

**FINANCIAL INDUSTRY REGULATORY AUTHORITY  
LETTER OF ACCEPTANCE, WAIVER AND CONSENT  
NO. 2017054755202**

TO: Department of Enforcement  
Financial Industry Regulatory Authority ("FINRA")

RE: Paul Edward Soll, Respondent  
General Securities Representative, General Securities Principal,  
Registered Options Principal  
CRD No. 430284

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, I submit this Letter of Acceptance, Waiver and Consent ("AWC") for the purpose of proposing a settlement of the alleged rule violations described below. This AWC is submitted on the condition that, if accepted, FINRA will not bring any future actions against me alleging violations based on the same factual findings described herein.

**I.**

**ACCEPTANCE AND CONSENT**

- A. I hereby accept and consent, without admitting or denying the findings, and solely for the purposes of this proceeding and any other proceeding brought by or on behalf of FINRA, or to which FINRA is a party, prior to a hearing and without an adjudication of any issue of law or fact, to the entry of the following findings by FINRA:

**BACKGROUND**

Paul Edward Soll first became associated with a FINRA member firm in 1970. Prior to June 2012, he was associated with several firms and registered with FINRA at varying times as a General Securities Representative, a General Securities Principal, and a Registered Options Principal. From June 2012 until August 2017, Soll was registered in these capacities through Financial West Group ("FWG"). From August 2017 until June 2018, Soll was registered through another FINRA member firm.

Soll currently is not registered or associated with a member firm but is subject to FINRA's jurisdiction pursuant to Article V, Section 4 of FINRA's By-Laws. Soll has no relevant disciplinary history.

## **OVERVIEW**

In June 2018, during the course of an ongoing examination involving potential trading abuses in an elderly customer's account, Soll, through counsel, informed FINRA staff that he would not appear for on-the-record testimony requested pursuant to FINRA Rule 8210. Soll thereby violated FINRA Rules 8210 and 2010.

## **FACTS AND VIOLATIVE CONDUCT**

FINRA Rule 8210(a)(1) states that FINRA may require persons associated with a FINRA member firm "to testify at a location specified by FINRA staff, under oath . . . with respect to any matter involved in the . . . examination." FINRA Rule 8210(c) further states that "[n]o . . . person shall fail to provide . . . testimony . . . pursuant to this Rule." A violation of FINRA Rule 8210 also is a violation of FINRA Rule 2010.

In December 2017, as the result of a cycle examination of FWG, FINRA began an examination into Soll's trading activities while he was registered with the firm. The trading activities involved possible excessive trading, churning, and unsuitable recommendations of penny stocks for an elderly customer's trust account during the period January 2013 through December 2015.

On May 30, 2018, FINRA staff sent a request to Soll to provide on-the-record testimony on June 26 and 27, 2018, in FINRA's District Office in Los Angeles, California, pursuant to FINRA Rule 8210. As stated in his counsel's email to FINRA staff on June 20, 2018, and by this agreement, Soll acknowledges that he received FINRA's May 30, 2018 Rule 8210 request for his testimony and that he will not appear for on-the-record testimony at any time.

By not providing on-the-record testimony as requested pursuant to FINRA Rule 8210, Soll violated FINRA Rules 8210 and 2010.

B. I also consent to the imposition of the following sanctions:

- A bar from association with any FINRA member in any capacity.

The sanctions imposed herein shall be effective on a date set by FINRA staff. A bar or expulsion shall become effective upon approval or acceptance of this AWC.

I understand that if I am barred or suspended from associating with any FINRA member, I become subject to a statutory disqualification as that term is defined in Article III, Section 4 of FINRA's By-Laws, incorporating Section 3(a)(39) of the Securities Exchange Act of 1934. Accordingly, I may not be associated with any

FINRA member in any capacity, including clerical or ministerial functions, during the period of the bar or suspension (see FINRA Rules 8310 and 8311).

## **II.**

### **WAIVER OF PROCEDURAL RIGHTS**

I specifically and voluntarily waive the following rights granted under FINRA's Code of Procedure:

- A. To have a Complaint issued specifying the allegations against me;
- B. To be notified of the Complaint and have the opportunity to answer the allegations in writing;
- C. To defend against the allegations in a disciplinary hearing before a hearing panel, to have a written record of the hearing made and to have a written decision issued; and
- D. To appeal any such decision to the National Adjudicatory Council ("NAC") and then to the U.S. Securities and Exchange Commission and a U.S. Court of Appeals.

Further, I specifically and voluntarily waive any right to claim bias or prejudgment of the Chief Legal Officer, the NAC, or any member of the NAC, in connection with such person's or body's participation in discussions regarding the terms and conditions of this AWC, or other consideration of this AWC, including acceptance or rejection of this AWC.

I further specifically and voluntarily waive any right to claim that a person violated the ex parte prohibitions of FINRA Rule 9143 or the separation of functions prohibitions of FINRA Rule 9144, in connection with such person's or body's participation in discussions regarding the terms and conditions of this AWC, or other consideration of this AWC, including its acceptance or rejection.

## **III.**

### **OTHER MATTERS**

I understand that:

- A. Submission of this AWC is voluntary and will not resolve this matter unless and until it has been reviewed and accepted by the NAC, a Review Subcommittee of the NAC, or the Office of Disciplinary Affairs ("ODA"), pursuant to FINRA Rule 9216;

- B. If this AWC is not accepted, its submission will not be used as evidence to prove any of the allegations against me; and
- C. If accepted:
1. this AWC will become part of my permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against me;
  2. this AWC will be made available through FINRA's public disclosure program in accordance with FINRA Rule 8313;
  3. FINRA may make a public announcement concerning this agreement and the subject matter thereof in accordance with FINRA Rule 8313; and
  4. I may not take any action or make or permit to be made any public statement, including in regulatory filings or otherwise, denying, directly or indirectly, any finding in this AWC or create the impression that the AWC is without factual basis. I may not take any position in any proceeding brought by or on behalf of FINRA, or to which FINRA is a party, that is inconsistent with any part of this AWC. Nothing in this provision affects my: (i) testimonial obligations; or (ii) right to take legal or factual positions in litigation or other legal proceedings in which FINRA is not a party.

I certify that I have read and understand all of the provisions of this AWC and have been given a full opportunity to ask questions about it; that I have agreed to its provisions voluntarily; and that no offer, threat, inducement, or promise of any kind, other than the terms set forth herein and the prospect of avoiding the issuance of a Complaint, has been made to induce me to submit it.

JULY 4, 2018

Date (mm/dd/yyyy)

Paul Edward Soll

Paul Edward Soll  
Respondent

Reviewed by:

Jerry S. Phillips

Jerry S. Phillips, Partner  
Loeb & Loeb LLP  
Counsel for Respondent  
10100 Santa Monica Blvd., Suite 2200  
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Accepted by FINRA:

07/12/2018  
Date

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

Jill L. Jablonow

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