

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 20150443048**

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

RE: Thomas Morley Hogle, Respondent
CRD No. 3047483

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

Thomas Morley Hogle ("Hogle") entered the securities industry when he became associated with a FINRA member firm in April 1998. In July 1998, Hogle became registered with this FINRA member firm as a General Sales Representative (Series 7 license) and remained employed there until his May 2001 termination. Between October 2001 and September 2011, Hogle was associated with three other FINRA member firms before joining B.B. Graham & Company, Inc. (the "Firm") in October 2011. In October 2011, Hogle became registered with the Firm as a General Sales Representative (Series 7 license). Hogle is currently employed by and registered with the Firm.

FINRA possesses jurisdiction over Hogle because he is currently associated with a FINRA member firm.

RELEVANT DISCIPLINARY HISTORY

Hogle has no prior relevant disciplinary history.

OVERVIEW

Hogle failed to provide documents and information as requested by FINRA staff's

Rule 8210 letters dated March 23, 2015 and April 7, 2015, in violation of FINRA Rules 8210 and 2010.

FACTS AND VIOLATIVE CONDUCT

On March 23, 2015, during the course of FINRA's investigation into allegations that Hogle made unsuitable investment recommendations in the Firm securities account of a 101-year-old customer, FINRA requested, pursuant to FINRA Rule 8210, that Hogle provide documents and information no later than April 6, 2015. Hogle did not provide any of the requested documents and information by April 6, 2015.

Accordingly, staff sent a second request letter on April 7, 2015, pursuant to FINRA Rule 8210, requesting that Hogle provide the previously requested documents and information by April 21, 2015.

As stated in his phone call with FINRA staff on April 15, 2015, and by this agreement, Hogle acknowledges that he received FINRA's request and that he will not produce the documents and information requested at any time. By refusing to produce the documents and information as requested pursuant to FINRA Rule 8210, Hogle violates FINRA Rules 8210 and 2010.

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

A bar from associating 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.

5/7/15
Date

Thomas Morley Hogle
Thomas Morley Hogle

Accepted by FINRA:

5/8/15
Date

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

Susan Schroeder
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