

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NOS. 2012030422901 AND 2015047602801**

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

RE: Christopher Cacace
Respondent
CRD No. 4308782

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, I submit 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. I hereby accept and consent, 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

Cacace first became registered with FINRA as a General Securities Representative (Series 7 license) ("GS") and a Corporate Securities Representative (Series 62 license) when he became associated with a member firm on February 23, 2009. He was associated as a GS with Legend Securities, Inc. ("Legend" or the "Firm") from March 7, 2011 to May 23, 2014. He became registered with FINRA as a General Principal (Series 24 license) on June 3, 2011; as an Operations Professional (Series 99 license) on October 28, 2011; and as a Registered Options Principal (Series 4 license) on March 16, 2012. Cacace was a compliance officer at Legend from March 2011 through June 2011, and was Legend's Chief Compliance Officer from June 2011 until May 2014. Thereafter, Cacace was associated with one member firm from May 2014 to September 2016 and another member firm from October 3, 2016 to October 18, 2016. Although Cacace is no longer registered or associated with a FINRA member, he remains subject to FINRA's jurisdiction for purposes of this proceeding, pursuant to Article V, Section 4 of FINRA's By-Laws.

RELEVANT DISCIPLINARY HISTORY

Cacace does not have any disciplinary history with the Securities and Exchange Commission, FINRA, any other self-regulatory organization or any state regulator.

FACTS AND VIOLATIVE CONDUCT

FINRA Rule 4530(d), which replaced NASD Rule 3010(c) on July 1, 2011, requires all members to report statistical and summary information regarding written customer complaints on a quarterly basis to FINRA.

Article V, Section 2(c) of the FINRA By-Laws requires members to keep current at all times by amendments to the Uniform Applications for Securities Industry Registration or Transfer (Form U4) or a Uniform Termination Notices for Securities Industry Registration (Form U5) not later than 30 days after learning of the facts or circumstances giving rise to the amendment. Additionally, 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."

From March 2011 to May 2014 Cacace was responsible for ensuring that Legend timely reported to FINRA statistical and summary information regarding written customer complaints and timely filed amendments for the Firm's associated persons in their respective Forms U4 and U5.

For the time period March 2011 to August 2013 Cacace failed to ensure that Legend reported, or timely reported, statistical and summary information regarding 75 written customer complaints sent to the Firm. In addition, for the time period April 2014 to May 2014, Cacace failed to ensure that Legend reported, or timely reported, statistical and summary information regarding five written customer complaints sent to the Firm. By virtue of this conduct, Cacace violated NASD Rule 3010(c) (for conduct until June 30, 2011), FINRA Rule 4530(d) (for conduct on and after July 1, 2011) and FINRA Rule 2010.

In addition, for the time period March 2011 to July 2013, Cacace failed to ensure that Legend timely filed Form U4 or U5 amendments for four registered representatives with respect to three customer complaints and a customer arbitration. By virtue of this conduct, Cacace violated Article V, Section 2(c) of the FINRA By-Laws and FINRA Rules 1122 and 2010.

B. I also consent to the imposition of the following sanctions:

- a suspension in all principal capacities for 20 business days; and
- a \$5,000 fine.

The fine shall be due and payable either immediately upon reassociation with a member firm, 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.

I specifically and voluntarily waive any right to claim that I am unable to pay, now or at any time hereafter, the monetary sanction imposed in this matter.

II.

WAIVER OF PROCEDURAL RIGHTS

I specifically and voluntarily waive the following rights granted under FINRA's Code of Procedure:

- A. To have a Complaint issued specifying the allegations against me;**
- 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, I specifically and voluntarily waive any right to claim bias or prejudgment of the Chief Legal Officer, 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.

I further specifically and voluntarily waive 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

I understand 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 me; and**
- C. If accepted:**
 - 1. this AWC will become part of my 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 accordance with FINRA Rule 8313;**
 - 3. FINRA may make a public announcement concerning this agreement and the subject matter thereof in accordance with FINRA Rule 8313; and**
 - 4. I 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. I 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 my: (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. I may attach a Corrective Action Statement to this AWC that is a statement of demonstrable corrective steps taken to prevent future misconduct. I understand that I 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.**

I certify that I have read and understand all of the provisions of this AWC and have been given a full opportunity to ask questions about it; that I have 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 me to submit it.

30/2016
Date (mm/dd/yyyy)


Christopher Cacace (CRD No. 4308782)

Reviewed by:

David Jarvis, Esq.
Counsel for Respondent
Jarvis Law Group PLLC
7031 Orchard Lake Road
Suite 206
West Bloomfield, MI 48322

Accepted by FINRA:

1/17/2017
Date

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



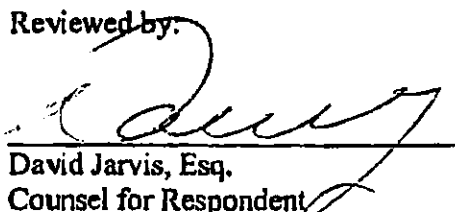
Bruce M. Sabados
Senior Counsel
FINRA Department of Enforcement
Brookfield Place
200 Liberty Street
New York, NY 10281
(646) 315-7241

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