

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2016048853301**

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

RE: Gregory Mark Feldman, Respondent
General Securities Representative
CRD No. 4449089

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

Gregory Mark Feldman ("Feldman" or "Respondent") first became registered as a General Securities Representative ("Series 7") with a FINRA member firm in November 2001. On April 4, 2003, Feldman became registered as a Series 7 with FINRA member Lord Abnett Distributors LLC ("Lord Abnett"). On April 27, 2016, Lord Abnett filed a Form U5 terminating Feldman's registration. The Respondent has no relevant disciplinary history.

Feldman is no longer registered or associated with a FINRA member, but he remains subject to FINRA's jurisdiction, pursuant to Article V, Section 4(a)(i), of FINRA's By-Laws, because (i) the conduct that serves as the basis for this action commenced prior to Feldman's termination of registration from a FINRA member firm; and (ii) this action has been filed within two years after the effective date of termination of Respondent's registration with a FINRA member.

OVERVIEW

From September 22, 2010 through January 18, 2013, Feldman, while registered with Lord Abbett, purchased shares in 15 initial public offerings (“IPO”) in two disclosed personal brokerage accounts he held at Merrill Lynch, Pierce, Fenner & Smith Incorporated (“Merrill”). By purchasing shares in 15 IPOs while registered with a FINRA member firm, Feldman violated FINRA Rules 5130 and 2010.

FACTS AND VIOLATIVE CONDUCT

In relevant part, FINRA Rule 5130 prohibits a person associated with a member from purchasing a new issue in any account in which such person associated with a member has a beneficial interest.

Feldman, while registered with Lord Abbett, purchased the following 15 IPOs in two personal brokerage accounts he held at Merrill. Both of these personal brokerage accounts were fully disclosed to Lord Abbett.

- On September 22, 2010, Feldman purchased 100 shares of CorSite Realty Corp. stock at \$16 per share during its IPO. On September 23, 2010, Feldman sold all of the shares for a profit of \$7.
- On September 30, 2010, Feldman purchased 100 shares of China Ming Yang Wind Power Group Limited stock at \$14 per share during its IPO. On October 5, 2010, Feldman sold all of the shares for a profit of \$53.
- On October 7, 2010, Feldman purchased 200 shares of Global Education & Technology Group stock at \$10.50 per share during its IPO. On October 8, 2010, Feldman sold all of the shares for a profit of \$228.
- On October 19, 2010, Feldman purchased 200 shares of Netspend Holdings Inc. stock at \$11 per share during its IPO. On October 19, 2010, Feldman sold all of the shares for a profit of \$374.
- On October 28, 2010, Feldman purchased 100 shares of Le Gaga Holdings Limited stock at \$9.50 per share during its IPO. On October 29, 2010, Feldman sold all of the shares for a profit of \$60.
- On November 3, 2010, Feldman purchased a total of 1,000 shares of Costamare Inc. stock at \$12 per share during its IPO. On December 8, 2010 and December 9, 2010, Feldman sold all of the shares for no profit.
- On November 4, 2010, Feldman purchased 100 shares of Fresh Market Inc. stock at \$22 per share during its IPO. On November 5, 2010, Feldman sold all of the shares for a profit of \$1,073.

- On November 16, 2010, Feldman purchased 100 shares of Booz Allen Hamilton Holdings stock at \$17 per share during its IPO. On November 17, 2010, Feldman sold all of the shares for a profit of \$95.
- On November 18, 2010, Feldman purchased a total of 2,400 shares of General Motors Co. stock at \$33 per share during its IPO. On December 7, 2010, Feldman sold all of the shares for a profit of \$3,757.50.
- On December 6, 2010, Feldman purchased 100 shares of Targa Resources Corp. stock at \$22 per share during its IPO. On December 7, 2010, Feldman sold all of the shares for a profit of \$215.
- On December 8, 2010, Feldman purchased 100 shares of Bona Film Group Ltd. stock at \$8.50 per share during its IPO. On December 9, 2010, Feldman sold all of the shares for a loss.
- On January 12, 2011, Feldman purchased 200 shares of American Assets Trust Inc. stock at \$20.50 per share during its IPO. On January 14, 2011, Feldman sold all of the shares for a profit of \$160.
- On January 27, 2011, Feldman purchased 100 shares of BankUnited Inc. stock at \$27 per share during its IPO. On February 23, 2011, Feldman sold all of the shares for a profit of \$259.
- On April 13, 2011, Feldman purchased 100 shares of TMS International Corp. stock at \$13 per share during its IPO. On April 21, 2011, Feldman sold all of the shares for no profit.
- On January 18, 2013, Feldman purchased 400 shares of Suncoke Energy Partners stock at \$19 per share during its IPO. On May 9, 2013, Feldman sold all of the shares for a profit of \$1,169.52.

As a result of the foregoing conduct, Feldman violated FINRA Rules 5130 and 2010.

- B. I also consent to the imposition of a suspension from association with any FINRA member firm in any capacity of 10 business days, a fine of \$10,000, and payment of \$7,451.02 in disgorgement, plus interest on the disgorgement amount at the rate set forth in Section 6621(a)(2) of the Internal Revenue Code, 26 U.S.C. 6621(a)(2), from May 10, 2013, until the date this AWC is accepted by the National Adjudicatory Council ("NAC").

The monetary sanctions shall be due and payable either immediately upon reassociation with a member firm following the 10 business day suspension noted above, or 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 have submitted an Election of Payment form showing the method by which I propose to pay the fine imposed.

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

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 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:

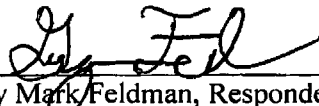
- A. Submission of this AWC is voluntary and will not resolve this matter unless and until it has been reviewed and accepted by the NAC, a Review Subcommittee of

the NAC, or the Office of Disciplinary Affairs ("ODA"), pursuant to FINRA Rule 9216;

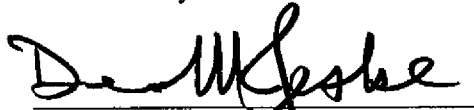
- B. If this AWC is not accepted, its submission will not be used as evidence to prove any of the allegations against me; and
- C. If accepted:
1. this AWC will become part of my permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against 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.

06-07-2016
Date (mm/dd/yyyy)


Gregory Mark Feldman, Respondent

Reviewed by:



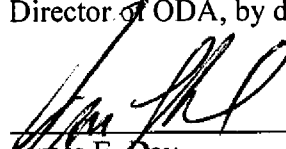
Dean M. Jeske, Esq.
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Accepted by FINRA:

6/27/16

Date

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



James E. Day
Vice President and Chief Counsel
FINRA Department of Enforcement
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