



## FINRA

### MEMBERSHIP CONTINUANCE APPLICATION Member Firm Disqualification Application ("MC-400A" or "Application")

*Please Typewrite, Print or Fill Electronically*

This Application should be completed by any FINRA member firm ("the Firm" or "the Applicant") subject to disqualification pursuant to Section 3(a)(39) of the Securities Exchange Act of 1934 and Article III, Section 4 of the NASD By-Laws.

For approval of continuance in membership in FINRA, pursuant to the Rule 9520 Eligibility Proceedings, application must be made by the Firm to FINRA at [SDGroup@finra.org](mailto:SDGroup@finra.org). Please include the Firm's Full Name and CRD Number on any attachments.

Complete and accurate answers to all questions listed below will eliminate delays and assist in the prompt handling of the application. If there is not sufficient space to answer any question, please attach a separate sheet noting the number of the questions being answered.

Application of \_\_\_\_\_  
(Firm) (Firm's CRD Number)

\_\_\_\_\_  
(Firm Contact and Phone Number)

Main Office Address \_\_\_\_\_

#### Section One: Nature of the Disqualifying Event

1. Describe the event which is the basis for the statutory disqualification?
2. Furnish a copy of any determination rendered by any disciplinary body or court that is the basis for the statutory disqualification of the Firm. (See Section 3(a)(39) of the Securities Exchange Act of 1934 and Article III, Section 4, NASD By-Laws.)
3. With respect to the statutory disqualifying event and the sanctions imposed, was the Applicant ordered to undertake any changes to its organizational structure or written supervisory procedures?  
 Yes  No

If yes, what changes were mandated and has the Firm implemented them? Please provide a response on an attached sheet.

4. With respect to the disqualifying event and the sanctions imposed, was the Firm fined or required to make or offer disgorgement, restitution or any other sort of monetary compensation?  
 Yes  No

If yes, has the Firm paid the fines, disgorged monies, made restitution and/or made or offered any other monetary compensation? Please provide details.

5. Notwithstanding the disqualifying event, provide a detailed statement of why the Applicant should be allowed to continue its FINRA membership, including what steps the Firm has taken, or will take, to ensure that the disqualification doesn't negatively impact upon the Firm's ability to continue in membership with FINRA. Present the statement on an attached sheet.

## Section Two: Background Information about the Firm (General)

1.
  - a. Number of years the Applicant has been in the securities business. \_\_\_\_\_
  - b. Effective date of membership in FINRA. \_\_\_\_\_
  - c. Number of Offices of Supervisory Jurisdiction. \_\_\_\_\_
  - d. Number of branch offices. \_\_\_\_\_
  - e. Number of employees. \_\_\_\_\_
  - f. Number of registered principals. \_\_\_\_\_
  - g. Number of registered representatives. \_\_\_\_\_
  - h. Type(s) of business [es] in which the Applicant is engaged.
  
2. Self Regulatory Organization memberships of Applicant and effective dates of membership:
 

<input type="checkbox"/> AMEX _____	<input type="checkbox"/> BSE _____	<input type="checkbox"/> CBOE _____	<input type="checkbox"/> CHX _____
<input type="checkbox"/> ISE _____	<input type="checkbox"/> NSX _____	<input type="checkbox"/> NYSE _____	<input type="checkbox"/> NYSE Arca _____
<input type="checkbox"/> PHLX _____	<input type="checkbox"/> MSRB _____	<input type="checkbox"/> NOX _____	<input type="checkbox"/> OTHER _____

3. Does the Applicant currently have associated with it any individual who is subject to a statutory disqualification?  Yes  No

If yes, a) please identify, by name and CRD number, each such individual and for each indicate whether the individual is an officer, partner, direct or indirect owner of the Applicant.

4. a. Within the past 5 years has the Applicant or its registered principals ever been the subject of any proceeding which has resulted in the imposition of disciplinary sanctions by FINRA, the U.S. Securities and Exchange Commission, the Commodity Futures Trading Commission, any federal or regulatory agency, foreign financial regulatory authority, any self-regulatory organization or commodities exchange, or any court or state agency?  Yes  No

If yes, describe the proceeding and include in the description the following: nature of the proceeding; by whom it was initiated; the date it became final; and the penalties imposed, including any provision for restitution, rescission or disgorgement or any undertaking (i.e., to review a supervisory system or to hire an independent consultant). Attach a copy of any order, decisions or document issued by the court or agency involved, if available. If necessary, the response may be presented on an attached sheet.

- b. Are any such proceedings presently pending against the Applicant?  Yes  No

If yes, provide details. If necessary, the response may be presented on an attached sheet.

5. Within the past 5 years, has the Applicant been involved in any litigation connected with the securities business or are there any unsatisfied judgments outstanding against the Applicant arising out of its securities business?  Yes  No

If yes, provide details. If necessary, the response may be presented on an attached sheet.

6. Furnish duplicate copies of Applicant's balance sheet or trial balance as of a date within thirty days of the date on which this application is filed.
7. Furnish evidence of the Firm's current fidelity bond coverage.
8. Furnish a copy of the Firm's Written Supervisory Procedures.

Upon receipt of this Application, FINRA staff will evaluate the submission and will contact the Firm if additional information is required.

### **APPLICANT'S CERTIFICATION**

I hereby certify, on behalf of the above-named Firm, that I have read and understand the questions and statements contained in this Application and that each of the responses hereto is true and complete. I have taken the appropriate steps to verify the accuracy and completeness of the information contained in and with this application.

I hereby certify that the Firm's Form BD is current in all respects as provided in Article IV, section 1(c) of NASD's By-Laws.

I swear or affirm that I have read and understand the items and instructions on this application and that the answers (including attachments) are true and complete to the best of my knowledge.

I understand that the Firm and I are subject to the imposition of sanctions under NASD rules or Section 32 of the Securities Exchange Act of 1934, as amended, in the event false information is provided on this application or there are omissions of material facts. I further certify that I will at all times keep the information called for herein accurate and up-to-date by supplementary written notices to the Secretary of the Corporation or his/her designee.

I agree that at all times if there are any material and relevant changes which may affect the outcome of this application, that information will be immediately submitted to FINRA.

I hereby authorize, on behalf of the above-named Firm, for FINRA to deduct the non-refundable MC-400A processing fee of \$5,000 from the Firm's CRD Flex-Funding Account.

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[Date]

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[Signature of Executive Representative or Registered Principal of Applicant as Authorized Signatory]