

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2014040319801**

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

RE: William Robert Hartnett
Registered Representative
CRD No. 3159092

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 Respondent 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 Robert Hartnett ("Hartnett") first entered the securities industry in April 1998 with FINRA member firm Painewebber Incorporated and first registered with FINRA as a registered representative (Series 7) in July 1999. After registration with other FINRA member firms, he registered as a Series 7 with Infinex Investments, Inc. ("Infinex") on May 1, 2003. Hartnett also served as Vice President, Retail Investments and Business Development Officer of Weymouth Bank in Weymouth Massachusetts ("Weymouth") since July 2007. Infinex filed a Form U5 on February 27, 2014 terminating Hartnett's registration. Hartnett has not been associated with a FINRA member firm since his termination from Infinex.

FINRA retains jurisdiction over Hartnett pursuant to Article V, Section 4(a), of the FINRA By-Laws because (1) the AWC has been filed within two years after the effective date of his last termination of registration from a FINRA member, and (2) this action charges Hartnett with converting funds during the period he was last registered or associated with a FINRA member.

FACTS AND VIOLATIVE CONDUCT

Hartnett was appointed sole guardian of two minor children in November 2009. Seven savings accounts and three checking accounts, funded primarily from insurance and other funds from the children's deceased parents, were established at Weymouth Bank for the benefit of the two children. Hartnett was the trustee or custodian of each of the savings accounts and controlled the checking accounts. During 2013, Hartnett withdrew over \$267,000 from the children's accounts at Weymouth, and converted many of the funds to his own use, in contravention to his duty to preserve and use the funds for the benefit of the two children. As a result of the foregoing, Hartnett violated FINRA Rule 2010.

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

A bar in all capacities from associating with any FINRA member.

I understand that if I am barred 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.¹

The sanction imposed herein shall be effective on a date set by FINRA staff. Pursuant to FINRA Rule 8313(e), a bar 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;

¹ See FINRA Rules 8310 and 8311.

- 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 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.

3/18/2014
Date (mm/dd/yyyy)

William Robert Hartnett
William Robert Hartnett, Respondent

Accepted by FINRA:

April 21, 2014
Date

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

David L. Fenimore

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