

NASD OFFICE OF HEARING OFFICERS

Department of Enforcement,

Complainant,

v.

Amerifinancial,
CRD No. 130623,

Anthony Fareri,
CRD No. 4716775,

and



Respondents.

Disciplinary Proceeding
No. E072004054601

Hearing Officer - SW

**ORDER ACCEPTING OFFERS OF
SETTLEMENT**

Date: March 9, 2007.

INTRODUCTION

Disciplinary Proceeding No. E072004054601 was filed on September 15, 2006, by the Department of Enforcement of NASD ("Complainant"). Respondents Amerifinancial and [REDACTED] submitted an Offer of Settlement ("Offer") to Complainant on February 20, 2007, and Respondent Fareri submitted an Offer to Complainant on February 21, 2007. 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 Offers. Accordingly, this Order now is issued pursuant to Code of Procedure Rule

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9270(e)(3). The findings, conclusions and sanctions set forth in this Order are those stated in the Offers as accepted by the Complainant and approved by the NAC.

Under the terms of the Offers, Respondents have 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 Respondents' permanent disciplinary record and may be considered in any future actions brought by NASD.

BACKGROUND

Amerifinancial became an NASD member in June 2004, and it conducted a general securities business. The firm has no disciplinary history.

Anthony Fareri entered the securities industry in April 2000. He became associated with Amerifinancial at its inception, and served as the president of the firm. He was registered as a general securities representative and principal of the firm. He has no disciplinary history.

██████████ entered the securities industry in July 1998. She was registered with Amerifinancial as a general securities representative and principal, and as a financial and operations limited principal. She served as the FINOP for the firm. She has no disciplinary history.

FINDINGS AND CONCLUSIONS

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

1. Respondents Amerifinancial and Fareri violated NASD Rules 1013, 1017 and 2110 as alleged in the First Cause of Complaint;
2. Respondents Amerifinancial and Fareri violated NASD Rules 3010 and 2110 as alleged in the Second Cause of Complaint;
3. Respondent Amerifinancial violated SEC Rule 15c3-1 and NASD Rule 2110, and Respondent [REDACTED] violated NASD Rule 2110 as alleged in the Third Cause of Complaint; and
4. Respondent Amerifinancial violated NASD Rules 3510 and 2110 as alleged in the Fourth Cause of Complaint.

Based on the foregoing, Respondent Amerifinancial violated NASD Rules 1013, 1017, 2110, 3010, and 3510, and SEC Rule 15c3-1; Respondent Fareri violated NASD Rules 1013, 1017, 2110, and 3010, and Respondent [REDACTED] violated NASD Rule 2110.

Based on these considerations, the sanctions hereby imposed by the acceptance of the Offers 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 the Respondents be sanctioned as follows:

Respondent Amerifinancial is censured and fined \$30,000. The fine is assessed jointly and severally with Respondents Fareri and [REDACTED] as detailed below.

Respondent [REDACTED] is fined \$5,000, assessed jointly and severally with Amerifinancial.

Respondent Fareri is suspended from association with any NASD member in all capacities for one year, and fined \$25,000 (assessed jointly and severally with Amerifinancial as detailed above). The fine assessed against Respondent Fareri shall be due and payable either immediately upon reassociation with a member firm following the one-year 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.

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

SO ORDERED.

NASD

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



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