

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2014043594201**

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

RE: Ian Blane Meierdiercks, Respondent
General Securities Representative
CRD No. 3205009

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, Respondent Ian Blane Meierdiercks 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 Meierdiercks alleging violations based on the same factual findings described herein.

I.

ACCEPTANCE AND CONSENT

- A. Meierdiercks 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

Meierdiercks entered the securities industry in March 1999. Meierdiercks associated with Sterne Agee Financial Services, Inc. ("Sterne Agee" n/k/a SA Stone Wealth Management, Inc.) as a General Securities Representative in October 2003, and remains with the Firm to date.

RELEVANT DISCIPLINARY HISTORY

Meierdiercks has no relevant disciplinary history.

OVERVIEW

From December 2010 through November 2014 (the "Relevant Period"), while registered with Sterne Agee, shares in 33 initial public offerings ("IPOs") were purchased and sold in Meierdiercks' personal brokerage account held at Berthel, Fisher & Company Financial Services, Inc. ("Berthel"). Meierdiercks fully disclosed the account to Sterne Agee. Meierdiercks' account experienced gains

of \$19,540.09 on his profitable IPO transactions.¹ Through this conduct Meierdiercks violated FINRA Rules 5130 and 2010.

FACTS AND VIOLATIVE CONDUCT

In relevant part, FINRA Rule 5130 prohibits a person associated with a member from purchasing a new issue in any account in which such person associated with a member has a beneficial interest.

Meierdiercks, while registered with Sterne Agee, opened a brokerage account at Berthel, and entrusted the handling of the account entirely to Berthel representative FK. Meierdiercks and FK were friends and worked together at another FINRA member firm and at Sterne Agee. The Berthel brokerage account was fully disclosed to Sterne Agee. During the Relevant Period, the following 33 IPOs were purchased and sold in Meierdiercks' Berthel account based solely on FK's recommendations:

- On December 15, 2010, 455 shares of RigNet, Inc. were purchased in Meierdiercks' account. On December 31, 2010, those shares were sold for a gain of \$608.61.
- On January 27, 2011, 265 shares of BankUnited were purchased in Meierdiercks' account. On February 18, 2011, those shares were sold for a gain of \$683.91.
- On May 4, 2011, 704 shares of Renren, Inc. were purchased in Meierdiercks' account. On May 13, 2011, those shares were sold for a loss of \$1,130.27.
- On July 27, 2012, 1,000 shares of Del Frisco's Restaurant Group, Inc. were purchased in Meierdiercks' account. On August 13, 2012, those shares were sold for a loss of \$697.70.
- On August 7, 2012, 1,000 shares of Bloomin' Brands, Inc. were purchased in Meierdiercks' account. On August 23, 2012, those shares were sold for a gain of \$2,162.00.
- On September 26, 2012, 3,000 shares of Santander Mexico Financial Group were purchased in Meierdiercks' account. On October 12, 2012, those shares were sold for a gain of \$7,131.60.
- On October 3, 2012, 1,200 shares of Berry Plastics Group, Inc. were purchased in Meierdiercks' account. On October 23, 2013, those shares were sold for a loss of \$2,446.95.

¹ This calculation does not account for Meierdiercks' losses on IPO transactions as detailed below.

- On October 9, 2012, 1,000 shares of Ambarella, Inc. were purchased in Meierdiercks' account. On November 1, 2012, those shares were sold for a gain of \$1,734.00.
- On October 10, 2012, 3,000 shares of Amira Nature Foods, Ltd. were purchased in Meierdiercks' account. On October 25, 2012, those shares were sold for a loss of \$7,081.50.
- On November 18, 2012, 16 shares of General Motors Company were purchased in Meierdiercks' account. On January 28, 2013 those shares were sold for a gain of \$63.87.
- On November 21, 2012, 1,000 shares of YY, Inc. were purchased in Meierdiercks' account. On December 6, 2012, those shares were sold for a gain of \$2,010.00.
- On February 8, 2013, 2,000 shares of ZAIS Financial Corp. were purchased in Meierdiercks' account. On February 26, 2013, those shares were sold for the same price (resulting in no profits or losses)
- On April 18, 2013, 500 shares of Taminco Corp. were purchased in Meierdiercks' account. On May 3, 2013, those shares were sold for a gain of \$32.50.
- On May 1, 2013, 1,000 shares of GW Pharmaceuticals were purchased in Meierdiercks' account. On May 23, 2013, those shares were sold for a loss of \$73.00.
- On May 23, 2013, 1,000 shares of Constellium NV were purchased in Meierdiercks' account. On June 18, 2013, those shares were sold for a gain of \$17.50.
- On June 26, 2013, 1,000 shares of HD Supply Holdings, Inc. were purchased in Meierdiercks' account. On July 12, 2013, those shares were sold for a gain of \$1,383.00.
- On July 18, 2013, 108 shares of UCP, Inc. were purchased in Meierdiercks' account. On August 2, 2013, those shares were sold for a loss of \$107.73.
- On July 24, 2013, 1,000 shares of Jones Energy, Inc. were purchased in Meierdiercks' account. On August 8, 2013, those shares were sold for a loss of \$998.80.
- On August 7, 2013, 1,000 shares of YuMe, Inc. were purchased in Meierdiercks' account. On August 22, 2013, those shares were sold for a loss of \$134.80.

- On October 1, 2013, 1,000 shares of Fate Therapeutics, Inc. were purchased in Meierdiercks' account. On October 18, 2013, those shares were sold for a gain of \$980.00.
- On October 2, 2013, 1,000 shares of Empire State Realty Trust, Inc. were purchased in Meierdiercks' account. On October 17, 2013, these shares were sold for a gain of \$675.80.
- On October 25, 2013, 1,000 shares of Commscope Holding Company, Inc. were purchased in Meierdiercks' account. On November 11, 2013, those shares were sold for a gain of \$500.10.
- On November 6, 2013, 1,000 shares of Arc Logistics Partners, LP were purchased in Meierdiercks' account. On November 21, 2013, those shares were sold for a gain of \$69.10.
- On November 6, 2013, 1,000 shares of Avianca Holdings, SA were purchased in Meierdiercks' account. On November 21, 2013, those shares were sold for a loss of \$377.50.
- On November 6, 2013, 500 shares of Mavenir Systems were purchased in Meierdiercks' account. On November 22, 2013, those shares were sold for the same price (resulting in no profits or losses).
- On November 8, 2013, 500 shares of JG Wentworth Co. were purchased in Meierdiercks' account. On November 26, 2013, those shares were sold for a gain of \$685.00.
- On November 13, 2013, 1,000 shares of Dynagas LNG Partners, LP were purchased in Meierdiercks' account. On November 29, 2013 those shares were sold for a gain of \$500.00.
- On December 12, 2013, 1,000 shares of Scorpio Bulkers, Inc. were purchased in Meierdiercks' account. On December 17, 2013, those shares were sold for a loss of \$168.
- On April 9, 2014, 1,500 shares of Ally Financial, Inc. were purchased in Meierdiercks' account. On April 28, 2014, those shares were sold for a loss of \$1,416.00.
- On April 16, 2014, 1,000 shares of Sabre Corp. were purchased in Meierdiercks' account. On May 5, 2014, those shares were sold for a loss of \$939.80.
- On August 8, 2014, 2,000 shares of Ryerson Holding Corp. were purchased in

Meierdiercks' account. On August 25, 2014, those shares were sold for a loss of \$1,165.00.

- On September 24, 2014, 1,000 shares of Medley Management, Inc. were purchased in Meierdiercks' account. On October 9, 2014, those shares were sold for a loss of \$2,497.30.
- On October 8, 2014, 500 shares of OM Asset Management PLC were purchased in Meierdiercks' account. On November 3, 2014, those shares were sold for a gain of \$303.10.

From all of his IPO trading, based on FK's recommendations, Meierdiercks earned a total profit of \$19,540.09. As a result of the foregoing conduct, Meierdiercks violated FINRA Rules 5130 and 2010.

B. Meierdiercks also consents to the imposition of the following sanctions:

1. A suspension of ten business days;
2. A fine of \$7,500; and
3. Payment of \$19,540.09 in disgorgement, plus interest on the disgorgement amount at the rate set forth in Section 6621 (a)(2) of the Internal Revenue Code, 26 U.S.C. 6621(a)(2), from December 15, 2010, until the date this AWC is accepted by the National Adjudicatory Council ("NAC").

Meierdiercks agrees to pay the monetary sanctions upon notice that this AWC has been accepted and that such payments are due and payable. Meierdiercks has submitted an Election of Payment form showing the method by which he proposes to pay the fine imposed.

Meierdiercks specifically and voluntarily waives any right to claim that he is unable to pay, now or at any time hereafter, the monetary sanctions imposed in this matter.

Meierdiercks understands that if he is 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, he may not be associated with any FINRA member in any capacity, including clerical or ministerial functions, during the period of the suspension (see FINRA Rules 8310 and 8311).

The sanctions imposed herein shall be effective on a date set by FINRA staff.

II.

WAIVER OF PROCEDURAL RIGHTS

Meierdiercks 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, Meierdiercks specifically and voluntarily waives 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.

Meierdiercks 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

Meierdiercks 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 him; and
- C. If accepted:
 - 1. this AWC will become part of Meierdiercks' permanent disciplinary record and may be considered in any future actions brought by FINRA or

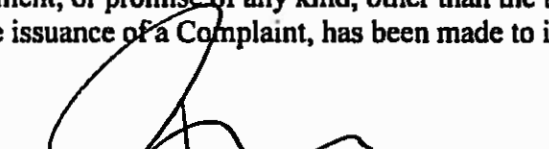
any other regulator against him;

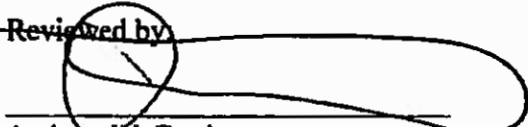
2. this AWC will be made available through FINRA's public disclosure program in accordance with FINRA Rule 8313;
3. FINRA may make a public announcement concerning this agreement and the subject matter thereof in accordance with FINRA Rule 8313; and
4. Meierdiercks may not take any action or make or 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. Meierdiercks 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 Meierdiercks': (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.

- D. Meierdiercks may attach a Corrective Action Statement to this AWC that is a statement of demonstrable corrective steps taken to prevent future misconduct. He understands that he may not deny the charges or make any statement that is inconsistent with the AWC in this Statement. This Statement does not constitute factual or legal findings by FINRA, nor does it reflect the views of FINRA or its staff.

Meierdiercks 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.

12/24/2017
Date (mm/dd/yyyy)


Respondent Ian Blane Meierdiercks


Reviewed by

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Accepted by FINRA:

02/01/2018

Date

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

Seema Chawla

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