

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
OFFICE OF HEARING OFFICERS**

DEPARTMENT OF ENFORCEMENT,

Complainant

v.

Joshua Kohn,
Registered Representative
(CRD No. 2419594)

Respondent.

Disciplinary Proceeding
20009020974501

Hearing Officer AHP

**Order Accepting Offer of
Settlement**

Date: September 8, 2010

INTRODUCTION

Disciplinary Proceeding Number 2009020974501 was filed on May 27, 2010, by the Department of Enforcement of the Financial Industry Regulatory Authority (FINRA) (Complainant).

Respondent Joshua Kohn submitted an Offer of Settlement (Offer) to Complainant, dated August 9, 2010. Pursuant to FINRA Rule 9270(e), the Complainant and the National Adjudicatory Council (NAC), a Review Subcommittee of the NAC, or the Office of Disciplinary Affairs (ODA) have accepted the uncontested Offer. Accordingly, this Order now is issued pursuant to FINRA Rule 9270(e)(3). The findings, conclusions and sanctions set forth in this Order are those stated in the Offer as accepted by the Complainant and approved by the NAC.

Under the terms of the Offer, Respondent has consented, without admitting or denying the allegations of the Complaint, and solely for the purposes of this proceeding and any other

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proceeding brought by or on behalf of FINRA, or to which FINRA is a party, to the entry of findings and violations consistent with the allegations of the Complaint, and to the imposition of the sanctions set forth below, and fully understands that this Order will become part of Respondent's permanent disciplinary record and may be considered in any future actions brought by FINRA.

BACKGROUND

Between June 2001 and June 2, 2008, Respondent was registered as a general securities representative with Wachovia Securities, LLC, a predecessor to Wells Fargo Advisors, LLC, a FINRA registered firm. Although Respondent has not been associated with a FINRA firm since June 2, 2008, he remains subject to FINRA's jurisdiction for purposes of this proceeding, pursuant to Article V, Section 4 of FINRA's By-Laws, because 1) the Complaint was filed within two years after the date upon which he ceased to be associated with a FINRA firm and because 2) he failed to appear for on-the-record testimony during the two-year period after the date upon which he ceased to be associated with a FINRA firm.

FINDINGS AND CONCLUSIONS

It has been determined that the Offer be accepted and that findings be made as follows:

- On or about March 31, 2010, FINRA staff sent Respondent a letter requesting that he appear for an on-the-record interview pursuant to and in accordance with the provisions of FINRA Rule 8210. The interview was scheduled to take place in Kansas City, Missouri on April 19, 2010. The request for Respondent to appear at his on-the-record interview was sent by first class mail and certified mail to Respondent's CRD address in Deerfield Beach, Florida, as well as to a residential address in Stony Brook, New York, believed by staff to be more current. The

letter sent by first class mail to Respondent's Stony Brook, New York address was never returned, while the letter sent to the same address by certified mail was delivered. The United States Postal Service return receipt card appears to contain the signature of a Respondent family member with a date of April 5, 2010. With regard to the letters sent to Respondent's CRD address, the one sent by first class mail was never returned, while the one sent by certified mail was never delivered.

- On or about April 15, 2010, Respondent left a voice mail message for staff representing that he would not be appearing for the on-the-record interview scheduled for April 19, 2010.
- On or about April 19, 2010, Respondent failed to appear in Kansas City, Missouri for his on-the-record interview, and he failed to contact staff to attempt to reschedule the interview.
- The acts, practices and conduct described above constitute separate and distinct violations of Rules 8210 and 2010 by Respondent.

Based on the foregoing, Respondent has violated FINRA Rules 8210 and 2010.

Based on these considerations, the sanctions hereby imposed by the acceptance of the Offer are in the public interest, are sufficiently remedial to deter Respondent from any future misconduct, and represent a proper discharge by FINRA, of its regulatory responsibility under the Securities Exchange Act of 1934.

SANCTIONS

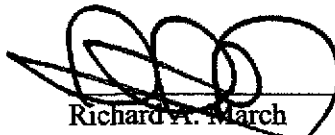
It is ordered that Respondent be barred in all capacities from associating with any FINRA firm.

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 Order.

SO ORDERED.

FINRA

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

A handwritten signature in black ink, appearing to read "Richard A. March", is written over a horizontal line.

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