



## IAPD Report

# ROGER WILLIAM GOETZ

CRD# 1063460

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**i** When communicating online or investing with any professional, make sure you know who you're dealing with. [Imposters](#) might link to sites like BrokerCheck from [phishing](#) or similar scam websites, or through [social media](#), trying to steal your personal information or your money.  
Please contact FINRA with any concerns.



## IAPD Information About Representatives

IAPD offers information on all current-and many former representatives. Investors are strongly encouraged to use IAPD to check the background of representatives before deciding to conduct, or continue to conduct, business with them.

### What is included in a IAPD report?

IAPD reports for individual representatives include information such as employment history, professional qualifications, disciplinary actions, criminal convictions, civil judgments and arbitration awards.

It is important to note that the information contained in an IAPD 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 representative, or concluded through a negotiated settlement with no admission or finding of wrongdoing.

### Where did this information come from?

The information contained in IAPD comes from the Investment Adviser Registration Depository (IARD) and FINRA's Central Registration Depository, or CRD, (see more on CRD below) and is a combination of:

- information the states require representatives and firms to submit as part of the registration and licensing process, and
- information that state regulators report regarding disciplinary actions or allegations against representatives.

### How current is this information?

Generally, representatives are required to update their professional and disciplinary information in IARD within 30 days.

### Need help interpreting this report?

For help understanding how to read this report, please consult NASAA's IAPD Tips page <http://www.nasaa.org/IAPD/IARReports.cfm>

### What if I want to check the background of an Individual Broker or Brokerage Firm?

To check the background of an Individual Broker or Brokerage firm, you can search for the firm or individual in IAPD. If your search is successful, click on the link provided to view the available licensing and registration information in FINRA's BrokerCheck website.

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

It is recommended that you learn as much as possible about an individual representative or Investment Adviser firm before deciding to work with them. Your state securities regulator can help you research individuals and certain firms doing business in your state. The contact information for state securities regulators can be found on the website of the North American Securities Administrators Association <http://www.nasaa.org>



## Report Summary

### ROGER WILLIAM GOETZ (CRD# 1063460)

The report summary provides an overview of the representative's professional background and conduct. The information contained in this report has been provided by the representative, investment adviser and/or securities firms, and/or securities regulators as part of the states' investment adviser registration and licensing process. The information contained in this report was last updated by the representative, a previous employing firm, or a securities regulator on **10/18/2021**.

### CURRENT EMPLOYERS

|           | Firm                           | CRD#        | Registered Since |
|-----------|--------------------------------|-------------|------------------|
| <b>IA</b> | FAIRPORT ASSET MANAGEMENT CORP | CRD# 108414 | 06/14/1988       |
| <b>B</b>  | FAIRPORT CAPITAL, INC.         | CRD# 15034  | 04/01/1997       |

### QUALIFICATIONS

This representative is currently registered in **1** SRO(s) and 1 jurisdiction(s).

Is this representative currently Inactive or Suspended with any regulator? **No**

**Note:** Not all jurisdictions require IAR registration or may have an exemption from registration.

Additional information including this individual's qualification examinations and professional designations is available in the Detailed Report.

### REGISTRATION HISTORY

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

|          | FIRM                   | CRD#  | LOCATION       | REGISTRATION DATES      |
|----------|------------------------|-------|----------------|-------------------------|
| <b>B</b> | FAIRPORT CAPITAL, INC. | 15034 | SCOTTSDALE, AZ | 09/07/1984 - 04/12/1995 |

For additional registration and employment history details as reported by the individual, refer to the Registration and Employment History section of the Detailed Report.

### DISCLOSURE INFORMATION

Disclosure events include certain criminal charges and convictions, formal investigations and disciplinary actions initiated by regulators, customer disputes and arbitrations, and financial disclosures such as bankruptcies and unpaid judgments or liens.

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

The following types of events are disclosed about this representative:

| Type             | Count |
|------------------|-------|
| Regulatory Event | 2     |



## Qualifications

### REGISTRATIONS

This section provides the SRO, states and U.S. territories in which the representative is currently registered and licensed, the category of each registration, and the date on which the registration becomes effective. This section also provides, for each firm with which the representative is currently employed, the address of each location where the representative works. This individual is currently registered with 1 jurisdiction(s) and 1 SRO(s) through his or her employer(s).

#### Employment 1 of 2

Firm Name: **FAIRPORT CAPITAL, INC.**  
Main Address: 9141 E. HIDDEN SPUR TRAIL  
SCOTTSDALE, AZ 85255  
Firm ID#: 15034

| Regulator            | Registration                      | Status   | Date       |
|----------------------|-----------------------------------|----------|------------|
| <b>B</b> FINRA       | General Securities Representative | Approved | 04/01/1997 |
| <b>B</b> Connecticut | Agent                             | Approved | 08/28/1997 |

#### Branch Office Locations

1515 BLACK ROCK TURNPIKE  
SUITE 102  
FAIRFIELD, CT 06825

1515 Black Rock Turnpike  
Suite 102  
Fairfield, CT 06825

#### Employment 2 of 2

Firm Name: **FAIRPORT ASSET MANAGEMENT CORP**  
Main Address: 1515 BLACK ROCK TURNPIKE  
SUITE 102  
FAIRFIELD, CT 06825  
Firm ID#: 108414

| Regulator             | Registration                      | Status   | Date       |
|-----------------------|-----------------------------------|----------|------------|
| <b>IA</b> Connecticut | Investment Adviser Representative | Approved | 06/14/1988 |

#### Branch Office Locations

**FAIRPORT ASSET MANAGEMENT CORP**  
1515 BLACK ROCK TURNPIKE  
SUITE 102  
FAIRFIELD, CT 06825





## Qualifications

### PASSED INDUSTRY EXAMS





This section includes all industry exams that the representative has passed. Under limited circumstances, a representative may attain registration after receiving an exam waiver based on a combination of exams the representative has passed and qualifying work experience. Likewise a new exam requirement may be grandfathered based on a representative's specific qualifying work experience. Exam waivers and grandfathering 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       |
|--|-----------|------------|
|  Investment Company Products/Variable Contracts Principal Examination (S26) | Series 26 | 06/17/1985 |
|  Direct Participation Programs Principal Examination (S39)                  | Series 39 | 07/02/1984 |

#### General Industry/Product Exams

| Exam   | Category  | Date       |
|--|-----------|------------|
|  Securities Industry Essentials Examination (SIE)                               | SIE       | 10/01/2018 |
|  General Securities Representative Examination (S7)                             | Series 7  | 02/10/1990 |
|  Investment Company Products/Variable Contracts Representative Examination (S6) | Series 6  | 05/21/1985 |
|  Direct Participation Programs Representative Examination (S22)                 | Series 22 | 06/08/1984 |

#### State Securities Law Exams

| Exam   | Category  | Date       |
|--|-----------|------------|
|  Uniform Investment Adviser Law Examination (S65)     | Series 65 | 08/13/1991 |
|  Uniform Securities Agent State Law Examination (S63) | Series 63 | 07/02/1984 |

### PROFESSIONAL DESIGNATIONS

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

No information reported.



## Registration & Employment History

### PREVIOUSLY REGISTERED WITH THE FOLLOWING FIRMS

This representative held registrations with the following firms:

|          | Registration Dates      | Firm Name              | ID#           | Branch Location |
|----------|-------------------------|------------------------|---------------|-----------------|
| <b>B</b> | 09/07/1984 - 04/12/1995 | FAIRPORT CAPITAL, INC. | CRD#<br>15034 | SCOTTSDALE, AZ  |

### EMPLOYMENT HISTORY

Below is the representative's employment history for up to the last 10 years.

| Employment Dates  | Employer Name                          | Position                     | Investment Related | Employer Location                |
|-------------------|--|------------------------------|--------------------|----------------------------------|
| 09/2021 - Present | FAIRPORT CAPITAL, INC.                 | REG REP                      | Y                  | SCOTTSDALE, AZ,<br>United States |
| 01/2010 - Present | FAIRPORT FINANCIAL, LLC                | PRESIDENT                    | Y                  | FAIRFIELD, CT,<br>United States  |
| 03/1988 - Present | #IA FAIRPORT ASSET<br>MANAGEMENT CORP. | PRESIDENT                    | N                  | FAIRFIELD, CT,<br>United States  |
| 02/1997 - 09/2021 | FAIRPORT CAPITAL, INC.                 | REGISTERED<br>REPRESENTATIVE | Y                  | WESTPORT, CT,<br>United States   |

### OTHER BUSINESS ACTIVITIES

This section includes information, if any, as provided by the representative regarding other business activities the representative 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.

AGENT FOR LIFE, HEALTH, AND LONG-TERM CARE INSURANCE AND VARIABLE ANNUITIES. PRESIDENT OF FAIRPORT FINANCIAL LLC 2010-PRESENT.

FAIRPORT ASSSTMENT MGMT. A REGISTERED INVESTMENT ADVISOR. INVESTMENT RELATED. 30 HOURS/WEEK.1515 BLACKROCK TPKE, SUITE 102, FAIRFIELD, CT.



## Disclosure Summary

### Disclosure Information

#### What you should know about reported disclosure events:

##### (1) Certain thresholds must be met before an event is reported to IARD, for example:

- A law enforcement agency must file formal charges before an Investment Adviser Representative is required to report a particular criminal event.;
- A customer dispute must involve allegations that an Investment Adviser Representative engaged in activity that violates certain rules or conduct governing the industry and that the activity resulted in damages of at least \$5,000.

##### (2) Disclosure events in IAPD reports come from different sources:

As mentioned in the "About IAPD" section on page 1 of this report, information contained in IAPD comes from Investment Adviser Representatives, 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 IAPD report. The different versions will be separated by a solid line with the reporting source labeled.

##### (3) There are different statuses and dispositions for disclosure events:

- A disclosure event may have a status of *pending*, *on appeal*, or *final*.
  - A "pending" disclosure event involves allegations that have not been proven or formally adjudicated.
  - A disclosure event that is "on appeal" involves allegations that have been adjudicated but are currently being appealed.
  - A "final" disclosure event has been concluded and its resolution is not subject to change.
- A final disclosure 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 represents a disposition wherein the parties involved in a dispute reach an agreement to resolve the matter. Please note that Investment Adviser Representatives and firms may choose to settle customer disputes or regulatory matters for business or other reasons.
  - A "resolved" matter usually includes a disposition wherein no payment is made to the customer or there is no finding of wrongdoing on the part of the Investment Adviser Representative. Such matters generally involve customer disputes.

##### (4) You may wish to contact the Investment Adviser Representatives to obtain further information regarding any of the disclosure events contained in this IAPD report.



## DISCLOSURE EVENT DETAILS

When evaluating this information, please keep in mind that some items may involve pending actions or allegations that may be contested and have not been resolved or proven. The event may, in the end, be withdrawn, dismissed, resolved in favor of the Investment Adviser Representative, or concluded through a negotiated settlement with no admission or finding of wrongdoing.

This report provides the information exactly as it was reported to the Investment Adviser Registration Depository. Some of the specific data fields contained in the report may be blank if the information was not provided.

The following types of events are disclosed about this representative:

| Type             | Count |
|------------------|-------|
| Regulatory Event | 2     |

### Regulatory Event

This disclosure event may include a final, formal proceeding initiated by a regulatory authority (e.g., a state securities agency, a federal regulator such as the Securities and Exchange Commission or the Commodities Futures Trading Commission, or a foreign financial regulatory body) for a violation of investment-related rules or regulations. This disclosure event may also include a revocation or suspension of an Investment Adviser Representative's authority to act as an attorney, accountant or federal contractor.

#### Disclosure 1 of 2

**Reporting Source:** Regulator

**Regulatory Action Initiated By:** CONNECTICUT DEPARTMENT OF BANKING SECURITIES AND BU\*See FAQ #1\*

**Sanction(s) Sought:**

**Other Sanction(s) Sought:**

**Date Initiated:** 06/06/1994

**Docket/Case Number:** CO-94-2586-S

**Employing firm when activity occurred which led to the regulatory action:** FAIRPORT ASSET MANAGEMENT CORP.

**Product Type:**

**Other Product Type(s):**

**Allegations:** FROM APPROXIMATELY OCTOBER 1991 THROUGH AUGUST 1992, WHILE UNDER THE SUPERVISION AND CONTROL OF FAIRPORT ASSET MANAGEMENT CORP ("FAM"), A A CONNECTICUT REGISTERED INVESTMENT ADVISER, GOETZ, FAM'S PRESIDENT AND SOLE SHAREHOLDER, EMPLOYED A BANK SIGNATURE GUARANTEE STAMP THAT HE HAD PURCHASED WITHOUT THE KNOLEDGE OR CONSENT OF THE BANK AND OF FAM'S CLIENTS; THAT THE STAMP WAS USED TO EFFECT 788 CLIENT MUTUAL FUND REPEMPTIONS TOTALLING \$221,317.85 THAT FAM'S CLIENTS PREVIOUSLY AUTHORIZED TO PAY ACCOUNT MANAGEMENT FEES OUED TO FAM BY SUCH CLIENTS; AND THAT, IN SO DOING, GOETZ WILFULLY VIOLATED SECTION 36-473 (f) OF THE CONNECTICUT UNIFORM



**Current Status:** Final

**Resolution:** Consent

**Resolution Date:** 06/06/1994

**Sanctions Ordered:** Cease and Desist/Injunction  
Censure  
Suspension

**Other Sanctions Ordered:**

**Sanction Details:** A CONSENT ORDER REQUIRED THAT GOETZ CEASE AND DESIST FROM REGULATORY VIOLATIONS AND ACCEPT A LETTER OF CENSURE FROM THE DEPARTMENT. IN ADDITION, THE CONSENT ORDER SUSPENDED GOETZ FROM ACTING AS AN AGENT OF A BROKER-DEALER, ISSUER OR INVESTMENT ADVISOR FOR A PERIOD OF NINETY DAYS COMMENCING ON THE SECOND MONDAY FOLLOWING THE ENTRY OF THE SEC ORDER (3-8363) AND CONCLUDING ON THE CONCLUSION OF THE SEC SUSPENSION OR THE DATE THE SEC RECEIVED FROM GOETX THE CIVIL PENALTY IMPOSED BY THE SEC ORDER, WHICHEVER WAS LATER. THE CONSENT ORDER ALSO SUBJECTED GOETZ TO A TWO YEAR PERIOD OF ADMINISTRATIVE PROBATION, AND REQUIRED THAT HE COMPLY WITH THE UNDERTATKINGS RELATING TO HIM CONTAINED IN THE SEC ORDER. IN ADDITION, THE CONSENT ORDER REQUIRED THAT GOETZ PROVIDE THE AGENCY WITH A COPY OF THE AFFIDAVIT FURNISHED TO THE SEC PURSUANT TO THE SEC ORDER INDICATING THAT GOETZ HAD COMPLIED WITH THE TERMS OF HIS SUSPENSION AND HAD PAID THE CIVIL PENALTY IMPOSED BY THE SEC ORDER. THE CONSENT ORDER ALSO REQUIRED THAT GOETZ EMPLOY COUNSEL FAMILIAR WITH THE CONNECTICUT UNIFORM SECURITIES ACT TO ENSURE COMPLIANCE WITH REGUALTORY REQUIREMENTS, AND THAT GOTZ PAY \$2,000 TO THE AGENCY AS A CIVIL PENALTY.

**Regulator Statement** CONTACT: SID IGALSKY OR PAOLA BARRY (203) 566-4560

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**Reporting Source:** Individual

**Regulatory Action Initiated By:** STATE OF CONNECTICUT DEPARTMENT OF BANKING

**Sanction(s) Sought:**

**Other Sanction(s) Sought:**

**Date Initiated:** 06/06/1994

**Docket/Case Number:** CO-94-2586-S

**Employing firm when activity occurred which led to the regulatory action:** FAIRPORT ASSET MANAGEMENT CORP.

**Product Type:**

**Other Product Type(s):**

**Allegations:** THE CONNECTICUT BANKING COMISSIONER



(`COMMISSIONER`) ALLEGED THAT: (1) MR. GOETZ USED AN UNAUTHORIZED SIGNATURE GUARANTEE STAMP FROM 10/91-8/92 TO GURANTEE SIGNATURE ON DOCUMENTS (WHICH WERE PREVIOUSLY SIGNED BY CLIENTS) TO EFFECT TRANSACTIONS THAT HAD BEEN AUTHORIZED BY FAIRPORT ASSET MANAGEMENT (`FAMC`) CLIENTS; (2) FAMC, FOR WHICH MR. GOETZ SERVES AS PRESIDENT AND SOLE STOCK-OWNER, HAD CUSTODY OF CLIENT ASSETS BY VIRTUE OF THE PRACTICE OF HAVING CLIENT`S SIGN FEE LIQUIDATION FORMS IN ADVANCE OF THE DATE OF THEIR USE, AND FAMC FAILED TO DISCLOSE THIS FACT ON REGULATORY FILINGS AND DID NOT HAVE AN INDEPENDENT PUBLIC ACCOUNTANT PREPARE AN ANNUAL AUDITED BALANCE SHEET AND VERIFY CLIENT FUNDS AND SECURITIES IN CUSTODY IN A SURPRISE EXAMINATION AT LEAST ONCE A YEAR; AND (3) A BROCHURE, USED BY FAMC (FOR SEVERAL MONTHS DURING THE SECOND HALF OF 1992) DID NOT CLEARLY INDICATE THAT THE CONFIRMATION OF THE PERFORMANCE OF FAMC`S SUB-ADVISOR BY AN INDEPENDENT PUBLIC ACCOUNTING FIRM HAD BEEN LIMITED TO THE TWO OLDEST ACCOUNTS CONTINUOUSLY MANAGED BY THE SUB-ADVISOR AND FAILED TO DISCLLOSE THAT THESE ACCOUNTS WERE THE PERSONAL ACCOUNTS OF PARTIES AFFILIATED WITH THE SUB-ADVISOR.

**Current Status:** Final

**Resolution:** Consent

**Resolution Date:** 06/06/1994

**Sanctions Ordered:** Cease and Desist/Injunction  
Censure  
Suspension

**Other Sanctions Ordered:**

**Sanction Details:** MR. GOETZ WAS (1) ORDERED TO CEASE AND DESIST FROM ENGAGING IN ANY CONDUCT WHICH WOULD CONSTITUTE A VIOLATION OF THE CONNECTICUT UNIFORM SECURITIES ACT AND THE REGULATIONS THEREUNDER; (2) ISSUED A LETTER OF CENSURE; (3) SUSPENDED FROM ACTING AS AN AGENT OF A BROKER-DEALER, ISSUER, OR INVESTMENT ADVISOR FOR A PERIOD OF 90 DAYS FROM MAY 30, 1994 THROUGH AUGUST 27, 1994; (4) SUBJECTED TO TWO YEARS OF ADMINISTRATIVE PROBATION; (5) ORDERED TO COMPLY WITH THE UNDERTAKINGS OBTAINED IN THE SEC ORDER; (6) ORDERED TO PAY A CIVIL MONEY PENALTY IN THE AMOUNT OF \$2,000; AND (7) ORDERED TO EMPLOY LEGAL COUNSEL TO ENSURE COMPLIANCE WITH REGULATORY REQUIREMENTS.

**Broker Statement**

THERE WERE NO ALLEGATIONS THAT MANY TRANSACTION EFFECTED BY MR. GOETZ OR FAMC LACKED THE AUTHORIZATION OF THE CLIENTS INVOLVED, OR THAT ANY CLIENT`S FUNDS OR SECURITIES WERE MISUSED. ALL TRANSACTIONS WERE AUTHORIZED BY CLIENTS AND ALL CLIENT SIGNATURES WERE GENUINE. MR. GOETZ BELIEVED AT ALL TIMES THAT ALL REGULATORY FILINGS, INTERNAL COMPLIANCE MEASURES, AND ADVERTISING MATERIALS OF FAMC MET OR EXCEEDED APPLICABLE FEDERAL AND STATE REQUIREMENTS. MR. GOETZ LEARNED FOR THE FIRST TIME DURING THE SEC INQUIRY THAT USE OF PRE-SIGNED FEE LIQUIDATION FORMS MIGHT BE VIEWED BY THE SEC OR STATE REGULATORY AUTHORITIES AS CUSTODY OF CLIENT ASSETS. WITH



RESPECT TO THE BROCHURE, THE COMMISSIONER DID NOT CONTEST THE ACCURACY OF THE TRACK RECORD FOR THE ACCOUNTS REFERENCED IN THE FAMC BROCHURE. FINALLY, THE ALLEGATION THAT A BROCHURE USED FOR THE SEVERAL MONTHS IN 1992 DID NOT ``CLEARLY`` INDICATE THAT THE CONFIRMATION OF THE TRACK RECORD BY AN INDEPENDENT PUBLIC ACCOUNTING FIRM WAS LIMITED TO THE TWO OLDEST ACCOUNTS CONTINUOUSLY MANAGED BY FAMC'S SUBADVISOR WAS BECAUSE THE DISCLOSURE WAS ON IN INSERT CARD, RATHER IN THE BROCHURE INSELF. TSELF.

**Disclosure 2 of 2**

**Reporting Source:** Regulator  
**Regulatory Action Initiated By:** SECURITIES AND EXCHANGE COMMISSION

**Sanction(s) Sought:**

**Other Sanction(s) Sought:**

**Date Initiated:** 05/16/1994

**Docket/Case Number:**

**Employing firm when activity occurred which led to the regulatory action:** FAIRPORT ASSET MANAGEMENT CORP.

**Product Type:**

**Other Product Type(s):**

**Allegations:**

**Current Status:** Final

**Resolution:** Consent

**Resolution Date:** 05/16/1994

**Sanctions Ordered:** Cease and Desist/Injunction  
Suspension

**Other Sanctions Ordered:**

**Sanction Details:**

**Regulator Statement** [TOP][5-27-94] SEC NEWS DIGEST, ISSUE 94-94, DATED 5/19/94 ENFORCEMENT PROCEEDINGS DISCLOSES; SEC TODAY ANNOUNCED THAT ROGER W. GOETZ, PRESIDENT AND SOLE SHAREHOLDER OF FAIRPORT ASSET MANAGEMENT CORP. ("FAMC"), CONSENTED, WITHOUT ADMITTING OR DENYING MATTERS SET FORTH IN THE ORDER, TO ENTRY OF AN ORDER PURSUANT TO SECTIONS 15(B) AND 19(H) OF SECURITIES EXCHANGE ACT OF 1934 AND SECTIONS 203(E), 203(F) AND 203(K) OF INVESTMENT ADVISERS ACT OF 1940, FINDING THAT FAMC AND GOETZ VIOLATED AND AIDED AND ABETTED VIOLATIONS OF SECTIONS 204, 206(1), 206(2), 206(4) AND 207 OF THE ADVISERS ACT AND RULES 204-1, 206(4)-1(a)(5) AND 206(4)-2. IN ADDITION, GOETZ,ET.AL., WERE



DIRECTED TO CEASE AND DESIST FROM COMMITTING OR CAUSING VIOLATIONS OF THESE PROVISIONS. THE ORDER SUSPENDS GOETZ FROM ASSOCIATION FROM ANY BROKER, DEALER, INVESTMENT ADVISER OR INVESTMENT COMPANY FOR A PERIOD OF 90 DAYS, ORDERS GOETZ TO PAY A \$25,000 PENALTY AND ORDERS GOETZ, ET.AL., TO COMPLY WITH CERTAIN REMEDIAL UNDERTAKINGS. IN THE ORDER, SEC FOUND THAT GOETZ, ET.AL., DEFRAUDED FAMC'S CLIENTS BY EMPLOYING A BANK SIGNATURE GUARANTEE STAMP THAT HE HAD PURCHASED WITHOUT KNOWLEDGE OR CONSENT OF BANK OR FAMC'S CLIENTS TO EFFECT 788 CLIENT MUTUAL FUND REDEMPTIONS, TOTALLING \$221,317.85, THAT FAMC'S CLIENTS HAD PREVIOUSLY AUTHORIZED, AND THAT FAMC AND GOETZ FAILED TO COMPLY WITH THE COMMISSION'S ADVERTISING, RECORDKEEPING AND REPORTING RULES. (REL. 34-34067; IA-1415) ^12/2/94^ SEC DOCKET, VOLUME 56, NO. 15, DATED 6/7/94, PAGE 2187, DATE OF ORDER SUSPENDING RESPONDENT IS 5/16/94. IT WAS ORDERED THAT GOETZ, ET.AL., EMPLOY COUNSEL FAMILIAR WITH PROVISIONS OF ADVISERS ACT TO REVIEW ALL ADVERTISEMENTS FOR ANY ADVISORY SERVICES OFFERED BY GOETZ, ET.AL., FOR A PERIOD OF TWO YEARS FROM ISSUANCE OF THIS ORDER, AND TO MAKE APPROPRIATE REVISIONS TO BRING SUCH ADVERTISEMENTS INTO COMPLIANCE WITH PROVISIONS AND REVIEW ALL SIGNATURE GUARANTEE PRACTICES AND PAYMENT PROCEDURES.

**Reporting Source:** Individual

**Regulatory Action Initiated By:** UNITED STATES SECURITIES & EXCHANGE COMMISSION

**Sanction(s) Sought:**

**Other Sanction(s) Sought:**

**Date Initiated:** 05/16/1994

**Docket/Case Number:**

**Employing firm when activity occurred which led to the regulatory action:** FAIRPORT ASSET MANAGEMENT CORP.

**Product Type:**

**Other Product Type(s):**

**Allegations:** THE SEC ALLEGED THAT (1) MR. GOETZ USED AN UNAUTHORIZED SIGNATURE GUARANTEE STAMP FROM 10/91-8/92 TO GUARANTEE SIGNATURES ON DOCUMENTS (WHICH WERE PREVIOUSLY SIGNED BY CLIENTS.) TO EFFECT TRANSACTIONS THAT HAD BEEN AUTHORIZED BY FAIRPORT ASSET MANAGEMENT (``FAMC``) CLIENTS; (2) FAMC, FOR WHICH MR. GOETZ SERVES AS PRESIDENT AND SOLE STOCK-OWNER, HAD CUSTODY OF CLIENT ASSETS BY VIRTUE OF THE PRACTICE OF HAVING CLIENT'S SIGN FEE LIQUIDATION FORMS IN ADVANCE OF THE DATE OF THEIR USE, AND FAMC FAILED TO DISCLOSE THIS FACT ON REGULATORY FILINGS AND DID NOT HAVE AN INDEPENDENT PUBLIC ACCOUNTANT



PREPARE AN ANNUAL AUDITED BALANCE SHEET AND VERIFY CLIENT FUNDS AND SECURITIES IN CUSTODY IN A SURPRISE EXAMINATION AT LEAST ONCE A YEAR; AND (3) A BROCHURE, USED BY FAMC (FOR SEVERAL MONTHS DURING THE SCOND HALF OF 1992) DID NOT CLEARLY INDICATE THAT THE CONFIRMATION OF THE ECONC HALF OF 1992) DID NOT CLEARLY INDICATE THAT THE CONFIRMATION OF THE PERFORMANCE OF FAMC`S SUB-ADVISOR BY AN INDEPENDENT PUBLIC ACCOUNTING FIRM HAD BEEN LIMITED TO THE TWO OLDEST ACCOUNTS CONTINOUSLY MANAGED BY THE SUB- ADVISOR AND FAILED TO DISCLOSE THAT THESE ACCOUNTS WERE THE PERSONAL ACCOUNTS OF PARTIES AFFILIATED WITH THE SUB-ADVISOR.

**Current Status:**

Final

**Resolution:**

Consent

**Resolution Date:**

05/16/1994

**Sanctions Ordered:**Cease and Desist/Injunction  
Suspension**Other Sanctions Ordered:****Sanction Details:**

MR. GOETZ WAS (1) ORDERED TO CEASE AND DESIST FROM COMMITTING OR CAUSING ANY VIOALTIONS OF THE ADVISORS ACT AND RULES PROMULGATED THEREUNDER; (2) SUSPENDED FROM ASSOCIATION WITH ANY BROKER, DEALER MUNICIPAL SECURITIES DEALER, INVESTMENT COMPANY FOR A PERIOD OF 90 DAYS FROM MAY 30, 1994 THROUGH AUGUST 27, 1994; (3) ORDERED TO PAY A CIVIL MONEY PENALTY IN THE AMOUNT OF OF \$25,000; AND (4) ORDERED TO EMPLOY LEGAL COUNSEL TO (A) REVIEW, AND REVISE PRIOR TO DISTRIBUTION, ALL ADVERTISEMENTS FOR ANY ADVISORY SERVICES OFFERED BGY FAMC FOR A PERIOS OF TWO YEARS; AND (B) TO REVIEW ALL SIGNATURE GUARANTEE AND PAYMENT PROCEDURES OF FAMC OR GOETZ AND REVISE SUCH PRACTICES TO BRING THEM INTO COMPLIANCE WITH THE ADVISERS ACT.

**Broker Statement**

THE SEC DID NOT CONTEND THAT ANY TRANSACTION EFFECTED BY MR. GOETZ OR FAMC LACKED THE AUTHORIZATION OF THE CLIENTS INVOLVED, OR THAT ANY CLIENT FUNDS OR SECURITIES WERE MISUED. ALL TRANSACTIONS WERE ATHORIZED BY CLIENTS AND ALL CLIENT SIGNATURES WERE GENUINE. MR. GOETZ BELIEVED AT ALL TIMES THAT ALL REGULAORY FILINGS, INTERNAL COMPLIANCE MEASURES, AND ADVERTISING MATERIALS OF FAMC MET OR EXCEEDED APPICABLE FEDERAL AND STATE REQUIREMENTS. MR. GOETZ LEARNED FOR THE FIRST TIME DURING THE SEC INQUIRY THAT USE OF PRE-SIGNED FEE LIQUIDATION FORMS MIGHT BE VIEWED BY THE SEC AS CUSTODY OF CLIENT ASSETS. WITH RESPECT TO THE BROCHURE, THE SEC DID NOT CONTEST THE ACCURACY OF THE TRACT RECORD FOR THE ACCOUNTS REFERNECED IN THE FAMC BROCHURE. FINALLY, THE SEC FINDING THAT A BROCHURE USED FOR SEVERAL MONTHS IN 1992 DID NOT ``CLEARLY`` INDICATE THAT THE CONFIRMATION OF THE TRACK RECORD BY AN INDPENENT PUBLIC ACCOUNTING FIRM WAS LIMITED TO THE TWO



OLDEST  
ACCOUNT CONTINUOUSLY MANAGED BY FAMC`S SUBADVISOR WAS  
BECAUSE  
THE DISCLOSURE WAS ON IN INSERT CARE, RATHER IN THE BROCHURE  
ITSELF/



## End of Report

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