

FINANCIAL INDUSTRY REGULATORY AUTHORITY

OFFICE OF HEARING OFFICERS

Department of Enforcement,

Complainant,

v.

Anthony Uzoma Ogbonna
(CRD No. 2771427),

Respondent.

DISCIPLINARY PROCEEDING
No. 2014040437703

COMPLAINT

The Department of Enforcement alleges:

SUMMARY

1. In 2014, Anthony Uzoma Ogbonna ("Ogbonna" or "Respondent") failed to timely respond to FINRA's requests for information and documents made pursuant to FINRA Rule 8210 in violation of FINRA Rules 8210 and 2010.
2. Ogbonna only provided the requested documents and information after the initiation of an expedited proceeding against him pursuant to FINRA Rule 9552.
3. Separately, in 2015, Ogbonna failed to timely appear and provide testimony requested pursuant to FINRA Rule 8210 in violation of FINRA Rules 8210 and 2010.
4. Ogbonna only appeared and provided testimony requested by FINRA after the initiation of second expedited proceeding against him pursuant to FINRA Rule 9552.

5. During 2012-2014, Ogbonna also willfully failed to disclose a judgment on his Form U4 in violation of Article V, Section 2 of FINRA's By-Laws and FINRA Rules 1122 and 2010.

RESPONDENT AND JURISDICTION

6. Ogbonna first became associated with a FINRA member firm in 1997. He obtained his Investment Company and Variable Contracts Products Representative (Series 6) license in July 1997.
7. In April 2000, Ogbonna became associated with Banc One Securities Corporation, which later became FINRA member firm J.P. Morgan Securities LLC (BD No. 79) ("JP Morgan"). Ogbonna remained associated with JP Morgan until March 7, 2014.
8. While associated with JP Morgan, Ogbonna was also employed by JP Morgan Chase Bank, N.A. ("Chase Bank").
9. Ogbonna is not currently associated with a FINRA member firm.
10. Although Ogbonna is no longer associated with a FINRA member firm, he remains subject to FINRA's jurisdiction for purposes of this proceeding, pursuant to Article V, Section 4 of FINRA's By-Laws, because (1) this Complaint was filed within two years after the date upon which he ceased to be associated with a FINRA member firm and (2) this Complaint charges him with misconduct committed while he was associated with a FINRA member firm and with failing to respond to FINRA requests for information and testimony during the two-year period after the date upon which he ceased to be registered or associated with a FINRA member firm.

FIRST CAUSE OF ACTION
Failure to Timely Respond to Requests for Information and Testimony
(FINRA Rules 8210 and 2010)

11. The Department realleges and incorporates by reference paragraphs 1 through 10 above.
12. FINRA Rule 8210 requires persons subject to FINRA's jurisdiction to provide information and testimony requested in connection with any investigation or examination. Providing untimely responses to requests for information or testimony requested pursuant to FINRA Rule 8210 violates the rule.
13. On June 5, 2014, in connection with an inquiry into a Form U5 filed by JP Morgan regarding Ogbonna's termination, FINRA's Department of Enforcement ("Enforcement") staff sent Ogbonna a request letter, pursuant to FINRA Rule 8210, to his CRD address by certified and first class mail. The letter asked that Ogbonna provide certain information and documents, including copies of his bank and brokerage account statements. The request required a response by June 19, 2014.
14. The first class letter was not returned. The certified letter was unclaimed and returned to Enforcement staff on July 3, 2014.
15. Ogbonna did not respond to the request by the due date of June 19, 2014.
16. On June 23, 2014, Enforcement staff sent a second request letter to Ogbonna, pursuant to FINRA Rule 8210, by certified and first class mail to his CRD address seeking the same information sought in the June 5, 2014 letter. The June 23, 2014 letter required that Ogbonna provide a response by July 7, 2014.

17. The first class letter was not returned. The certified letter was unclaimed and returned to Enforcement staff on July 19, 2014.
18. Ogbonna did not respond to the second request by the due date of July 7, 2014.
19. As a result of Ogbonna's failure to respond to Enforcement staff's two FINRA Rule 8210 request letters, on July 25, 2014, Enforcement staff initiated a FINRA Rule 9552 proceeding against Ogbonna. The Notice of Suspension was served by certified and first class mail to Ogbonna's CRD address.
20. The Notice of Suspension stated, among other things, that Ogbonna would be suspended from associating with any FINRA member firm in any capacity unless he complied with the FINRA Rule 8210 requests of June 5, 2014 and June 23, 2014, prior to the suspension date of August 18, 2014.
21. The Notice of Suspension sent by certified mail was signed for by Anthony Ogbonna on August 8, 2014.
22. On or about August 11, 2014, Enforcement staff received Ogbonna's response to the FINRA Rule 8210 requests dated June 5, 2014 and June 23, 2014.
23. On August 15, 2014, Enforcement staff terminated the FINRA Rule 9552 proceeding against Ogbonna.
24. On December 1, 2014, Enforcement staff sent Ogbonna a testimony request letter, pursuant to FINRA Rule 8210, to his CRD address by certified and first class mail. The letter asked that Ogbonna appear for testimony in Rockville, Maryland on January 30, 2015.
25. The first class letter was not returned. The certified letter was unclaimed and returned to Enforcement staff on January 2, 2015.

26. On January 9, 2015, Enforcement staff sent a copy of the December 1, 2014 testimony request letter to another address discovered for Ogbonna (the "Lexis Address").
27. Ogbonna's CRD address was 2916 W. 14th Street while the Lexis Address was 2916 141st Street. Both addresses include the same city, state and zip code.
28. The first class letter was not returned. The certified letter was unclaimed and returned to Enforcement staff on February 8, 2015.
29. Ogbonna did not appear for testimony on January 30, 2015.
30. On February 6, 2015, Enforcement staff sent a second testimony request letter to Ogbonna, pursuant to FINRA Rule 8210, by certified and first class mail to his CRD address and his Lexis address. The letter asked that Ogbonna appear for testimony in Rockville, Maryland on March 4, 2015. The letter referenced his failure to appear for testimony on January 30, 2015, and included copies of the December 1, 2014 letter and correspondence forwarding the December 1, 2014 letter to Ogbonna's Lexis Address on January 9, 2015.
31. Both first class letters were not returned. Both certified letters were unclaimed and returned to Enforcement staff on March 4, 2015.
32. Ogbonna did not appear for testimony on March 4, 2015.
33. As a result of Ogbonna's failure to appear for testimony pursuant to FINRA Rule 8210 on January 30, 2015 and March 4, 2015, on March 9, 2015, Enforcement staff initiated a FINRA Rule 9552 proceeding against Ogbonna. The Notice of Suspension was served by certified and first class mail to Ogbonna's CRD address and Lexis address.

34. The Notice of Suspension stated, among other things, that Ogbonna would be suspended from associating with any FINRA member firm in any capacity unless responded to Enforcement staff's requests for testimony prior to the suspension date of April 2, 2015.
35. Both first class letters were not returned. Both certified letters were unclaimed and returned to Enforcement staff on April 3, 2015.
36. Ogbonna did not respond to Enforcement staff's requests for testimony by April 2, 2015.
37. As a result of Ogbonna's failure to respond to Enforcement staff's requests for testimony by April 2, 2015, Ogbonna was suspended from association with any FINRA member pursuant to FINRA Rule 9552. A Suspension from Association letter was served by first class and certified mail to Ogbonna's CRD address and Lexis address.
38. The Suspension from Association letter stated, among other things, that Ogbonna would be barred from associating with any FINRA member firm in any capacity unless he responded to Enforcement staff's requests for testimony prior to the bar date of June 12, 2015.
39. Both first class letters were not returned. Both certified letters were unclaimed and returned to Enforcement staff on April 28, 2015.
40. On April 13, 2015, Ogbonna contacted Enforcement staff to schedule testimony.
41. Ogbonna appeared for testimony on May 5, 2015.
42. As a result of Ogbonna's appearance for testimony, Enforcement staff terminated Ogbonna's suspension from association on May 5, 2015.
43. Based on the foregoing, Ogbonna violated FINRA Rules 8210 and 2010.

SECOND CAUSE OF ACTION
(Willful Failure to Amend Form U4)
(Article V, Section 2 of the FINRA By-Laws and FINRA Rules 1122 and 2010)

44. The Department realleges and incorporates by reference paragraphs 1 through 43 above.
45. Article V, Section 2 of FINRA's By-Laws requires that every application for registration be kept current at all times by supplementary amendments and that such amendments to the application be filed not later than 30 days after learning of the facts or circumstances giving rise to the amendment.
46. FINRA Rule 1122 provides in relevant part that no member or associated person shall file with FINRA information with respect to membership or registration which is incomplete or inaccurate so as to be misleading, or which could in any way tend to mislead, or fail to correct such filing after notice thereof. FINRA Rule 1122 superseded NASD Rule IM-1000-1 effective August 17, 2009.
47. Question 14M of the Form U4 asks, "Do you have any unsatisfied judgments or liens against you?" If an affirmative answer is given to Question 14M, the registered person is required to provide details about the judgment or lien.
48. On or about February 14, 2012, while Ogbonna was associated with JP Morgan, a judgment was entered against him for \$1,622.00 (the "Judgment").
49. The Judgment remains unsatisfied.
50. Ogbonna became aware of the Judgment in February 2012.
51. Ogbonna did not disclose the Judgment to JP Morgan or Chase Bank.

52. On December 5, 2012, Ogbonna completed an annual compliance certification questionnaire for JP Morgan, on which he falsely stated that he did not have any unsatisfied judgments or liens that he had not previously reported to the firm to report to the firm.
53. Ogbonna failed to disclose the Judgment on his Form U4.
54. Ogbonna willfully failed to amend his Form U4 to disclose the material fact that the Judgment had been entered against him.
55. Based on the foregoing, Ogbonna willfully violated Article V, Section 2 of FINRA's By-Laws and FINRA Rules 1122 and 2010.

RELIEF REQUESTED

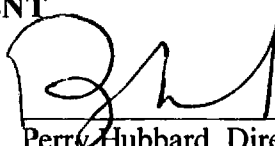
WHEREFORE, the Department respectfully requests that the Panel:

- A. make findings of fact and conclusions of law that Respondent 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 Respondent 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 Respondent's conduct, as alleged in the Second 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:

2/21/15



Perry Hubbard, Director
FINRA Department of Enforcement
15200 Omega Drive, 3rd Floor
Rockville, MD 20850
Phone: 201-358-8543; Fax: 202-721-8391
Perry.Hubbard@finra.org