

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2011029509401**

RECEIVED

JUN 05 2013

FINRA District 4

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

RE: Jared Clayton Jenkins, Respondent
General Securities Representative
5818549

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, Jared Jenkins 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 Jenkins alleging violations based on the same factual findings described herein.

I.

ACCEPTANCE AND CONSENT

- A. Jenkins 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

Jenkins entered the securities industry as a General Securities Representative on August 5, 2010. Since that date, Jenkins has been associated with Ameriprise Financial Services, Inc. ("AFS") as a registered representative. Jenkins' registration with FINRA, as a General Securities Representative, remains in full force and effect.

RELEVANT DISCIPLINARY HISTORY

Jenkins has not been the subject of prior formal disciplinary action by FINRA.

OVERVIEW

From March 2011 to August 2011, Jenkins violated NASD Rule 2510(b) and FINRA Rule 2010 by exercising discretion, without prior written authorization, in three customer accounts. In addition, from July 2011 to August 2011, Jenkins violated NASD Rule 2510(b) and FINRA Rule 2010 by accepting third party orders, without prior written authorization, in three customer accounts.

FACTS AND VIOLATIVE CONDUCT

Exercising Discretion without Prior Written Authorization

NASD Rule 2510(b) prohibits a registered representative from exercising discretionary trading authority in a customer's account unless such customer has given prior written authorization and the customer's account has been approved in writing as a discretionary account by the registered representative's firm.

As detailed more specifically below, Jenkins violated NASD Rule 2510(b) and FINRA Rule 2010 because he did not obtain written authorization from customers JA, PD, and KD to exercise discretion in their accounts. Furthermore, the accounts for those customers were not approved as discretionary accounts by AFS.

Customer JA

JA opened an account with AFS in February 2011. From March 2011 to July 2012, Jenkins exercised time and date discretion for 93 different transactions.

Customer PD

On August 19, 2011, PD and Jenkins spoke about purchasing \$10,000 in gold, but a specific investment was not discussed. On the same day, Jenkins purchased 55 shares of the ETF "GLD" in PD's account, for a total investment of \$9,893.40.

Customer KD

On August 10, 2011, Jenkins spoke with customer KD, who agreed to sell the mutual fund FBALX when her account transferred to AFS. Jenkins then sold the mutual fund FBALX on August 18, 2011, but did not speak to KD on that date.

Accepting Third Party Orders without Prior Written Authorization

In the instances described below, Jenkins also violated NASD Rule 2510(b) and FINRA Rule 2010 because he accepted instructions from third parties for the accounts of HW, PD, and DD without obtaining written authorization from the customers or written approval from AFS to accept third party orders for the accounts.

Customer HW

On August 18, 2011, Jenkins called the wife of customer HW and recommended that they liquidate the positions in both HW's account and her account. Jenkins then sold two mutual funds in HW's account based on his wife's instructions. Jenkins did not speak to HW regarding this transaction.

Customer PD¹

On July 8, 2011, Jenkins called customer PD. She spoke to Jenkins and then asked Jenkins to speak to her son, DD, who was in the room with PD during the conversation. Jenkins recommended to DD that PD place 5% stop loss orders on the positions in her account. DD approved these transactions. On July 11, 2011 Jenkins placed stop loss orders on five positions in PD's account based on DD's instructions.

Customer DD

Jenkins spoke with DD's spouse, KD, on August 10, 2011, and she agreed to liquidate the positions in her husband's account when it transferred to AFS. On August 18, 2011, Jenkins sold seven mutual funds in DD's account per KD's instructions. Jenkins did not speak to DD regarding these transactions.

By virtue of all of the foregoing conduct, Jenkins violated NASD Rule 2510(b) and FINRA Rule 2010.

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

1. A suspension of 10 business days from association with any FINRA broker-dealer in any capacity; and
2. a fine of \$2,500.

The sanctions imposed herein shall be effective on a date set by FINRA staff. Jenkins agrees to pay the monetary sanction upon notice that this AWC has been accepted and that such payment is due and payable. Jenkins has submitted an Election of Payment form showing the method by which he proposes to pay the fine imposed.

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

Jenkins 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, he 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).

II.

¹ "Customer PD" is the same customer referenced above.

WAIVER OF PROCEDURAL RIGHTS

Jenkins specifically and voluntarily waives the following rights granted under FINRA's Code of Procedure:

- A. To have a Complaint issued specifying the allegations against Jenkins;
- 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, Jenkins 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.

Jenkins 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

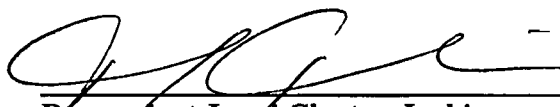
Jenkins understands that:

- 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 Jenkins; and
- C. If accepted:

1. this AWC will become part of Jenkins' permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against Jenkins;
 2. this AWC will be made available through FINRA's public disclosure program in response to public inquiries about Jenkins' 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. Jenkins 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. Jenkins 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 Jenkins': (i) testimonial obligations; or (ii) right to take legal or factual positions in litigation or other legal proceedings in which FINRA is not a party.
- D. Jenkins may attach a Corrective Action Statement to this AWC that is a statement of demonstrable corrective steps taken to prevent future misconduct. Jenkins 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.

Jenkins certifies that he has read and understand 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 Jenkins to submit it.

6/3/2013
Date(mm/dd/yyyy)


Respondent Jared Clayton Jenkins

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Jared Clayton Jenkins
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Accepted by FINRA:

06/18/13
Date

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


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