

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2012035172301**

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

RE: Joshua Daniel Mosshart, Respondent
General Securities Representative and General Securities Principal
CRD No. 3174050

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

Mosshart was associated with LPL Financial LLC ("LPL" or "the Firm") from July 2, 2004 through November 13, 2012 as a General Securities Representative and General Securities Principal. He is not currently associated with a FINRA member and has no disciplinary history.

OVERVIEW

While associated with LPL, Mosshart referred individuals to Enviro Board Corporation ("Enviro Board" or "Company") who invested about \$5 million. From January 1, 2012 through November 13, 2012, Mosshart also served as Enviro Board's President. Mosshart violated FINRA Rules 3270 and 2010 by failing to provide LPL with prompt written notice of the nature and scope of his outside business activities. He also violated NASD Rule 3040 and FINRA Rule 2010 by failing to notify and to receive approval from LPL to participate in private securities transactions.

FACTS AND VIOLATIVE CONDUCT

In May 2011, Mosshart sought permission from LPL to be an Enviro Board sales representative involved in selling manufacturing machines for building panels. Although LPL approved this outside business activity, it specifically advised Mosshart that he was not to solicit any individuals to invest in Enviro Board and required him to inform the Firm about any material changes in his role with the Company.

From May 2011 through November 13, 2012, while associated with LPL, Mosshart referred about 20 investors, at least six of whom were LPL customers, to Enviro Board, who, in turn, invested nearly \$5 million in the Company. Mosshart received about \$485,000 in referral fees.

From January 1, 2012 through November 13, 2012, Mosshart also served as Enviro Board's President.

Mosshart never informed LPL that: (i) he was referring investors to Enviro Board and receiving fees for those referrals; and (ii) from January 2012 through November 2012 he served as Enviro Board's President.

By failing to provide LPL with prompt and accurate written notice of the nature and scope of his activities with the Company, Mosshart violated FINRA Rules 3270 and 2010.

By failing to provide written notice to LPL that he was referring investors to the Company and being compensated for those referrals, and by failing to receive written approval from LPL to engage in those private securities transactions, Mosshart violated NASD Rule 3040 and FINRA Rule 2010.

OTHER FACTORS

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

A bar from association with any FINRA member firm in any capacity.

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. Pursuant to FINRA Rule 8313(e), a bar or expulsion shall become effective upon approval or acceptance of this AWC.

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 it;
- 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.

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

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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.

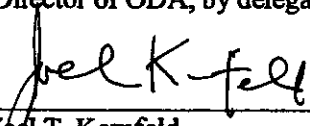
12-13-2013
Date (mm/dd/yyyy)

By: 
Joshua Daniel Mosshart

Accepted by FINRA:

1/7/2014
Date

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


Joel T. Kornfeld
Senior Regional Counsel
FINRA Department of Enforcement
300 S. Grand Avenue, Suite 1600
Los Angeles, CA 90071
(213) 613-2643; Fax: (213) 617-1570