

FINANCIAL INDUSTRY REGULATORY AUTHORITY

OFFICE OF HEARING OFFICERS

Department of Enforcement,

Complainant,

v.

August D. Wojtkiewicz (CRD No. 6083270),

Respondent.

DISCIPLINARY PROCEEDING
No. 2012034042001

COMPLAINT

The Department of Enforcement alleges:

SUMMARY

1. Respondent August D. Wojtkiewicz ("Wojtkiewicz") willfully made false statements concerning his criminal history on an application for registration.

RESPONDENT AND JURISDICTION

2. On or about August 13, 2012, Wojtkiewicz filed an application for registration as a General Securities Representative at FINRA member National Securities Corporation (the "Firm"). His registration was approved on or about August 29, 2012.
3. On or about September 12, 2012, Wojtkiewicz's registration at the Firm was terminated because he "FAILED TO DISCLOSE CRD REPORTABLE ITEM(S) TO FIRM DURING THE HIRING PROCESS."

4. Although Wojtkiewicz 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, because:
 - a. the Complaint was filed within two years after the effective date of termination of his registration with the Firm, namely, September 12, 2012; and
 - b. the Complaint charges him with misconduct committed while he was registered or associated with a FINRA member.

CAUSE OF ACTION

FALSE STATEMENTS ON APPLICATION FOR REGISTRATION (FINRA BY-LAWS, ARTICLE V, SECTION 2 AND FINRA RULES 1122 AND 2010)

5. The Department re-alleges and incorporates by reference paragraphs 1 through 4 above.
6. On or about October 12, 2010, Wojtkiewicz was charged by the State of New York with five felony counts, to wit, Burglary in the Second Degree, two counts of Grand Larceny in the Fourth Degree and two counts of Criminal Possession of Stolen Property in the Fourth Degree. On that date, however, he was unable to be present in court.
7. On or about November 9, 2010, Wojtkiewicz appeared in New York State Supreme Court, where he was notified of the felonies with which he had been charged.
8. On or about January 13, 2012, Wojtkiewicz pled guilty to one count of Attempted Burglary in the Second Degree, a felony.
9. On or about August 13, 2012, Wojtkiewicz completed, signed and submitted to the Firm a Uniform Application for Securities Industry Registration or Transfer ("Form

U4”). On the Form U4, Wojtkiewicz willfully misrepresented that he had never been charged with or pled guilty to any felony.

10. By willfully making false statements on an application for registration with a FINRA member, Wojtkiewicz violated Article V, Section 2(a) of the FINRA By-Laws and FINRA Rules 1122 and 2010.

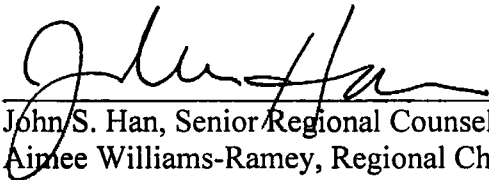
RELIEF REQUESTED

WHEREFORE, the Department respectfully requests that the Panel:

- A. make findings of fact and conclusions of law that Wojtkiewicz committed the violations charged and alleged herein;
- B. order that one or more of the sanctions provided under FINRA Rule 8310(a), including monetary sanctions, be imposed;
- C. order that Wojtkiewicz bear such costs of proceeding as are deemed fair and appropriate under the circumstances in accordance with FINRA Rule 8330; and
- D. make specific findings that Wojtkiewicz’s conduct, as alleged in the Cause of Action, was willful; the omitted information was material; and the omission to state material facts was on a Form U4 application.

FINRA DEPARTMENT OF ENFORCEMENT

Date: 05/22/2014



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