

BrokerCheck Report

Daryn W Pingleton

CRD# 1520639

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Please be aware that fraudsters may link to BrokerCheck from phishing and similar scam websites, trying to steal your personal information or your money. Make sure you know who you're dealing with when investing, and contact FINRA with any concerns.

For more information read our [investor alert](#) on imposters.

About BrokerCheck®

BrokerCheck offers information on all current, and many former, registered securities brokers, and all current and former registered securities firms. FINRA strongly encourages investors to use BrokerCheck to check the background of securities brokers and brokerage firms before deciding to conduct, or continue to conduct, business with them.

- **What is included in a BrokerCheck report?**

- BrokerCheck reports for individual brokers include information such as employment history, professional qualifications, disciplinary actions, criminal convictions, civil judgments and arbitration awards. BrokerCheck reports for brokerage firms include information on a firm's profile, history, and operations, as well as many of the same disclosure events mentioned above.
- Please note that the information contained in a BrokerCheck report may include pending actions or allegations that may be contested, unresolved or unproven. In the end, these actions or allegations may be resolved in favor of the broker or brokerage firm, or concluded through a negotiated settlement with no admission or finding of wrongdoing.

- **Where did this information come from?**

- The information contained in BrokerCheck comes from FINRA's Central Registration Depository, or CRD® and is a combination of:
 - information FINRA and/or the Securities and Exchange Commission (SEC) require brokers and brokerage firms to submit as part of the registration and licensing process, and
 - information that regulators report regarding disciplinary actions or allegations against firms or brokers.

- **How current is this information?**

- Generally, active brokerage firms and brokers are required to update their professional and disciplinary information in CRD within 30 days. Under most circumstances, information reported by brokerage firms, brokers and regulators is available in BrokerCheck the next business day.

- **What if I want to check the background of an investment adviser firm or investment adviser representative?**

- To check the background of an investment adviser firm or representative, you can search for the firm or individual in BrokerCheck. If your search is successful, click on the link provided to view the available licensing and registration information in the SEC's Investment Adviser Public Disclosure (IAPD) website at <https://www.adviserinfo.sec.gov>. In the alternative, you may search the IAPD website directly or contact your state securities regulator at <http://www.finra.org/Investors/ToolsCalculators/BrokerCheck/P455414>.

- **Are there other resources I can use to check the background of investment professionals?**

- FINRA recommends that you learn as much as possible about an investment professional before deciding to work with them. Your state securities regulator can help you research brokers and investment adviser representatives doing business in your state.

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Thank you for using FINRA BrokerCheck.



Using this site/information means that you accept the FINRA BrokerCheck Terms and Conditions. A complete list of Terms and Conditions can be found at

brokercheck.finra.org



For additional information about the contents of this report, please refer to the User Guidance or www.finra.org/brokercheck. It provides a glossary of terms and a list of frequently asked questions, as well as additional resources.

[For more information about FINRA, visit www.finra.org.](http://www.finra.org)



Daryn W. Pingleton

CRD# 1520639

Currently employed by and registered with the following Firm(s):

IA MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED
 222 LAKEVIEW AVE
 WEST PALM BEACH, FL 33401
 CRD# 7691
 Registered with this firm since: 10/01/1987

B MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED
 222 LAKEVIEW AVE
 WEST PALM BEACH, FL 33401
 CRD# 7691
 Registered with this firm since: 10/20/1987

Report Summary for this Broker

This report summary provides an overview of the broker's professional background and conduct. Additional information can be found in the detailed report.

Broker Qualifications

This broker is registered with:

- 9 Self-Regulatory Organizations
- 53 U.S. states and territories

This broker has passed:

- 2 Principal/Supervisory Exams
- 4 General Industry/Product Exams
- 2 State Securities Law Exams

Registration History

This broker was previously registered with the following securities firm(s):

B FIRST INVESTORS CORPORATION
 CRD# 305
 06/1986 - 08/1987

Disclosure Events

All individuals registered to sell securities or provide investment advice are required to disclose customer complaints and arbitrations, regulatory actions, employment terminations, bankruptcy filings, and criminal or civil judicial proceedings.

Are there events disclosed about this broker? **Yes**

The following types of disclosures have been reported:

Type	Count
Regulatory Event	1
Customer Dispute	5



Broker Qualifications

Registrations

This section provides the self-regulatory organizations (SROs) and U.S. states/territories the broker is currently registered and licensed with, the category of each license, and the date on which it became effective. This section also provides, for every brokerage firm with which the broker is currently employed, the address of each branch where the broker works.

This individual is currently registered with 9 SROs and is licensed in 53 U.S. states and territories through his or her employer.

Employment 1 of 1

Firm Name: **MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED**

Main Office Address: **ONE BRYANT PARK
NEW YORK, NY 10036**

Firm CRD#: **7691**

SRO	Category	Status	Date
B Cboe BYX Exchange, Inc.	General Securities Representative	Approved	05/15/2014
B Cboe BZX Exchange, Inc.	General Securities Representative	Approved	05/15/2014
B Cboe EDGA Exchange, Inc.	General Securities Representative	Approved	05/15/2014
B Cboe EDGA Exchange, Inc.	General Securities Sales Supervisor	Approved	02/29/2016
B Cboe EDGX Exchange, Inc.	General Securities Representative	Approved	05/15/2014
B Cboe EDGX Exchange, Inc.	General Securities Sales Supervisor	Approved	02/29/2016
B Cboe Exchange, Inc.	General Securities Representative	Approved	03/03/1991
B Cboe Exchange, Inc.	General Securities Sales Supervisor	Approved	02/29/2016
B FINRA	General Securities Representative	Approved	10/20/1987
B FINRA	General Securities Sales Supervisor	Approved	02/29/2016
B Investors' Exchange LLC	General Securities Representative	Approved	08/16/2016
B Nasdaq Stock Market	General Securities Representative	Approved	07/12/2006
B Nasdaq Stock Market	General Securities Sales Supervisor	Approved	02/29/2016
B New York Stock Exchange	General Securities Representative	Approved	12/14/1987
B New York Stock Exchange	General Securities Sales Supervisor	Approved	10/01/2018



Broker Qualifications

Employment 1 of 1, continued

	U.S. State/ Territory	Category	Status	Date
B	Alabama	Agent	Approved	03/18/2016
B	Alaska	Agent	Approved	10/06/2005
B	Arizona	Agent	Approved	03/10/1994
B	Arkansas	Agent	Approved	02/29/2016
B	California	Agent	Approved	05/05/1989
B	Colorado	Agent	Approved	03/05/1996
B	Connecticut	Agent	Approved	01/08/1992
B	Delaware	Agent	Approved	04/17/2001
B	District of Columbia	Agent	Approved	01/13/1992
B	Florida	Agent	Approved	10/01/1987
IA	Florida	Investment Adviser Representative	Approved	10/01/1987
B	Georgia	Agent	Approved	01/08/1992
B	Hawaii	Agent	Approved	09/25/2008
B	Idaho	Agent	Approved	01/18/2008
B	Illinois	Agent	Approved	01/20/1988
IA	Illinois	Investment Adviser Representative	Approved	04/26/2010
B	Indiana	Agent	Approved	10/11/2011
B	Iowa	Agent	Approved	02/29/2016
B	Kansas	Agent	Approved	08/03/1994
B	Kentucky	Agent	Approved	05/11/2015
B	Louisiana	Agent	Approved	03/02/1992



Broker Qualifications

Employment 1 of 1, continued

	U.S. State/ Territory	Category	Status	Date
B	Maine	Agent	Approved	05/01/1992
B	Maryland	Agent	Approved	01/08/1992
B	Massachusetts	Agent	Approved	09/08/1989
B	Michigan	Agent	Approved	08/07/1989
B	Minnesota	Agent	Approved	06/26/1996
B	Mississippi	Agent	Approved	03/07/2016
B	Missouri	Agent	Approved	01/21/2000
B	Montana	Agent	Approved	02/29/2016
B	Nebraska	Agent	Approved	02/29/2016
B	Nevada	Agent	Approved	11/08/2002
B	New Hampshire	Agent	Approved	03/27/1995
B	New Jersey	Agent	Approved	01/08/1992
B	New Mexico	Agent	Approved	03/01/2016
B	New York	Agent	Approved	08/03/1988
B	North Carolina	Agent	Approved	01/09/1992
B	North Dakota	Agent	Approved	03/02/2016
B	Ohio	Agent	Approved	01/09/1992
B	Oklahoma	Agent	Approved	02/29/2016
B	Oregon	Agent	Approved	10/27/2000
B	Pennsylvania	Agent	Approved	02/05/1990
B	Puerto Rico	Agent	Approved	02/11/1998



Broker Qualifications

Employment 1 of 1, continued

	U.S. State/ Territory	Category	Status	Date
B	Rhode Island	Agent	Approved	01/09/1992
B	South Carolina	Agent	Approved	05/04/2011
B	South Dakota	Agent	Approved	02/29/2016
B	Tennessee	Agent	Approved	04/23/1996
B	Texas	Agent	Approved	10/03/1988
IA	Texas	Investment Adviser Representative	Restricted Approval	10/03/1988
B	Utah	Agent	Approved	04/07/2014
B	Vermont	Agent	Approved	04/23/2001
B	Virgin Islands	Agent	Approved	03/11/2016
B	Virginia	Agent	Approved	01/09/1992
B	Washington	Agent	Approved	07/08/1988
B	West Virginia	Agent	Approved	03/07/2016
B	Wisconsin	Agent	Approved	11/08/1999
B	Wyoming	Agent	Approved	03/01/2016

Branch Office Locations

MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED
 222 LAKEVIEW AVE
 WEST PALM BEACH, FL 33401



Broker Qualifications

Industry Exams this Broker has Passed

This section includes all securities industry exams that the broker has passed. Under limited circumstances, a broker may attain a registration after receiving an exam waiver based on exams the broker has passed and/or qualifying work experience. Any exam waivers that the broker has received are not included below.

This individual has passed 2 principal/supervisory exams, 4 general industry/product exams, and 2 state securities law exams.

Principal/Supervisory Exams

Exam	Category	Date
B General Securities Sales Supervisor - General Module Examination	Series 10	02/29/2016
B General Securities Sales Supervisor - Options Module Examination	Series 9	02/18/2016

General Industry/Product Exams

Exam	Category	Date
B Securities Industry Essentials Examination	SIE	10/01/2018
B Futures Managed Funds Examination	Series 31	05/06/2004
B General Securities Representative Examination	Series 7	10/17/1987
B Investment Company Products/Variable Contracts Representative Examination	Series 6	06/17/1986

State Securities Law Exams

Exam	Category	Date
IA Uniform Investment Adviser Law Examination	Series 65	08/11/1994
B Uniform Securities Agent State Law Examination	Series 63	07/22/1986

Additional information about the above exams or other exams FINRA administers to brokers and other securities professionals can be found at www.finra.org/brokerqualifications/registeredrep/.



Broker Qualifications

Professional Designations

This section details that the representative has reported **0** professional designation(s).

No information reported.



Registration and Employment History

Registration History

The broker previously was registered with the following firms:

Registration Dates	Firm Name	CRD#	Branch Location
B 06/1986 - 08/1987	FIRST INVESTORS CORPORATION	305	

Employment History

This section provides up to 10 years of an individual broker's employment history as reported by the individual broker on the most recently filed Form U4.

Please note that the broker is required to provide this information only while registered with FINRA or a national securities exchange and the information is not updated via Form U4 after the broker ceases to be registered. Therefore, an employment end date of "Present" may not reflect the broker's current employment status.

Employment	Employer Name	Position	Investment Related	Employer Location
07/2011 - Present	Bank of America, N.A.	Resident Director	Y	WEST PALM BEACH, FL, United States
08/1987 - Present	MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED	NOT PROVIDED	Y	WEST PALM BEACH, FL, United States

Other Business Activities

This section includes information, if any, as provided by the broker regarding other business activities the broker is currently engaged in either as a proprietor, partner, officer, director, employee, trustee, agent or otherwise. This section does not include non-investment related activity that is exclusively charitable, civic, religious or fraternal and is recognized as tax exempt.

- 1.FOR PROFIT OR NOT FOR PROFIT: FOR-PROFIT ORGANIZATION
- 2.NAME OF OUTSIDE BUSINESS ORGANIZATION: DARYN PINGLETON FARM
- 3.INVESTMENT RELATED: N
- 4.ADDRESS OF BUSINESS:
2360 MILLIGAN HILL RD.,
ALTO PASS, FLORIDA 62905
- 6.POSITION, TITLE, ASSOCIATION: OWNER,
- 7.START DATE OF RELATIONSHIP: 5/15/2002
- 8.NUMBER OF HOURS DEVOTED: 0 HOUR(S) ANNUALLY
- 9.NUMBER OF HOURS DEVOTED DURING TRADING HOURS: 0
- 10.DUTIES: PLANT CROPS INSTEAD OF MOWING GRASS. ZERO RESPONSIBILITY.



Disclosure Events

What you should know about reported disclosure events:

1. All individuals registered to sell securities or provide investment advice are required to disclose customer complaints and arbitrations, regulatory actions, employment terminations, bankruptcy filings, and criminal or civil judicial proceedings.
2. **Certain thresholds must be met before an event is reported to CRD, for example:**
 - A law enforcement agency must file formal charges before a broker is required to disclose a particular criminal event.
 - A customer dispute must involve allegations that a broker engaged in activity that violates certain rules or conduct governing the industry and that the activity resulted in damages of at least \$5,000.
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3. **Disclosure events in BrokerCheck reports come from different sources:**
 - As mentioned at the beginning of this report, information contained in BrokerCheck comes from brokers, brokerage firms and regulators. When more than one of these sources reports information for the same disclosure event, all versions of the event will appear in the BrokerCheck report. The different versions will be separated by a solid line with the reporting source labeled.
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4. **There are different statuses and dispositions for disclosure events:**
 - A disclosure event may have a status of *pending, on appeal, or final*.
 - A "pending" event involves allegations that have not been proven or formally adjudicated.
 - An event that is "on appeal" involves allegations that have been adjudicated but are currently being appealed.
 - A "final" event has been concluded and its resolution is not subject to change.
 - A final event generally has a disposition of *adjudicated, settled or otherwise resolved*.
 - An "adjudicated" matter includes a disposition by (1) a court of law in a criminal or civil matter, or (2) an administrative panel in an action brought by a regulator that is contested by the party charged with some alleged wrongdoing.
 - A "settled" matter generally involves an agreement by the parties to resolve the matter. Please note that brokers and brokerage firms may choose to settle customer disputes or regulatory matters for business or other reasons.
 - A "resolved" matter usually involves no payment to the customer and no finding of wrongdoing on the part of the individual broker. Such matters generally involve customer disputes.

For your convenience, below is a matrix of the number and status of disclosure events involving this broker. Further information regarding these events can be found in the subsequent pages of this report. You also may wish to contact the broker to obtain further information regarding these events.

	Pending	Final	On Appeal
Regulatory Event	0	1	0
Customer Dispute	0	5	N/A



Disclosure Event Details

When evaluating this information, please keep in mind that a disclosure event may be pending or involve allegations that are contested and have not been resolved or proven. The matter may, in the end, be withdrawn, dismissed, resolved in favor of the broker, or concluded through a negotiated settlement for certain business reasons (e.g., to maintain customer relationships or to limit the litigation costs associated with disputing the allegations) with no admission or finding of wrongdoing.

This report provides the information exactly as it was reported to CRD and therefore some of the specific data fields contained in the report may be blank if the information was not provided to CRD.

Regulatory - Final

This type of disclosure event may involve (1) a final, formal proceeding initiated by a regulatory authority (e.g., a state securities agency, self-regulatory organization, federal regulatory such as the Securities and Exchange Commission, foreign financial regulatory body) for a violation of investment-related rules or regulations; or (2) a revocation or suspension of a broker's authority to act as an attorney, accountant, or federal contractor.

Disclosure 1 of 1

Reporting Source:	Broker
Regulatory Action Initiated By:	North Carolina Department of Insurance
Sanction(s) Sought:	Civil and Administrative Penalty(ies)/Fine(s)
Date Initiated:	11/16/2017
Docket/Case Number:	ADF File 53360
Employing firm when activity occurred which led to the regulatory action:	Merrill Lynch, Pierce, Fenner & Smith Incorporated
Product Type:	No Product
Allegations:	Allegation that Mr. Pingleton received a FINRA action in 2005 and failed to report the arbitration on his 2014 application for his North Carolina Producer License.
Current Status:	Final
Resolution:	Settled



Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct? No

Resolution Date: 11/16/2017

Sanctions Ordered: Civil and Administrative Penalty(ies)/Fine(s)

Monetary Sanction 1 of 1

Monetary Related Sanction: Civil and Administrative Penalty(ies)/Fine(s)

Total Amount: \$250.00

Portion Levied against individual: \$250.00

Payment Plan:

Is Payment Plan Current:

Date Paid by individual: 11/01/2017

Was any portion of penalty waived? No

Amount Waived:



Customer Dispute - Award / Judgment

This type of disclosure event involves a final, consumer-initiated, investment-related arbitration or civil suit containing allegations of sales practice violations against the broker that resulted in an arbitration award or civil judgment for the customer.

Disclosure 1 of 1

Reporting Source:	Regulator
Employing firm when activities occurred which led to the complaint:	MERRILL LYNCH
Allegations:	CLAIMANTS, CUSTOMERS ALLEGE MISHANDLING OF SECURITIES ACCOUNTS, VIOLATIONS OF SECTION 10(B) OF THE EXCHANGE ACT AND RULE 10B-5, EXCESSIVE AND UNSUITABLE TRANSACTIONS, BREACH OF FIDUCIARY DUTY, MISREPRESENTATIONS AND OMISSIONS, FAILURE TO FOLLOW INSTRUCTIONS, LACK OF SUPERVISION AND A RESEARCH ANALYST CONFLICT IN CONNECTION WITH THE PURCHASE OF EQUITIES.
Product Type:	Other
Alleged Damages:	\$500,000.00

Arbitration Information

Arbitration/Reparation Claim filed with and Docket/Case No.:	NYSE - CASE #2003-011566
Date Notice/Process Served:	03/14/2003
Arbitration Pending?	No
Disposition:	Award
Disposition Date:	03/31/2005
Disposition Detail:	CLAIMANTS ARE AWARDED, \$72,492.00 ON THEIR CLAIMS. IN ADDITION, CLAIMANTS ARE AWARDED \$25,000.00 ATTORNEY'S FEES, WHICH ARE AWARDED BASED UPON THE PARTIES' SUBMISSIONS AND REQUESTS FOR ATTORNEY'S FEES. THIS AWARD IS JOINT AND SEVERAL AGAINST RESPONDENTS. NYSE FORUM FEES OF \$14,450.00 ARE ASSESSED HALF AGAINST CLAIMANTS AND HALF AGAINST RESPONDENTS.

Reporting Source:	Broker
Employing firm when activities occurred which led to the complaint:	MERRILL LYNCH



Allegations: CUSTOMER ALLEGES THAT THE TRANSACTIONS MADE WERE UNSUITABLE GIVEN THE CUSTOMER'S SITUATION AND SOPHISTICATION LEVEL.

Product Type: Equity - OTC

Alleged Damages: \$500,000.00

Customer Complaint Information

Date Complaint Received: 01/07/2003

Complaint Pending? No

Status: Arbitration/Reparation

Status Date: 03/20/2003

Settlement Amount:

Individual Contribution Amount:

Arbitration Information

Arbitration/Reparation Claim filed with and Docket/Case No.: NYSE 2003-011566

Date Notice/Process Served: 03/20/2003

Arbitration Pending? No

Disposition: Award to Customer

Disposition Date: 04/11/2005

Monetary Compensation Amount: \$72,492.00

Individual Contribution Amount: \$0.00

Broker Statement THE MATTER IS PENDING.



Customer Dispute - Settled

This type of disclosure event involves a consumer-initiated, investment-related complaint, arbitration proceeding or civil suit containing allegations of sale practice violations against the broker that resulted in a monetary settlement to the customer.

Disclosure 1 of 4

Reporting Source:	Broker
Employing firm when activities occurred which led to the complaint:	MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED
Allegations:	THE CUSTOMER ALLEGES UNSUITABLE INVESTMENT RECOMMENDATIONS AND MISREPRESENTATION.
Product Type:	Equity Listed (Common & Preferred Stock) Other: CLOSED END FUNDS
Alleged Damages:	\$328,000.00
Is this an oral complaint?	No
Is this a written complaint?	No
Is this an arbitration/CFTC reparation or civil litigation?	Yes
Arbitration/Reparation forum or court name and location:	FINRA
Docket/Case #:	09-04268
Filing date of arbitration/CFTC reparation or civil litigation:	07/15/2009

Customer Complaint Information

Date Complaint Received:	07/30/2009
Complaint Pending?	No
Status:	Settled
Status Date:	10/26/2010
Settlement Amount:	\$8,000.00
Individual Contribution Amount:	\$0.00



Disclosure 2 of 4

Reporting Source:	Broker
Employing firm when activities occurred which led to the complaint:	MERRILL LYNCH
Allegations:	CLIENT ALLEGES MR. PINGLETON MISDESCRIBED THE ISSUER OF 2 BONDS. NO SPECIFIC DAMAGES ALLEGED.
Product Type:	Debt - Corporate
Alleged Damages:	\$0.00

Customer Complaint Information

Date Complaint Received:	10/09/2002
Complaint Pending?	No
Status:	Settled
Status Date:	11/21/2002
Settlement Amount:	\$7,171.87
Individual Contribution Amount:	\$0.00
Broker Statement	THE TRANSACTIONS IN QUESTION WERE CANCELLED.

Disclosure 3 of 4

Reporting Source:	Broker
Employing firm when activities occurred which led to the complaint:	MERRILL LYNCH
Allegations:	CLIENT ALLEGES THAT FOUR INVESTMENTS, WHICH DEPRECIATED IN VALUE, WERE NOT SUITABLE. NO DAMAGES SPECIFIED.
Product Type:	Equity - OTC
Alleged Damages:	\$0.00

Customer Complaint Information

Date Complaint Received:	10/08/2001
Complaint Pending?	No



Status:	Settled
Status Date:	02/08/2002
Settlement Amount:	\$5,000.00
Individual Contribution Amount:	\$5,000.00
Broker Statement	MERRILL LYNCH DENIES THE CLIENTS CLAIMS ENTIRETY. HOWEVER, AS A BUSINESS DECISION TO A VALUED CLIENT THE FIRM SETTLED THE MATTER.

Disclosure 4 of 4

Reporting Source:	Broker
Employing firm when activities occurred which led to the complaint:	MERRILL LYNCH, PIERCE, FENNER & SMITH, INC.
Allegations:	IT IS ALLEGED THAT A STOCK PURCHASED ON JULY 20,1999, WAS MISREPRESENTED TO BE LESS SPECULATIVE THAN IT IS.
Product Type:	Equity Listed (Common & Preferred Stock)
Alleged Damages:	\$5,538.00

Customer Complaint Information

Date Complaint Received:	02/03/2000
Complaint Pending?	No
Status:	Arbitration/Reparation
Status Date:	05/09/2000
Settlement Amount:	

Individual Contribution Amount:

Arbitration Information

Arbitration/Reparation Claim filed with and Docket/Case No.:	NASD ARBITRATION NUMBER 00-01511 MILTON SHLANSKY FAO HALLOLON FOUNDATION VS. MERRILL LYNCH, PIERCE, FENNER & SMITH INC. AND DARYN PINGLETON
Date Notice/Process Served:	05/09/2000
Arbitration Pending?	No



Disposition: Settled
Disposition Date: 08/29/2000
Monetary Compensation Amount: \$4,000.00
Individual Contribution Amount: \$0.00

Broker Statement

MERRILL LYNCH AND THE FINANCIAL CONSULTANT DENY THE ALLEGATIONS. IT IS REASONABLE TO BELIEVE THAT AN INVESTOR WOULD OBJECT TO AN INAPPROPRIATE INVESTMENT UPON NOTICE OF IT AND NOT AFTER HAVING HAD THE BENEFIT OF TRACKING ITS PROGRESS OVER AN EXTENDED PERIOD OF TIME. THIS MATTER WAS SETTLED BY THE FIRM IN ORDER TO AVOID THE COSTS AND UNCERTAINTIES OF LITIGATION.

End of Report



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