

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 20110280222**

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

RE: Christopher Joseph Simon, Respondent
Registered Representative
CRD No. 4134280

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, Christopher Joseph Simon ("Simon") 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 me alleging violations based on the same factual findings described herein.

I.

ACCEPTANCE AND CONSENT

- A. Simon 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

Simon entered the securities industry on January 27, 2000 with a FINRA regulated broker-dealer and remained registered there until November 2000. Between October 2000 and November 2004, Simon was employed as a registered representative with three other FINRA regulated broker-dealers.¹

On January 3, 2005 through May 13, 2011, Simon was employed by LPL Financial LLC ("LPL" or the "Firm") as a registered representative. On May 16, 2011, the Firm notified FINRA that Simon was discharged on May 13, 2011 for failing to timely update his Uniform Application for Securities Industry Registration ("Form U-4").

¹ He obtained his Series 6 and 7 licenses in November 2000 and March 2005, respectively.

Simon is not currently associated with a FINRA registered broker-dealer. Pursuant to Article V, Section 4 of FINRA's By-Laws, Simon remains subject to FINRA's jurisdiction until May 16, 2013.

RELEVANT DISCIPLINARY HISTORY

Simon has no disciplinary history in the securities industry.

OVERVIEW

While associated with LPL, Simon failed to timely update his Form U-4 to disclose a February 2010 compromise with a creditor, as required.

Article V, Section 2(c) of FINRA By-Laws required Simon to update his Form U-4 within 30 days of February 27, 2010, the date he entered into a compromise with a creditor. Simon did not update his Form U-4 to reflect his February 2010 compromise with a creditor until July 23, 2010. By failing to timely update his Form U-4 to disclose this event, Simon acted in contravention of Article V, Section 2 of FINRA's By-Laws and thus violated FINRA Rules 1122 and 2010.

FACTS AND VIOLATIVE CONDUCT

Article V, Section 2(c) of the FINRA By-Laws requires that "[e]very application for registration filed with [FINRA] shall be kept current at all times by supplementary amendments" and that "[s]uch amendment to the application shall be filed with [FINRA] not later than 30 days after learning of the facts or circumstances giving rise to the amendment." Form U-4 question 14(K)(1) require registrants to disclose whether they have made a "compromise with a creditor within the past 10 years."

FINRA Rule 2010 requires the observance of high standards of commercial honor and just and equitable principles of trade.

FINRA Rule 1122 prohibits filing with FINRA information regarding registration "which is incomplete or inaccurate so as to be misleading, or which could in any way tend to mislead, or fail to correct such filing after notice thereof."

In or about February 2010, Simon had an outstanding loan of \$8,388.57 with FIA Credit Services, a Division of Bank of America. On February 27, 2010, Simon entered into a compromise with FIA Credit Services to repay this loan for \$4,700.

According to Article V, Section 2(c) of FINRA By-Laws, Simon was required to update his Form U-4 by March 27, 2010 to disclose his February 2010 compromise with a creditor, but failed to do so.

On July 23, 2010, nearly four months past the required disclosure date, Simon filed an amended Form U-4 disclosing his February 2010 compromise with a creditor.

By failing to timely update his Form U-4 to disclose his February 2010 compromise with a creditor, as required, Simon acted in contravention of Article V, Section 2 of FINRA's By-Laws and thus violated FINRA Rules 1122 and 2010.

- B. Simon also consents to the imposition of the following sanctions:
- a. A one-month suspension from associating with any FINRA registered broker-dealer in any capacity; and
 - b. A fine of \$5,000.

Simon 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, Simon 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 fine shall be due and payable either immediately upon reassociation with a member firm following the one-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.

Simon 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

Simon 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, Simon 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.

Simon 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

Simon understands that:

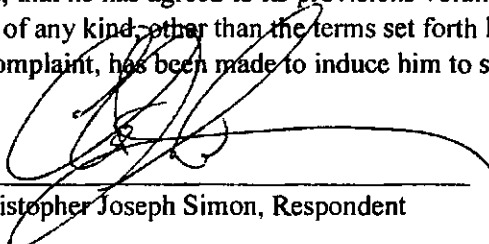
- A. Submission of this AWC is voluntary and will not resolve this matter unless and until it has been reviewed and accepted by the NAC, a Review Subcommittee of the NAC, or the Office of Disciplinary Affairs ("ODA"), pursuant to FINRA Rule 9216;
- B. If this AWC is not accepted, its submission will 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. Simon 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. Simon 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 his right to take legal or factual positions in litigation or other legal proceedings in which FINRA is not a party.

D. Simon may attach a Corrective Action Statement to this AWC that is a statement of demonstrable corrective steps taken to prevent future misconduct. Simon understands that he 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.

Simon certifies that he has read and understood 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.

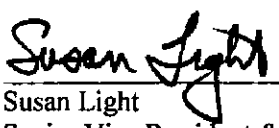
12.14.2012
Date (mm/dd/yyyy)


Christopher Joseph Simon, Respondent

Accepted by FINRA:

1/3/12
Date

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


Susan Light
Senior Vice President & Chief Counsel
FINRA Department of Enforcement
One World Financial Center
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New York, NY 10281