

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

Department of Enforcement,

Complainant,

v.

Mark S. Corcoran.
CRD No. 2490867,

Respondent.

Disciplinary Proceeding
No. 20110292835-01

Hearing Officer: SNB

**ORDER ACCEPTING OFFER OF
SETTLEMENT**

Date: July 25, 2012

INTRODUCTION

Disciplinary Proceeding No. 20110292835-01 was filed on January 17, 2012, by the Department of Enforcement of the Financial Industry Regulatory Authority (FINRA) (Complainant). Respondent Mark S. Corcoran submitted an Offer of Settlement (Offer) to Complainant dated July 6, 2012. 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 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

Respondent Mark S. Corcoran entered the securities industry in March 1994 as an associated person of a member of FINRA. He became registered as a General Securities Representative in July 1994 and as a General Securities Principal in February 2001. Respondent Corcoran was not registered or affiliated with a member between May 27, 2003 and January 23, 2008. Since on or about January 24, 2008, he has been registered through D. A. Davidson & Co., initially as a General Securities Representative; since February 1, 2008, as a Research Analyst; and, since October 2, 2008, as a General Securities Principal and Research Principal.

FINDINGS AND CONCLUSIONS

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

1. In or about September 2010, FINRA initiated an examination concerning possible violations of securities laws and applicable regulations, and FINRA and NASD Rules. In connection with that examination, FINRA requested information from Respondent Corcoran.

First Request for Information

2. On or about April 18, 2011, the FINRA staff was informed by Corcoran that Katherine R. Heekin ("Heekin"), an attorney, represented him in connection with the FINRA examination. Heekin's mailing address is Heekin Law Firm, 808 S.W. 3rd Ave., Suite

540, Portland OR 97204 (“the Heekin Address”). Heekin continues to represent Respondent Corcoran as of the date of this Complaint.

3. Respondent Corcoran’s residential address, as reflected in FINRA’s Central Registration Depository (“CRD”), is [REDACTED] (“the CRD Address”).
4. On April 27, 2011, pursuant to FINRA Rule 8210, FINRA staff sent a letter to Respondent Corcoran requesting information and documents in connection with the staff’s investigation.
5. On May 16, 2011, Heekin submitted a written response to the staff’s April 27, 2011 letter, enclosing responsive documents.

First Request for an On-the-Record Interview

6. On June 3, 2011, pursuant to FINRA Rule 8210, FINRA staff sent a letter to Respondent Corcoran, requiring that he appear for an on-the-record interview and testify regarding matters involved in the FINRA examination on June 23, 2011, at the FINRA District Office in Seattle, Washington. The letter was sent to the CRD Address via U.S. Postal Service first class mail and via certified mail, return receipt requested. The staff sent a copy of that letter to Heekin at the Heekin Address via facsimile.
7. The envelope in which the letter requesting Respondent Corcoran’s appearance and testimony was sent to the CRD Address via first class mail on June 3, 2011, was not returned by the U.S. Postal Service. The envelope sent via certified mail was not returned by the U.S. Postal Service. According to the U.S. Postal Service website, that envelope was delivered on June 15, 2011.

Second Request for an On-the-Record Interview

8. On June 14, 2011, pursuant to FINRA Rule 8210, FINRA staff sent a second letter to Respondent Corcoran, repeating its request that he appear for an on-the-record interview on June 23, 2011. The letter was sent to the CRD Address via U.S. Postal Service first class mail and via certified mail, return receipt requested. The staff sent a copy of that letter to Heekin at the Heekin Address via facsimile.
9. The envelope in which the staff's second request letter requesting Corcoran's appearance and testimony was sent to the CRD Address via first class mail on June 14, 2011, was not returned by the U.S. Postal Service. For the envelope sent via certified mail, the staff received a Domestic Return Receipt showing what appeared to be Respondent Corcoran's signature.
10. Heekin informed the staff that Respondent Corcoran would not appear for an on-the-record interview unless and until the staff provided specified information regarding the investigation. Respondent Corcoran did not appear for an on-the-record interview on June 23, 2011.
11. On January 17, 2012, the FINRA Department of Enforcement commenced this disciplinary proceeding by filing a Complaint against Corcoran.
12. On April 19 and April 30, 2012, Corcoran appeared and testified in an on-the-record interview.

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

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

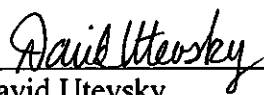
It is ordered that Respondent be suspended from associating with any FINRA member firm for a period of one year and shall be fined \$10,000.

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

SO ORDERED.

FINRA

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



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