

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2015047435601**

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

RE: Beth Ellen Dutoit, Respondent
General Securities Representative
CRD No. 2485404

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

Beth Ellen Dutoit ("Dutoit") entered the securities industry in April 1994, when she became associated with a FINRA member firm. Dutoit was first registered as an investment company and variable contracts products representative in May 1994. Dutoit was also registered as a general securities representative in October 2002. Dutoit was employed by several FINRA member firms from April 1994 through September 2011. In October 2011, Dutoit became associated with Edward D. Jones & Co., L.P. ("Edward Jones") as a general securities representative. Dutoit remained with Edward Jones until April 2015. Subsequently, in May 2015, Dutoit became associated with United Planners Financial Services of America ("United") and was registered as a general securities representative. On September 17, 2015, United filed a Uniform Termination Notice for Securities Industry Registration ("Form U5") on behalf of Dutoit. Dutoit is not currently associated with a FINRA member firm, but remains subject to FINRA's jurisdiction pursuant to Article V, Section 4 of FINRA's By-Laws.

RELEVANT DISCIPLINARY HISTORY

On November 24, 2015, the state of Oklahoma Department of Securities initiated an action against Dutoit that related to issues concerning her submission of duplicated signatures on client documents and placing a client's initials on a firm document without the clients' knowledge.

On January 1, 2016, pursuant to a settlement, Dutoit's registration as an investment adviser representative of Access Financial Resources, Inc. was deemed effective but was immediately suspended for a period of six months and further, beginning on July 1, 2016, Dutoit became subject to heightened supervision for a period of two years.

OVERVIEW

While Dutoit was associated with Edward Jones, she had customers sign a blank form to facilitate the transfer of multiple accounts to Edward Jones rather than have the customers sign transfer request forms for each of the accounts transferred. Dutoit was permitted to resign during Edward Jones's internal review of these forms. Dutoit then became associated with United. Thereafter, Dutoit falsified the signature of a customer on an electronic transfer form moving funds from a husband's checking account to the couple's joint brokerage account. In view of the foregoing, Dutoit caused her FINRA member firms to maintain inaccurate books and records, in violation of FINRA Rules 4511 and 2010.

FACTS AND VIOLATIVE CONDUCT

FINRA Rule 4511 requires each member to make and preserve books and records in conformity with Securities and Exchange Act of 1934 Rules 17a-3 and 17a-4. The falsification of a firm's required books and records violates FINRA Rule 4511 as well as FINRA Rule 2010.

FINRA Rule 2010 requires that member firms and associated persons observe high standards of commercial honor and just and equitable principles of trade. The use of pre-signed transfer request forms, rather than having such forms completed by the customers and falsifying a customer's name on an electronic transfer form violates FINRA Rule 2010.

Dutoit Utilizes Pre-Signed Forms

In order to complete the transfer of customer accounts, Edward Jones required that the customer complete and sign a Transfer-in Account ("Transfer-in") form for each account they were transferring to Edward Jones. While Dutoit was associated with Edward Jones, she obtained one signed Transfer-in form from four customers and photocopied the Transfer-in form for as many transferring accounts as necessary. Dutoit submitted the Transfer-in forms with the photocopied signatures to Edward Jones as authentic. As a result of the foregoing conduct, Dutoit violated FINRA Rules 4511 and 2010.

Dutoit Falsified a Customer's Signature

While Dutoit was associated with United, she submitted an ACH¹ Authorization Agreement ("ACH form"), which authorized the electronic transfer of funds from a husband's checking account to the couple's joint brokerage account. However, the wife failed to sign the ACH form, and Dutoit's manager instructed her to meet with the customer, obtain the wife's signature and re-submit the form to an assistant. However, Dutoit falsified the wife's signature and submitted the ACH form bearing the false signature to United as authentic. As a result of the foregoing conduct, Dutoit violated FINRA Rules 4511 and 2010.

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

- A \$5,000 fine; and
- A three-month suspension from associating with any FINRA member firm in all capacities.

The fine shall be due and payable either immediately upon reassociation with a member firm, or

¹ Automated Clearing House ("ACH").

prior to any application or request for relief from any statutory disqualification resulting from this or any other event or proceeding, whichever is earlier.

I specifically and voluntarily waive any right to claim that I am unable to pay, now or at any time hereafter, the monetary sanction imposed in this matter.

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.

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.

D. I may attach a Corrective Action Statement to this AWC that is a statement of demonstrable corrective steps taken to prevent future misconduct. I understand that I 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.

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.

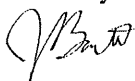
12/21/16

Date

Beth E. Dutoit

Beth Ellen Dutoit, Respondent

Reviewed by:

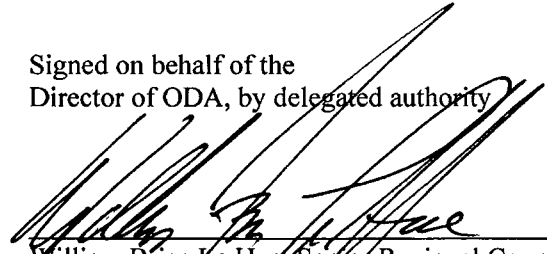


Jeremy L. Bartell, Esq.
Counsel for Respondent
Bartell Law PLLC
700 12th Street, NW, Ste. 700
Washington, D.C. 20005
Phone: (240) 430-1040
E-Mail: jeremybartell@bartell-law.com

Accepted by FINRA:

1/17/2017
Date

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



William Brice La Hue, Senior Regional Counsel
FINRA, Department of Enforcement
One Securities Centre, Suite 500
3490 Piedmont Road, N.E.
Atlanta, Georgia 30305
(404) 239-6111; Fax: (404) 264-1586
E-Mail: brice.lahue@finra.org
teresa.reich@finra.org (senior paralegal)