

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
OFFICE OF HEARING OFFICERS**

DEPARTMENT OF ENFORCEMENT,

COMPLAINANT,

v.

MICHAEL JEAN-PAUL MASON,
(CRD No. 4938877),

RESPONDENT.

DISCIPLINARY PROCEEDING
No. 2015044198601

HEARING OFFICER:

COMPLAINT

The Department of Enforcement alleges:

SUMMARY

1. In September and October 2016, Respondent Michael Jean-Paul Mason failed to appear for testimony that he was obligated to attend pursuant to FINRA Rule 8210. As a result, Mason violated FINRA Rules 8210 and 2010.

RESPONDENT AND JURISDICTION

2. At various times since 2005, Mason was associated with several FINRA member firms. During this time period, Mason obtained the Series 6 (Investment Company and Variable Contracts Products Representative) and Series 7 (General Securities Representative) FINRA licenses.
3. From November 17, 2009 through January 26, 2015, Mason was registered with FINRA through member firm Edward Jones.
4. On January 26, 2015, Edward Jones filed a Uniform Termination Notice for Securities Industry Registration (Form U5) with FINRA on behalf of Mason, stating that Mason

was permitted to resign from his employment with Edward Jones effective January 12, 2015. The Form U5 states that Mason “falsified client information to open 7 new firm accounts. During the course of the firm’s internal review of this matter, Mr. Mason provided inaccurate information.”

5. Although Mason is no longer registered or associated with a FINRA member, 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) the Complaint was filed within two years after the effective date of termination of Respondent’s registration with Edward Jones, January 26, 2015; and (2) the Complaint charges him with failing to appear for on-the-record testimony pursuant to FINRA Rule 8210 during the two-year period after the date upon which he ceased to be registered or associated with a FINRA member.

CAUSE OF ACTION
Failure to Appear and Provide Testimony
(FINRA Rules 8210 and 2010)

6. The Department realleges and incorporates by reference paragraphs 1 through 5 above.
7. On September 6, 2016, FINRA Enforcement sent Mason a letter requesting that he appear, pursuant to FINRA Rule 8210, for on-the-record testimony on September 28, 2016 for the purpose of an investigation into the circumstances set forth in his Form U5 (First Request Letter).
8. The First Request Letter informed Mason that he was obligated to appear for testimony pursuant to FINRA Rule 8210. The First Request Letter advised Mason that “Failure to answer any questions completely and truthfully, or failure to provide any information requested by the staff, could violate Rule 8210 and could be the basis for the initiation of a disciplinary proceeding that could lead to the imposition of sanctions, including a bar from the industry, suspension, censure and/or fine.”

9. The First Request Letter was sent pursuant to Rule 8210 by both First Class Mail and Certified Mail to Mason's address of record as reflected in the Central Registration Depository (CRD Address).
10. According to the United States Postal Service (USPS), the First Request Letter sent by Certified Mail to Mason's CRD Address was "Delivered, Individual Picked Up at Post Office" on September 23, 2016.
11. The First Request Letter sent by First Class Mail to Mason's CRD address was not returned by the USPS.
12. On September 28, 2016, Mason did not appear for the scheduled on-the-record testimony.
13. On September 29, 2016, FINRA Enforcement sent Mason a second letter requesting that he appear for on-the-record testimony, pursuant to FINRA Rule 8210, on October 19, 2016 (Second Request Letter).
14. The Second Request Letter informed Mason that he was obligated to appear for testimony pursuant to FINRA Rule 8210. The Second Request Letter advised Mason that "Failure to answer any questions completely and truthfully, or failure to provide any information requested by the staff, could violate Rule 8210 and could be the basis for the initiation of a disciplinary proceeding that could lead to the imposition of sanctions, including a bar from the industry, suspension, censure and/or fine."
15. The Second Request Letter was sent pursuant to Rule 8210 by both First Class Mail and Certified Mail to Mason's CRD Address.
16. The Second Request Letter sent by Certified Mail to Mason's CRD Address was signed for by Michael Mason on October 4, 2016.
17. The Second Request Letter sent by First Class Mail to Mason's CRD address was not returned by the USPS.

18. On October 19, 2016, Mason did not appear for the scheduled on-the-record testimony.
19. Mason twice failed to appear for on-the-record testimony, and to date has not contacted FINRA staff to reschedule the testimony or offer an explanation for his absence.
20. By failing to appear for testimony requested pursuant to FINRA Rule 8210, Mason violated FINRA Rules 8210 and 2010.

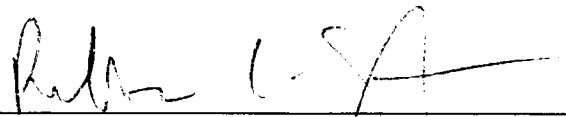
RELIEF REQUESTED

WHEREFORE, the Department respectfully requests that the Panel:

- A. Make findings of fact and conclusions of law that Mason 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; and
- C. Order that Mason bear such costs of proceeding as are deemed fair and appropriate under the circumstances in accordance with FINRA Rule 8330.

FINRA DEPARTMENT OF ENFORCEMENT

Date: November 2, 2016



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