

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2013036104701**

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

RE: William Maximillian Pottetti, Respondent
Former Registered Representative
CRD No. 1132085

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

William Maximillian Pottetti ("Pottetti") first entered the securities industry in 1983 when he became associated with a FINRA member firm. He subsequently obtained Series 4, 7, 24, 63 and 65 licenses. After registration at several other member firms, Pottetti registered as a Series 7 representative with member firm Chase Investment Services Corp. ("Chase" or the "Firm") in December 2007. In October 2012, his registration with J.P. Morgan Securities LLC, successor to Chase, was terminated. Pottetti was registered with another FINRA member firm between August 2013 and September 2015. Although, Pottetti is not currently registered with a FINRA member firm, FINRA retains jurisdiction over Pottetti pursuant to Article V, Section 4(a), of the FINRA By-Laws.

SUMMARY

In 2011, Pottetti converted \$50,000 from a Firm customer in violation of FINRA Rules 2150(a) and 2010.

FACTS AND VIOLATIVE CONDUCT

In or about January 2011, Pottetti recommended to a Firm customer that she invest in a company Pottetti claimed to have started to treat gray hair. Pottetti accepted a \$50,000 check from the customer in January 2011 for this purpose. However, Pottetti did not invest the funds as intended, but rather converted them for his own personal use, later returning only \$5,000 to the customer.

FINRA Rule 2150(a) provides that no member or person associated with a member shall make improper use of a customer's securities or funds.

FINRA Rule 2010 provides that "[a] member, in the conduct of its business, shall observe high standards of commercial honor and just and equitable principles of trade."

By converting his customer's funds to his personal use, Pottetti violated FINRA Rules 2150(a) and 2010.

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

A bar from associating 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 sanction imposed herein shall be effective on a date set by FINRA staff. 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 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.

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.

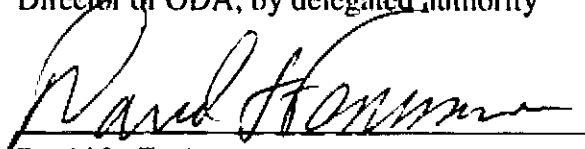
09/18/2015
Date (mm/dd/yyyy)


William Maximillian Pottetti, Respondent

Accepted by FINRA:

October 7, 2015
Date

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

A handwritten signature in black ink, appearing to read "David L. Fenimore", written over a horizontal line.

David L. Fenimore
Senior Counsel
FINRA Department of Enforcement
15200 Omega Drive
Suite 300
Rockville, MD 20850
Phone: 301-258-8526
Facsimile: 202-721-8363