

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT**

NO. 2013037992001

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

RE: Jonathan Clark Pool, Respondent
CRD No. 5110534

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, Pool submits 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 Pool alleging violations based on the same factual findings described herein.

I.

ACCEPTANCE AND CONSENT

- A. Pool hereby accepts and consents, 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

Pool first became registered as an Investment Company Products/Variable Contracts Representative (IR) with FINRA in 2007 through an association with MML Investors services, Inc. (BD No. 10409). In 2011, Pool became licensed as a General Securities Representative ("GSR") with Chase Investment Services Corp. (BD No. 25574), which later merged with JP Morgan Securities, Inc. (BD No. 79). In 2013, Pool became associated as an IR and GSR with Merrill Lynch, Pierce, Fenner and Smith, Inc. (Merrill") (BD No. 7691) located in Lubbock, Texas. On August 15, 2013, Merrill filed a Uniform Termination Notice for Securities Registration ("Form U5") with FINRA disclosing that Pool was discharged from employment in connection with conduct that had occurred prior to his Merrill employment. Pool is not currently employed by a FINRA regulated broker-dealer, but remains subject to FINRA's jurisdiction pursuant to Article V, Section 4 of FINRA's By-Laws through August 14, 2015.

Pool has no prior disciplinary history.

FACTS AND VIOLATIVE CONDUCT

On November 19, 2013, Enforcement sent a letters to Pool pursuant to FINRA Rule 8210 requesting that Pool provide a written statement and documents in connection with an allegation that Pool misappropriated \$17,253 in customer

funds from a senior citizen and that Pool appear for testimony on December 3, 2013. Enforcement's November 19, 2013 letters were sent by certified mail return receipt requested, first class mail and email to Pool at his counsel's office.

By letter dated November 25, 2013, Pool advised through his counsel that he would not cooperate with Enforcement's requests for information and testimony as requested.

Pool failed to provide information as requested. Additionally, Pool failed to appear for testimony on December 3, 2013. By virtue of this conduct Pool violated FINRA Rule 8210. In addition, Pool violated FINRA Rule 2010, which requires the observance of high standards of commercial honor and equitable principles of trade.

OTHER FACTORS

B. Pool also consents to the imposition of the following sanction:

- A bar from association with any FINRA regulated broker-dealer in any capacity.

Pool understands that if he is barred or suspended from associating with any FINRA member, he becomes 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, Pool 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. 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

Pool specifically and voluntarily waives the following rights granted under FINRA's Code of Procedure:

- A. To have a Complaint issued specifying the allegations against him;
- 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, Pool specifically and voluntarily waives 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.

Pool further specifically and voluntarily waives 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

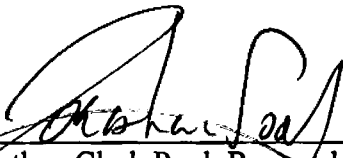
Pool understands that:

- 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 Pool; and
- C. If accepted:
 - 1. this AWC will become part of Pool's permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against him;
 - 2. this AWC will be made available through FINRA's public disclosure program in response to public inquiries about Pool's 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. Pool 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. Pool 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 Pool's: (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.

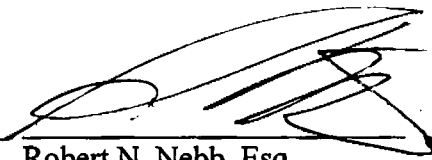
Pool certifies that he has read and understands all of the provisions of this AWC and has been given a full opportunity to ask questions about it; that he has agreed to its provisions voluntarily; and that no offer, threat, inducement, or promise of any kind, other than the terms set forth herein and the prospect of avoiding the issuance of a Complaint, has been made to induce him to submit it.

Dec 16/2013

Date (mm/dd/yyyy)


Jonathan Clark Pool, Respondent

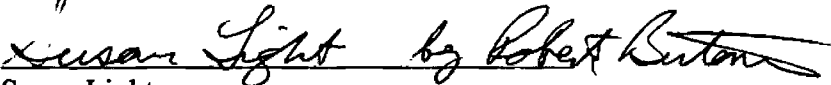
Reviewed by:


Robert N. Nebb, Esq.
Law Office of Michael H. Carper, P.C.
1102 Main Street
Lubbock, Texas 79401

Accepted by FINRA:

12/18/13
Date

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


Susan Light
Senior Vice President and Chief Counsel
FINRA, Department of Enforcement
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