

NASD

Department of Enforcement,

Complainant,

v.

Kenneth R. Rowlett,
CRD No. 1662012

Respondent.

Disciplinary Proceeding
No. C3B050003

Hearing Officer: AHP

**ORDER ACCEPTING OFFER OF
SETTLEMENT**

Date: December 6, 2005

INTRODUCTION

Disciplinary Proceeding No. C3B050003 was filed on January 11, 2005, by the Department of Enforcement of NASD ("Complainant"). Respondent Kenneth R. Rowlett submitted an Offer of Settlement ("Offer") to Complainant on November 30, 2005. Pursuant to Code of Procedure Rule 9270(e), the Complainant and the National Adjudicatory Council Review Subcommittee ("NAC") 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.

BACKGROUND

1. Respondent Kenneth R. Rowlett ("Rowlett") was initially associated with a member of NASD in April 1987. He became registered as a General Securities Representative in July 1987, and as a General Securities Principal in May 1989. From October 8, 2002, until November 30, 2005, he was registered through Financial West Group as a General Securities Principal and General Securities Representative.
2. Respondent Rowlett is not currently registered or associated with any member firm.
3. Respondent Rowlett has no formal disciplinary history.

FINDINGS AND CONCLUSIONS

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

4. In or about November 2003, without the consent of customers TV1 and TV2, Respondent Rowlett affixed, or caused to be affixed, the signatures of TV1 and TV2 to a Mutual Release. The Mutual Release purported to release Respondent Rowlett and others from any and all claims related to TV1 and TV2's accounts with Respondent Rowlett's former member firm. Respondent Rowlett made copies of the signatures of TV1 and TV2 from another document, or caused them to be made, and placed the copied signatures, or caused them to be placed, on the Mutual Release. Respondent Rowlett then delivered the Mutual Release to attorneys who represented his former member firm in defense of an arbitration claim brought by TV1 and TV2.

5. In or about November 2003, without the consent of customers BB and JB, Respondent Rowlett affixed, or caused to be affixed, the signatures of BB and JB to a Mutual Release. The Mutual Release purported to release Respondent Rowlett and others from any and all claims related to BB and JB's accounts with Respondent Rowlett's former member firm. Respondent Rowlett made copies of the signatures of BB and JB from another document, or caused them to be made, and placed the copied signatures, or caused them to be placed, on the Mutual Release. Respondent Rowlett then delivered the Mutual Release to attorneys who represented his former member firm in defense of an arbitration claim brought by BB and JB.
6. Based on the foregoing acts, practices and conduct, Respondent Rowlett violated NASD 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 Kenneth R. Rowlett be barred from associating with any member of NASD 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

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



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