

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2012031673101**

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

RE: John A. Escobar, Respondent
Registered Representative
CRD No. 5522037

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

John A. Escobar ("Escobar") has been in the securities industries since May 2008 as a registered representative. Since January 2009, Escobar has been registered with MWA Financial Services, Inc. ("MWA"), a FINRA-registered firm

RELEVANT DISCIPLINARY HISTORY

Escobar has no relevant disciplinary history.

OVERVIEW

Escobar violated FINRA By-Laws Article V Section 2 and FINRA Conduct Rules 1122 and 2010 by failing to timely amend his Form U4 to disclose an unsatisfied tax lien and an unsatisfied judgment.

FACTS AND VIOLATIVE CONDUCT

On May 14, 2008, a tax lien was entered against Escobar by the Wood County Court of Common Pleas in the amount of \$4,255.77. On June 18, 2008, Escobar completed his firm's compliance program and online learning course, which included a list of reportable events (including civil litigation and financial events), and instructions that such events must be reported within 30 days after learning of the facts and circumstances giving rise to the reportable event. In response to a request by the firm he was registered with at the time to update his Form U4, on June 16, 2008 Escobar answered "No" to the question "Do you have any unsatisfied judgments or liens against you?" Escobar did not disclose the tax lien until January 27, 2009, when he signed a Form U4 to become registered with MWA.

On August 26, 2011, a judgment was entered against Escobar in the amount of \$10,692.50. On October 27, 2011, Escobar completed an annual compliance form at MWA. In response to question 10 which asked, "Have you had any judgments or liens against you or your personal property in the last 18 months?" Escobar responded "no". Escobar claimed that the failure to report the judgment on his Form U4 filed in October 27, 2011 was "an oversight" and that he discovered his mistake when he was preparing his tax documents in March 2012. Escobar did not disclose the judgment until March 7, 2012, when he updated his Form U4 with MWA.

At all times, Escobar was required to keep his Form U4 current by filing amendments within 30-days of learning of facts that are required to be disclosed. Escobar's failure to amend his Form U4 in a timely manner regarding the tax lien and the judgment constitute violations of Article V, Section 2(c) of FINRA By-Laws and FINRA Rules 1122 and 2010.

- B. I also consent to the imposition of the following sanctions: (1) a suspension from associating with any FINRA member firm in any capacity of twenty (20) business days, and (2) a \$2,500 fine.

I agree to pay the monetary sanction(s) upon notice that this AWC has been accepted and that such payment(s) are due and payable. I have submitted an Election of Payment form showing the method by which I propose to pay the fine imposed.

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

I understand that if I am barred or suspended from associating with any FINRA member, I become 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, I 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 sanctions imposed herein shall be effective on a date set by FINRA staff.

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 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.

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 response to public inquiries about my 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. 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.

11/26/2013
Date (mm/dd/yyyy)


John A. Escobar, Respondent

Accepted by FINRA:

12/16/13
Date

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



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