

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 20160490374-01**

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

RE: Bulltick, LLC, Respondent
Broker-Dealer
CRD No. 104005

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, Bulltick, LLC (the "firm" or "Respondent") submits 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 Respondent alleging violations based on the same factual findings described herein.

I.

ACCEPTANCE AND CONSENT

- A. Respondent hereby accepts and consents, 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

The firm has been a member of FINRA since September 26, 2000, and its registration remains in effect. The firm does not have any relevant disciplinary history.

SUMMARY

In connection with matter 20160490374, the Order Audit Trail System ("OATS") Compliance Team of the Department of Market Regulation reviewed the firm's compliance with OATS reporting requirements during the period from July 1, 2015, through April 29, 2016 (the "review period"). During the review period, the firm failed to report Reportable Order Events ("ROEs") to OATS, as described below, and as a result, the firm violated FINRA Rule 7450(a). Further, during the review period, the firm failed to have adequate supervision concerning OATS reporting, in violation of FINRA Rules 3110 and 2010.

FACTS AND VIOLATIVE CONDUCT

1. During the review period, the firm failed to transmit 3,420,802 ROEs to OATS on 211 business days. These 3,420,802 ROEs represented 65.39 percent of all ROEs (5,230,818) that the firm was required to transmit to OATS during the review period. The conduct

described in this paragraph constitutes separate and distinct violations of FINRA Rule 7450(a).

2. During the review period, the firm's supervisory system did not provide for supervision reasonably designed to achieve compliance with respect to certain applicable securities laws and regulations, and/or the Rules of FINRA. At a minimum, adequate written supervisory procedures addressing quality of markets topics should describe the following:

- (a) specific identification of the individual(s) responsible for supervision;
- (b) the supervisory steps and reviews to be taken by the appropriate supervisor;
- (c) the frequency of such reviews; and
- (d) how such reviews shall be documented.

The firm's written supervisory procedures failed to provide for one or more of the four above-cited minimum requirements for adequate written supervisory procedures, in the following subject areas: OATS reporting [a], [b], [c], and [d]. The conduct described in this paragraph constitutes violations of FINRA Rules 2010 and 3110.

- B. Respondent also consents to the imposition of the following sanctions:

A censure; a fine of \$25,000 (\$17,500 for the OATS reporting violations and \$7,500 for the supervision violations); and an undertaking to revise the firm's written supervisory procedures with respect to the areas described in paragraph I.A.2.

Within 30 business days of acceptance of this AWC by the National Adjudicatory Council ("NAC"), a registered principal of the Respondent shall submit to the **COMPLIANCE ASSISTANT, LEGAL SECTION, MARKET REGULATION DEPARTMENT, 9509 KEY WEST AVENUE, ROCKVILLE, MD 20850**, a signed, dated letter, or an e-mail from a work-related account of the registered principal to **MarketRegulationComp@finra.org**, providing the following information:

- (1) a reference to this matter;
- (2) a representation that the firm has revised its written supervisory procedures to address the deficiencies described in paragraph I.A.2; and
- (3) the date the revised procedures were implemented.

Respondent agrees to pay the monetary sanction(s) upon notice that this AWC has been accepted and that such payment(s) are due and payable. It has submitted an Election of Payment form showing the method by which it proposes to pay the fine imposed.

Respondent specifically and voluntarily waives any right to claim that it is unable to pay, now or at any time hereafter, the monetary sanction(s) imposed in this matter.

The sanctions imposed herein shall be effective on a date set by FINRA staff.

II.

WAIVER OF PROCEDURAL RIGHTS

Respondent specifically and voluntarily waives the following rights granted under FINRA's Code of Procedure:

- A. To have a Complaint issued specifying the allegations against the firm;
- 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, Respondent specifically and voluntarily waives 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.

Respondent further specifically and voluntarily waives 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

Respondent understands that:

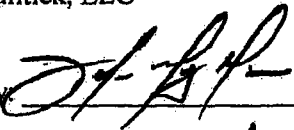
- A. Submission of this AWC is voluntary and will not resolve this matter unless and until it has been reviewed and accepted by the NAC, a Review Subcommittee of the NAC, or the Office of Disciplinary Affairs ("ODA"), pursuant to FINRA Rule 9216;
- B. If this AWC is not accepted, its submission will not be used as evidence to prove any of the allegations against Respondent; and
- C. If accepted:
 - 1. this AWC will become part of the firm's permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against the firm;

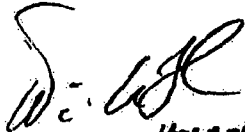
2. this AWC will be made available through FINRA's public disclosure program in accordance with FINRA Rule 8313;
 3. FINRA may make a public announcement concerning this agreement and the subject matter thereof in accordance with FINRA Rule 8313; and
 4. Respondent may not take any action or make or 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. Respondent 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 the firm's: (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. Respondent may attach a Corrective Action Statement to this AWC that is a statement of demonstrable corrective steps taken to prevent future misconduct. The firm understands that it 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.

The undersigned, on behalf of the firm, certifies that a person duly authorized to act on its behalf has read and understands all of the provisions of this AWC and has been given a full opportunity to ask questions about it; that it has agreed to the AWC's 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 the firm to submit it.

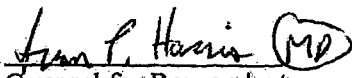
Date 07/18/2017

Respondent
Bulltick, LLC

By: 
Name: JEFFERSON MORETA
Title: CFO

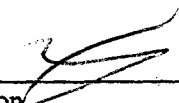

WILLIAM HERRERA
CFO

Reviewed by:


Counsel for Respondent
Ivan P. Harris
Accepted by FINRA:

July 28, 2017
Date

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


James J. Nixon
Chief Litigation Counsel
FINRA Department of Market Regulation

Corrective Action Statement of Bulltick, LLC

In connection with the issuance of the Letter of Acceptance, Waiver and Consent No. 20160490374, Bulltick, LLC (“Bulltick” or the “Firm”) submits this statement describing certain of the actions it has taken related to the issues described in the AWC.¹

The OATS reporting issues described in the AWC resulted from orders submitted by two customers, that requested that Bulltick use two specific vendors (one for each customer) to submit orders to OATS. The customers requested that these two vendors be used, and neither of these vendors is Bulltick’s main vendor for processing orders. The Firm also concluded that all executions had been properly reported and that the reporting issue with the two vendors was limited to the transmission of orders (ROEs).

After receiving FINRA’s inquiry with respect to these orders, the issues were addressed and available ROEs were sent to the reporting venue. The Firm also amended its existing OATS review procedures and the manner in which it documents OATS reviews to ensure that any unmatched, late, or rejected orders are reviewed. This new process ensures that a determination is made as to the root cause of any alert in order to repair the alert and address future issues. Finally, the Firm amended its written supervisory procedures to address the items discussed in the AWC.

Bulltick believes that the above-described enhancements have appropriately addressed the issues in the AWC.

¹ This Corrective Action is submitted by the Firm. It does not constitute factual or legal findings by FINRA, nor does it reflect the views of FINRA or its staff.