

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2015048162701**

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

RE: Kevin Donald Wanner, Respondent
Former Registered Representative
CRD No. 1402627

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

Kevin Donald Wanner ("Wanner") first entered the securities industry in September 1985. Wanner obtained his Series 6 license in September 1985, his Series 63 license in January 1986, his Series 7 license in January 1989, and his Series 65 license in April 1994. From 1985 through 2012, Wanner was successively registered with thirteen different FINRA member firms. From December 18, 2012 until December 10, 2015, Wanner was registered with Questar Capital Corporation ("Questar" or the "Firm"). Questar terminated Wanner's registration by Form U5 filed on December 10, 2015.

Although Wanner is no longer associated with a FINRA member firm, FINRA retains jurisdiction over him pursuant to Article V, Section 4 of the FINRA By-laws.

OVERVIEW

Wanner failed to provide documents, information, and to appear for testimony in response to request letters issued by FINRA staff pursuant to FINRA Rule 8210. As a result, Wanner violated FINRA Rules 8210 and 2010.

FACTS AND VIOLATIVE CONDUCT

In its Form U5 filed on December 10, 2015, Questar stated that Respondent had been discharged after the North Dakota Securities Department issued a cease and desist order alleging that Wanner "offered for sale and sold to a ND resident a 'time certificate of deposit' purporting to represent an investment in an FDIC insured interest bearing account" and "misrepresented to the investors that their funds would be deposited with the FDIC member financial institutions represented and instead deposited their funds into accounts owned and controlled by [Wanner] for his own purpose."

FINRA began an investigation into the events leading up to Wanner's termination including, among other things, whether he misappropriated customer funds. In connection with this investigation, on December 14, 2015, FINRA staff issued a request pursuant to FINRA Rule 8210 that Wanner produce documents and information by December 23, 2015. That same day, FINRA staff also issued a request for Wanner to appear for on-the-record testimony on December 30, 2015. Wanner failed to produce any documents by the deadline and failed to appear for on-the-record testimony scheduled for December 30, 2015. As a result, Wanner violated FINRA Rules 8210 and 2010.

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

1. A bar from associating with any FINRA member in all capacities.

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. 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:

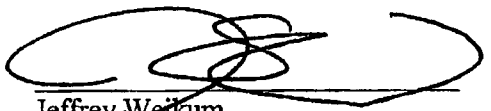
1. this AWC will become part of my permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against me;
2. this AWC will be made available through FINRA's public disclosure program in accordance with FINRA Rule 8313;
3. FINRA may make a public 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.

01/08/2016
Date (mm/dd/yyyy)


Kevin Donald Wanner, Respondent

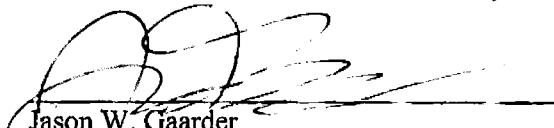
Reviewed by:


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Accepted by FINRA:

January 11, 2016
Date

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



Jason W. Gaarder

Senior Counsel

FINRA Department of Enforcement

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