H.'s telephone number. On September 1, 2009, M.H. e-mailed Respondent and stated that he would like to meet with L.M. M.H., and Bio-Fuel's Chief Executive Officer K.R.

subsequently met with L.M. in person. Despite Harris's recommendation, L.M. decided not to make an investment in Bio-Fuel.

Mr. and Mrs. R.M. became customers of Harris in September 2008. During the Relevant Period, Respondent recommended that Mr. and Mrs. R.M. invest in Bio-Fuel and provided them with M.H.'s telephone number. Mr. and Mrs. R.M. were scheduled to meet in person with M.H. to discuss Bio-Fuel during the Relevant Period. However, on November 10, 2009, Mr. and Mrs. R.M.'s daughter and Power-of-Attorney, S.C, called Respondent's Edward Jones Branch Office Administrator, E.A., and stated that Mr. and Mrs. R.M. did not want to invest in Bio-Fuel, and requested E.A. to cancel Mr. and Mrs. R.M.'s meeting with M.H.

At the time Harris recommended that his customers invest in Bio-Fuel, he was aware that Edward Jones's policies and procedures specifically prohibited its registered representatives from "recommend[ing] or sell[ing] any security, insurance product or other investment opportunity that is not approved by the firm and purchased through a system at or approved by the firm." Harris did not give notice to and receive approval from the Firm before recommending the investments in Bio-Fuel to Mr. and Mrs. R.G., L.M. and Mr. and Mrs. R.M. or participating in these private securities transactions outside the regular scope of his employment with the Firm.

By engaging in private securities transactions without obtaining the requisite prior approval from his Firm, Harris violated NASD Rule 3040 and FINRA Rule 2010.

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

1. A suspension from association with any FINRA member firm in any capacity for three months; and
2. A fine of \$5,000.

The fine shall be due and payable either immediately upon reassociation with a FINRA registered broker-dealer following the three month suspension noted above, or prior to any application or request for relief from any statutory disqualification resulting from this or any other event or proceeding, whichever is earlier.

Respondent specifically and voluntarily waives any right to claim that he is unable to pay, now or at any time hereafter, the monetary sanction imposed in this matter.

The sanctions imposed herein shall be effective on a date set by FINRA staff.

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 Respondent;
- 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 Respondent; and

C. If accepted:

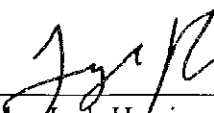
1. this AWC will become part of Respondent's permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against me;
2. this AWC will be made available through FINRA's public disclosure program in response to public inquiries about Respondent's disciplinary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

D. Respondent may attach a Corrective Action Statement to this AWC that is a statement of demonstrable corrective steps taken to prevent future misconduct. Respondent understands that Respondent may not deny the charges or make any statement that is inconsistent with the AWC in this Statement. This Statement does not constitute factual or legal findings by FINRA, nor does it reflect the views of FINRA or its staff.

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.

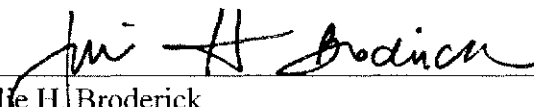
10/17/2011
Date


Tyler Jack Harris
Respondent

Accepted by FINRA:

11/16/11
Date

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


Julie H. Broderick
Director
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