

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER, AND CONSENT
NO. 2015047705902**

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

RE: Christopher J. Hackley, Respondent
CRD No. 1977760

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

Christopher J. Hackley has been registered with Securian Financial Services, Inc. as a General Securities Representative since April 1992 and as a General Principal since December 1998. Hackley was formerly registered with a different broker-dealer from 1989-1992.

RELEVANT DISCIPLINARY HISTORY

Hackley has no relevant disciplinary history.

OVERVIEW

On two occasions in October 2015, Hackley violated FINRA Rule 2010 by falsely attesting to Securian that he had confirmed a customer's intention to transfer funds out of the customer's account. In fact, an imposter had requested the transfers, and Hackley, through his false attestations, unwittingly enabled the fraudulent transfers.

FACTS AND VIOLATIVE CONDUCT

On October 8, 2015, Hackley received an email from a customer, SS, requesting that "around \$40k" be transferred from SS's Securian account to an outside bank account. Hackley forwarded the email to a registered sales assistant, RM, to facilitate the request. Unbeknownst to Hackley, RM, or anyone else at Securian, the request came from an imposter who had hacked SS's email account.

On October 9, 2015, RM provided Hackley with an Outgoing Wire form, which the imposter had completed, for his signature. Hackley signed the form, after which Securian transferred \$37,000 out of SS's account.

By signing the Outgoing Wire form, Hackley attested that he had confirmed the customer's intention to transfer funds by placing an outbound call to the customer's phone. In fact, he had neither telephoned nor otherwise attempted to contact SS about the request to transfer funds.

Hackley provided a second false attestation on an Outgoing Wire form on October 15, 2015, this time enabling a fraudulent transfer of \$60,000. (In the interim, the office processed another request while Hackley was out of the office, resulting in a fraudulent transfer of \$50,000.)

On October 19, 2015, when the imposter made a fourth request to transfer funds, Hackley and RM became suspicious that the requests were illegitimate and contacted Securian's compliance department. The firm subsequently investigated, determined that the requests were fraudulent, and reimbursed SS the full \$147,000 that the imposter had succeeded in transferring out of SS's account.

By falsely attesting to Securian on two occasions that he verbally confirmed a customer's intention to transfer funds, Hackley violated FINRA Rule 2010.

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

- A suspension of ten business days from association with any FINRA broker-dealer in any capacity.¹

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).

¹ In determining this sanction, FINRA considered the fact that Securian separately suspended and fined Hackley for the same conduct.

The sanctions imposed in this matter 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

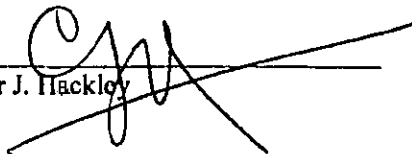
C. If accepted:

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 testimonial obligations or right to take legal or factual positions in litigation or other legal proceedings in which FINRA is not a party.

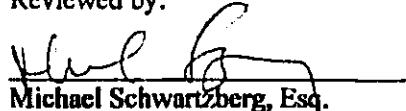
- D. I may attach a Corrective Action Statement to this AWC that is a statement of demonstrable corrective steps taken to prevent future misconduct. I understand that I may not deny the charges or make any statement that is inconsistent with the AWC in this Statement. This Statement does not constitute 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.

1/27/2017
Date (mm/dd/yyyy)


Christopher J. Hackley

Reviewed by:



Michael Schwartzberg, Esq.

Counsel for Respondent

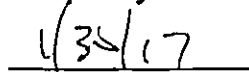
Winget, Spadafora & Schwartzberg, LLP

45 Broadway, 19th floor

New York, NY 10006

(212) 221-6900

Accepted by FINRA:



Date

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



Adam B. Walker

Senior Regional Counsel

FINRA Department of Enforcement

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