

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 20140438591-01**

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

RE: Meyers Associates, L.P., Respondent
CRD No. 34171

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, Meyers Associates, L.P., Respondent (the "firm" or "Respondent") 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 the firm alleging violations based on the same factual findings described herein.

I.

ACCEPTANCE AND CONSENT

- A. The firm 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

The firm has been a member of FINRA since June 16, 1994, and its registration remains in effect.

RELEVANT DISCIPLINARY HISTORY

The firm has the following relevant disciplinary history relating to Order Audit Trail System ("OATS") reporting (or the supervision thereof):

- On December 21, 2011, FINRA accepted a Settlement Offer in which the firm was censured and fined \$25,000 that included a fine of \$7,500 for OATS reporting violations and \$7,500 for supervision violations (failed to transmit to OATS 6,271 Reportable Order Events on 141 separate business days; failed to establish, maintain and enforce WSPs related to OATS reporting.) with conduct that occurred July 10, 2006 through August 31, 2007. (Matter No. 20070099307).

SUMMARY

In Review No. 20140438591, the Department of Market Regulation's OATS staff ("staff") reviewed the firm's compliance with FINRA Rule 7450 and NASD Rule 3010 during the period from **July 1, 2014 through September 30, 2014** (the "review period").

FACTS AND VIOLATIVE CONDUCT

1. The firm transmitted to OATS 273 Reportable Order Events ("ROEs"), which were subsequently rejected by OATS for context or syntax errors and were repairable. The firm failed to repair 272 of these ROEs, representing 99.633% of all repairable rejected ROEs during the review period. As a result, the firm failed to submit 272 ROEs to OATS, thereby resulting in an inaccurate and or incomplete audit trail. The conduct described in this paragraph constitutes a violation of FINRA Rule 7450.
2. The firm's supervisory system did not provide for supervision reasonably designed to achieve compliance with respect to the applicable securities laws and regulations, concerning OATS reporting. Specifically, the firm's supervisory system did not include written supervisory procedures providing for: (1) the identification of the person(s) responsible for supervision with respect to the applicable rules. The firm also failed to provide documentary evidence that during the review period it performed the supervisory reviews set forth in its written supervisory procedures concerning OATS reporting. The conduct described in this paragraph constitutes a violation of FINRA Rule 2010 and NASD Rule 3010.

B. The firm consents to the imposition of the following sanctions:

- A censure and a fine of \$5,000 for FINRA Rule 7450 violations;
- A censure and a fine of \$10,000 for FINRA Rule 2010 and NASD Rule 3010 violations.

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

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

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

II.

WAIVER OF PROCEDURAL RIGHTS

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

- A. To have a Complaint issued specifying the allegations against the firm;

- 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, the firm specifically and voluntarily waives any right to claim bias or prejudice 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.

The firm 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

The firm 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 the firm; and
- C. If accepted:
 - This AWC will become part of the firm’s permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against the firm;
 - This AWC will be made available through FINRA's public disclosure program in accordance with FINRA Rule 8313;
 - FINRA may make a public announcement concerning this agreement and the subject matter thereof in accordance with FINRA Rule 8313;
 - The firm 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. The firm may not take any position in any proceeding brought by or on behalf of FINRA, or to

D. The firm may attach a Corrective Action Statement to this AWC that is a statement of demonstrable corrective steps taken to prevent future misconduct. The firm understands that it 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.

5/25/16

By:

Name: _____

Date _____

6/3/16

Justin L. Chretien
Justin L. Chretien
Chief Legal Counsel
Department of Market Regulation