

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2015044164801**

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

**RE: Adam Robert Bollinger
Former Registered Representative
CRD No. 6065030**

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 me 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

Respondent Adam Bollinger ("Bollinger") was first registered with a FINRA member firm in August 2012. From August 8, 2012 through December 23, 2014, Bollinger was registered with Edward D. Jones & Co., L.P. ("Edward Jones" or the "Firm") as a General Securities Representative (Series 7). His registration was terminated by Edward Jones on December 23, 2014 as a result of the conduct described herein.

Although Bollinger is no longer associated with a FINRA member firm, FINRA retains jurisdiction over him pursuant to Article V, Section 4, of FINRA's By-Laws.

OVERVIEW

Between February and December 2014, Bollinger converted \$17,525 from seven individuals, six of whom were Firm customers, sometimes under the guise of

soliciting charitable contributions from them. In so doing, Bollinger violated FINRA Rules 2150 and 2010.

FACTS AND VIOLATIVE CONDUCT

Over a ten-month period, from February through December 2014, Bollinger, while associated with the Firm, converted \$17,525 from six of the Firm's customers and the son of a seventh. He did this by requesting that the individuals make out checks payable to him for a variety of reasons, including to purportedly make charitable donations. Instead of using the funds for their intended purposes, however, Bollinger converted them for himself.

TG

In February 2014, Bollinger solicited TG, whose father was an Edward Jones customer, to sponsor a hole for a charity golf tournament that Bollinger falsely claimed was being organized through the Muscular Dystrophy Association. TG agreed and gave Bollinger a check for \$600. At Bollinger's request, TG made out the check payable to Bollinger. Rather than apply them for charitable purposes, Bollinger kept the funds for personal use. Later in 2014, Bollinger refunded \$600 to TG, claiming that the golf tournament never took place.

In or around February 2014, Bollinger also solicited TG to make two donations directly to the Muscular Dystrophy Association. TG agreed and gave Bollinger checks for \$200 and \$75. At Bollinger's request, TG made out the checks payable to Bollinger rather than to the charity. Bollinger kept the funds for personal use.

Customers SD and CM

In April 2014, Bollinger falsely told Edward Jones customer SD that she had to pay \$40 to him as a fee for servicing her account. At Bollinger's request, SD made out the check payable to him rather than to the Firm. Bollinger kept the funds for personal use.

In October 2014, Bollinger went to SD's home, which she shared with Firm customer CM. Bollinger solicited a charitable contribution in the amount of \$200 from SD and CM for a charity golf tournament that he falsely claimed was being sponsored by Edward Jones. SD wrote a check for \$200 drawn on her and CM's joint checking account. At Bollinger's request, SD made out the check payable to him. Bollinger kept the funds for personal use.

A month later, Bollinger returned to SD's and CM's home and solicited a second \$200 donation, allegedly for the same charity. Bollinger again requested that the check be made out to him. CM wrote the \$200 check to Bollinger from her and

SD's joint checking account, and SD signed the check. Bollinger kept the funds for personal use.

In December 2014, Bollinger visited SD at home and falsely told her that \$2,000 had been mistakenly transferred from her Edward Jones IRA to her checking account. Bollinger asked SD to make out a check to him for \$2,000 so that he could redeposit the funds into her IRA. SD did as Bollinger requested. Bollinger kept the funds for personal use.

A week later, Bollinger returned to SD's home and falsely claimed that \$9,200 had been mistakenly transferred from her Edward Jones IRA to her checking account. Bollinger asked SD to make out a check to him for \$9,200 so that he could redeposit the funds into her IRA. SD again did as Bollinger requested. Bollinger kept the funds for personal use.

Customer DB

In August 2014, Bollinger visited the home of DB, an elderly Edward Jones customer, and solicited her to contribute to a fictitious charity he called the Mary Lou Fulton Teaching Foundation. Bollinger falsely claimed this was a charity affiliated with Arizona State University through which DB could sponsor a young student to attend college. On that day, and in the weeks following, DB gave Bollinger a series of checks totaling \$4,500 for this fictitious charity. DB left the payee line of the first check she gave Bollinger blank and asked him to fill in the name of whomever the check was to be payable. Bollinger filled in his own name. At Bollinger's request, DB made out the remainder of the checks directly to him. Bollinger kept the funds for personal use. During this same period, Bollinger also solicited a \$50 cash donation from DB to purchase clothing for the student, which he also kept for personal use.

In December 2014, DB grew suspicious and asked that her donations be returned. On December 18, 2014, Bollinger gave DB a certified check in the amount of \$4,500. He did not refund the \$50 cash donation.

Customer JM

In August 2014, Bollinger solicited Edward Jones customer JM to become a sponsor of a golf tournament to benefit the United Way. JM agreed and, on August 27, 2014, gave Bollinger a \$300 check for that purpose. At Bollinger's request, JM made out the check payable to Bollinger. Bollinger kept the funds for personal use.

Customer RR

In September 2014, Bollinger solicited Edward Jones customer RR to make a donation to the Phoenix Children's Hospital. RR agreed and gave Bollinger a

check for \$100. At Bollinger's request, RR made out the check payable to Bollinger rather than to the charity. Bollinger kept the funds for personal use. On or about October 10, 2014, Bollinger charged a \$100 donation to the hospital on his credit card in RR's name.

Customer AP

In the fall of 2014, Bollinger solicited AP, an elderly Edward Jones customer, to make a \$60 donation to an organization that Bollinger said fought children's cancer. AP agreed to make the donation by check. Bollinger requested that AP make out the check payable to him rather than to the charity, and AP did as Bollinger requested. Bollinger kept the funds for his own personal use.

* * * *

FINRA Rule 2150 provides in relevant part that "No member or person associated with a member shall make improper use of a customer's securities or funds."

FINRA Rule 2010 provides that "[a] member, in the conduct of its business, shall observe high standards of commercial honor and just and equitable principals of trade."

Conversion is an intentional and unauthorized taking of and/or exercise of ownership over property by one who neither owns the property nor is entitled to possess it. Conversion from a Firm customer violates FINRA Rules 2150 and 2010. Conversion from a non-Firm customer violates FINRA Rule 2010.

By converting funds as described above from six Firm customers, Bollinger violated FINRA Rules 2150 and 2010. By converting funds from one non-Firm customer, Bollinger violated FINRA Rule 2010.

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

1. A bar from association with any FINRA member firm in any capacity.

I understand that if I am barred or suspended 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 or suspension (see FINRA Rules 8310 and 8311).

The sanctions 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

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;**
- 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 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.

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 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. 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.

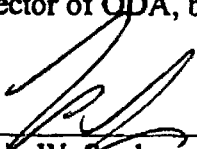
05-12-2015
Date (mm/dd/yyyy)


Adam Robert Bollinger, Respondent

Accepted by FINRA:

5/15/15
Date

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


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