

NASD OFFICE OF HEARING OFFICERS

DEPARTMENT OF ENFORCEMENT,

Complainant,

v.

KEITH ADAM ROGERS
(CRD No. 4523445),

Respondent.

Disciplinary Proceeding
No. C10050008

Hearing Officer - SNB

ORDER ACCEPTING OFFER OF SETTLEMENT

Date: July 8, 2005

INTRODUCTION

Disciplinary Proceeding No. C10050008 was filed on March 16, 2005, by the Department of Enforcement of NASD ("Complainant"). Respondent Keith Adam Rogers ("Respondent") submitted an Offer of Settlement ("Offer") to Complainant on July 7, 2005. Pursuant to Code of Procedure Rule 9270(e), the Complainant and the National Adjudicatory Council ("NAC") Review Subcommittee or the Office of Disciplinary Affairs ("ODA") have accepted the uncontested Offer. Accordingly, this Order now is issued pursuant to Code of Procedure Rule 9270(e)(3). The findings, conclusions and sanctions set forth in this Order are those stated in the Offer as accepted by the Complainant and approved by the NAC.

Under the terms of the Offer, Respondent has consented, without admitting or denying the allegations of the Complaint, and solely for the purposes of this proceeding and any other proceeding brought by or on behalf of NASD, or to which NASD is a party, to the entry of findings and violations consistent with the allegations of the Complaint, and to the imposition of the sanctions set forth below, and fully understands that this Order will become part of Respondent's permanent disciplinary record and may be considered in any future actions brought

by NASD. Enforcement has withdrawn the First Cause of Complaint, that Respondent violated NASD Membership and Registration Rule 1032(f) and Conduct Rule 2110.

BACKGROUND

Respondent first became registered as a General Securities Representative ("GSR") on or about April 24, 2002 through an association with former member firm A.B. Watley Inc. (BD No. 797) ("A.B. Watley").

On or about July 22, 2003, A.B. Watley filed a Uniform Notice of Termination of Securities Industry Registration ("Form U-5") with respect to Respondent. The Form U-5 stated that Respondent's employment end date with A.B. Watley was July 21, 2003.

Respondent is not currently registered with NASD or associated with an NASD member firm.

Although Respondent is not currently registered with NASD, pursuant to Article V, Section 4 of NASD's By-Laws, this action was commenced prior to the expiration of NASD's jurisdiction over Respondent.

FINDINGS AND CONCLUSIONS

It has been determined that the Offer be accepted and that findings be made as follows:

By letters dated November 26, 2003, December 19, 2003 and March 11, 2004, sent to Respondent pursuant to, and in accordance with, NASD Procedural Rule 8210, the Staff requested that Respondent produce certain documents and information concerning his employment with A.B. Watley. Respondent has not responded to any of the requests.

By reason of the foregoing, Respondent violated NASD Procedural Rule 8210 and Conduct Rule 2110.

Based on these considerations, the sanctions hereby imposed by the acceptance of the Offer are in the public interest, are sufficiently remedial to deter Respondent from any future misconduct, and represent a proper discharge by NASD, of its regulatory responsibility under the Securities Exchange Act of 1934.

SANCTIONS

It is ordered that Respondent be barred from associating with any NASD member firm in any capacity.

The sanctions imposed herein shall be effective on a date set by NASD staff. Pursuant to IM-8310-2(f), a bar or expulsion shall become effective upon approval or acceptance of this Order by the NAC.

SO ORDERED.

NASD

By: Frank M. Weber
Frank M. Weber, Regional Counsel
on behalf of the Director of ODA,
pursuant to delegated authority