



## IAPD Report

**MARK ANDREW TREWITT**

CRD# 1364490

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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

### MARK ANDREW TREWITT (CRD# 1364490)

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 **06/24/2024**.

### CURRENT EMPLOYERS

	Firm	CRD#	Registered Since
IA	DELTA INVESTMENT MANAGEMENT, LLC	CRD# 149596	06/06/2019

### QUALIFICATIONS

This representative is currently registered in **0** 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
IA	VFG ADVISORS, INC.	150370	Plano, TX	11/10/2010 - 12/31/2018
B	VFG SECURITIES, INC.	15121	PLANO, TX	11/09/2010 - 11/13/2017
B	NIAGARA INTERNATIONAL CAPITAL LIMITED	135327	NEW YORK, NY	04/13/2017 - 06/14/2017

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	1
Customer Dispute	19



## 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 **0** SRO(s) through his or her employer(s).

### Employment 1 of 1

Firm Name: **DELTA INVESTMENT MANAGEMENT, LLC**

Main Address: 708 MONTGOMERY STREET  
SAN FRANCISCO, CA 94111

Firm ID#: 149596

	Regulator	Registration	Status	Date
IA	Texas	Investment Adviser Representative	Approved	06/06/2019

### Branch Office Locations

**DELTA INVESTMENT MANAGEMENT, LLC**

4324 Mapleshade Lane, Suite 131  
Plano, TX 75093



## 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 1 principal/supervisory exam, 4 general industry/product exams, and 2 state securities law exams.**

#### Principal/Supervisory Exams

Exam	Category	Date
<b>B</b> Investment Company Products/Variable Contracts Principal Examination (S26)	Series 26	07/19/2001

#### General Industry/Product Exams

Exam	Category	Date
<b>B</b> Securities Industry Essentials Examination (SIE)	SIE	11/13/2017
<b>B</b> Corporate Securities Limited Representative Examination (S62)	Series 62	07/03/2007
<b>B</b> Direct Participation Programs Representative Examination (S22)	Series 22	11/12/1992
<b>B</b> Investment Company Products/Variable Contracts Representative Examination (S6)	Series 6	10/02/1992

#### State Securities Law Exams

Exam	Category	Date
<b>IA</b> Uniform Investment Adviser Law Examination (S65)	Series 65	05/24/2018
<b>B</b> Uniform Securities Agent State Law Examination (S63)	Series 63	10/02/1992

### 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
IA	11/10/2010 - 12/31/2018	VFG ADVISORS, INC.	CRD# 150370	Plano, TX
B	11/09/2010 - 11/13/2017	VFG SECURITIES, INC.	CRD# 15121	PLANO, TX
B	04/13/2017 - 06/14/2017	NIAGARA INTERNATIONAL CAPITAL LIMITED	CRD# 135327	NEW YORK, NY
IA	03/12/2009 - 11/10/2010	MADISON AVENUE SECURITIES, INC.	CRD# 23224	PLANO, TX
B	09/22/2006 - 11/10/2010	MADISON AVENUE SECURITIES, INC.	CRD# 23224	PLANO, TX
IA	09/22/2006 - 03/25/2009	MADISON AVENUE ADVISORS, INC.	CRD# 137461	PLANO, TX
IA	05/18/2005 - 09/25/2006	KALOS MANAGEMENT	CRD# 133025	PLANO, TX
B	10/26/2004 - 09/25/2006	KALOS CAPITAL, INC.	CRD# 44337	PLANO, TX
IA	07/11/2002 - 10/27/2004	OGILVIE SECURITY ADVISORS CORP	CRD# 10105	PLANO, TX
B	07/11/2002 - 10/27/2004	OGILVIE SECURITY ADVISORS CORPORATION	CRD# 10105	CHICAGO, IL
IA	04/11/2002 - 07/19/2002	WALNUT STREET ADVISERS INC	CRD# 109903	PLANO, TX
B	04/25/2001 - 06/28/2002	WALNUT STREET SECURITIES, INC.	CRD# 15840	EL SEGUNDO, CA
B	11/04/1998 - 04/24/2001	OGILVIE SECURITY ADVISORS CORPORATION	CRD# 10105	CHICAGO, IL
B	01/02/1998 - 10/30/1998	CADARET, GRANT & CO., INC.	CRD# 10641	SYRACUSE, NY
B	09/03/1997 - 01/02/1998	AIG EQUITY SALES CORP.	CRD# 5967	NEW YORK, NY
B	10/05/1992 - 08/01/1997	SUN INVESTMENT SERVICES COMPANY	CRD# 5496	WELLESLEY HILLS, MA



## Registration & Employment History

### PREVIOUSLY REGISTERED WITH THE FOLLOWING FIRMS

This representative held registrations with the following firms:

Registration Dates	Firm Name	ID#	Branch Location
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### 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
10/2018 - Present	Delta Investment Management, LLC	Investment Advisor Representative	Y	Plano, TX, United States
12/2009 - Present	INTEGRATED MARKETING SOLUTIONS LLC	PART OWNER/PRESIDENT	N	PLANO, TX, United States
01/2006 - Present	IFSG LTD DBA INTEGRATED FINANCIAL SOLUTIONS GROUP	OWNER/GENERAL PARTNER	N	PLANO, TX, United States
05/1981 - Present	INDEPENDENT INSURANCE PRODUCER	OTHER - SELF EMPLOYED	N	PLANO, TX, United States
11/2010 - 12/2018	VFG ADVISORS, INC.	INVESTMENT ADVISOR REPRESENTATIVE	Y	PLANO, TX, United States
11/2010 - 11/2017	VFG SECURITIES, INC.	REGISTERED REPRESENTATIVE	Y	PLANO, TX, United States
04/2017 - 06/2017	Niagara International Capital Limited	Registered Representative	Y	Clarence, NY, 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.

All business conducted from the address listed in Item 1 of this Form U4, unless otherwise stated.

(1) 01/2006-Present; Insurance Funding Solutions, LLC, Owner & Managing Partner since 1999. Sales of life/health insurance & annuities. 10% of time devoted. Holds Managing Partner interest in IFSG Ltd dba Integrated Financial Solutions Group since 01/2006.

(2) 1/2006 - Present: IFSG, Ltd., dba Integrated Financial Solutions Group: Managing Member/Partner. Umbrella entity which offers financial planning, consulting, and other services to clients.

(3) 1994-Present; life, disability & health insurance (non-securities related) also contracted directly through carriers & through First Financial Resources (FFR). IFSG Ltd. is a member of FFR receiving ins. commissions directly from carriers through FFR.

(4) 2012-Present; IFSG Ltd is registered with Exceptional Risk Advisors offering disability ins benefits. approx 1% of time per year, all during normal business hrs. not inv related.



## Registration & Employment History



### OTHER BUSINESS ACTIVITIES

(5) 04/2018-Present; IFSG Ltd. acts as Action Business Brokers Marketing Consultant with Action Business Brokers, an affiliate franchisee for Murphy Business Sales. approx 5-15 hours devoted per week, not-investment related.

(6) 1/2022-Present; IFSG, Ltd. has entered into a marketing agreement with Strategic Tax Planning and Stenson Tamaddon LLC related to Employee Retention Tax Credits. Not Inv Related. 15-20 Hrs/wk devoted.

(7) 12/2009-Present; Marketing VP, Integrated Marketing Solutions LLC. Pass Through Entity. 0-5% of time. Also provides business brokerage services through an affiliate franchisee and content development and consulting. Not inv related.





## 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	1
Customer Dispute	19

### 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 1

**Reporting Source:** Regulator

**Regulatory Action Initiated By:** Texas

**Sanction(s) Sought:** Suspension  
Undertaking

**Date Initiated:** 06/06/2019

**Docket/Case Number:** REG-SUS-04

**URL for Regulatory Action:**

**Employing firm when activity occurred which led to the regulatory action:**

**Product Type:** Direct Investment-DPP & LP Interests

**Allegations:** ON OCTOBER 31, 2018, RESPONDENT APPLIED FOR REGISTRATION AS AN INVESTMENT ADVISER REPRESENTATIVE FOR DELTA INVESTMENT MANAGEMENT, LLC ("DELTA") IN CONNECTION WITH RESPONDENTS APPLICATION, RESPONDENT SUBMITTED THE FORM U4. RESPONDENT'S FORM U4 REFLECTED THAT HE HAS BEEN NAMED IN 16 SEPARATE INVESTMENT-RELATED, CONSUMER-INITIATED ACTIONS, OF WHICH 5 REMAIN PENDING A RESOLUTION. THE DISCLOSED COMPLAINTS CONTAIN ALLEGATIONS RELATING TO EXCESSIVE CONCENTRATIONS IN ILLIQUID SECURITIES. RESPONDENT MADE RECOMMENDATIONS WITHOUT A REASONABLE BASIS TO BELIEVE THE INVESTMENTS WERE SUITABLE WHICH CONSTITUTES AN INEQUITABLE PRACTICE IN THE SALE OF SECURITIES. IT IS ORDERED THAT RESPONDENT'S INVESTMENT ADVISER REPRESENTATIVE BE GRANTED. IT IS FURTHER ORDERED THAT



RESPONDENT IS SUSPENDED FOR A PERIOD OF 90 DAYS. IF IS FURTHER ORDERED THAT RESPONDENT COMPLY WITH THE TERMS OF THE UNDERTAKING CONTAINED HEREIN.

**Current Status:** Final

**Resolution:** Order

**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:** 06/06/2019

**Sanctions Ordered:** Suspension  
Undertaking

**Sanction 1 of 1**

**Sanction Type:** Suspension

**Capacities Affected:** INVESTMENT ADVISER REPRESENTATIVE

**Duration:** 90 DAYS

**Start Date:** 06/06/2019

**End Date:** 09/05/2019

.....  
**Reporting Source:** Individual

**Regulatory Action Initiated By:** Texas State Securities Board

**Sanction(s) Sought:** Suspension

**Date Initiated:** 10/31/2018

**Docket/Case Number:** REG19-SUS-04

**Employing firm when activity occurred which led to the regulatory action:** VFG Securities, Inc.

**Product Type:** Direct Investment-DPP & LP Interests  
Other: Private Placements

**Allegations:** Regulator alleges that Mr. Trewitt made recommendations to clients to invest in non-listed Real Estate Investment Trusts and Business Development companies and private placements that were not suitable for the client.

**Current Status:** Final

**Resolution:** Order

**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:** 06/06/2019

**Sanctions Ordered:** Suspension  
Undertaking

**Sanction 1 of 1**

**Sanction Type:** Suspension

**Capacities Affected:** All Capacities

**Duration:** 90 days

**Start Date:** 06/06/2019

**End Date:** 09/04/2019

**Broker Statement** Due to the fact that the Texas Securities Board took over six months to review pending client arbitrations, and reach their conclusions, Mr. Trewitt decided to accept, vs. appeal and defend, their order so as to restore business operations to normal status and move forward.



## Customer Dispute

This section provides information regarding a customer dispute that was reported to the Investment Adviser Registration Depository (IARD) by the Investment Adviser Representative (IAR), an investment adviser and/or securities firm, and/or a securities regulator. The event may include a consumer-initiated, investment-related complaint, arbitration proceeding or civil suit that contains allegations of sales practice violations against the individual.

The customer dispute may be pending or may have resulted in a civil judgment, arbitration award, monetary settlement, closure without action, withdrawal, dismissal, denial, or other outcome.

### Disclosure 1 of 19

<b>Reporting Source:</b>	Individual
<b>Employing firm when activities occurred which led to the complaint:</b>	VFG Securities, Inc., Integrated Financial Solutions Group, Ltd., and Delta Investment Management, LLC
<b>Allegations:</b>	Misrepresentation, fraud, investments in unsuitable alternative investments, and breach of fiduciary duty.
<b>Product Type:</b>	Direct Investment-DPP & LP Interests Real Estate Security Other: Unspecified Investments
<b>Alleged Damages:</b>	\$4,000,000.00
<b>Is this an oral complaint?</b>	No
<b>Is this a written complaint?</b>	Yes
<b>Is this an arbitration/CFTC reparation or civil litigation?</b>	No

### Customer Complaint Information

<b>Date Complaint Received:</b>	10/15/2020
<b>Complaint Pending?</b>	No
<b>Status:</b>	Settled
<b>Status Date:</b>	12/08/2021
<b>Settlement Amount:</b>	\$100,000.00
<b>Individual Contribution Amount:</b>	\$100,000.00
<b>Broker Statement</b>	This claim originated from the SEC receivership action against Aequitas, which has come to full conclusion with clients receiving 90%+ on their invested funds. Claim further involved numerous alternative investments made by the deceased husband of the claimant. Settlement was reached by all parties to avoid the time and expense of full arbitration proceedings.

### Disclosure 2 of 19

<b>Reporting Source:</b>	Individual
<b>Employing firm when activities occurred which led to the complaint:</b>	VFG Securities, Inc.
<b>Allegations:</b>	Misrepresentation, investments in unsuitable, alternative, investments.
<b>Product Type:</b>	Debt-Asset Backed Direct Investment-DPP & LP Interests



	Oil & Gas Real Estate Security
<b>Alleged Damages:</b>	\$150,000.00
<b>Alleged Damages Amount Explanation (if amount not exact):</b>	Customer alleges losses in excess of \$150,000.
<b>Arbitration Information</b>	
<b>Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):</b>	FINRA
<b>Docket/Case #:</b>	19-03424
<b>Date Notice/Process Served:</b>	11/18/2019
<b>Arbitration Pending?</b>	No
<b>Disposition:</b>	Settled
<b>Disposition Date:</b>	08/31/2021
<b>Monetary Compensation Amount:</b>	\$20,000.00
<b>Individual Contribution Amount:</b>	\$16,500.00
<b>Broker Statement</b>	Claimant is alleging multiple losses, overconcentration in alternatives, and not following client's investment objectives, all of which are out of line with what our file documentation supports. As such we are responding with a general denial and look forward to resolution via reasonable mediation efforts in lieu of arbitration hearing.

### Disclosure 3 of 19

<b>Reporting Source:</b>	Individual
<b>Employing firm when activities occurred which led to the complaint:</b>	VFG Securities, Inc.
<b>Allegations:</b>	Losses related to alternative investments, over-concentration in alternative investments.
<b>Product Type:</b>	Annuity-Fixed Annuity-Variable Direct Investment-DPP & LP Interests Equipment Leasing Oil & Gas Real Estate Security
<b>Alleged Damages:</b>	\$300,000.00

### Arbitration Information

<b>Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):</b>	FINRA
<b>Docket/Case #:</b>	18-02181
<b>Date Notice/Process Served:</b>	06/13/2018



<b>Arbitration Pending?</b>	No
<b>Disposition:</b>	Settled
<b>Disposition Date:</b>	06/15/2019
<b>Monetary Compensation Amount:</b>	\$25,000.00
<b>Individual Contribution Amount:</b>	\$25,000.00
<b>Broker Statement</b>	This claim is one of many that have been promulgated by a securities attorney consortium based in Florida, which has taken the receivership of two funds that some of our clients invested in and used it to aggressively recruit baseless and specious arbitration claims against Mr. Trewitt and the firm, which, aside from the client names and the amount of damages, read exactly or nearly the same. Firm and Mr. Trewitt maintain that the claims made are baseless and without merit. Parties agreed to resolve the matter to avoid further cost of litigation. Neither firm nor Mr. Trewitt admitted to wrongdoing.

**Disclosure 4 of 19**

<b>Reporting Source:</b>	Firm
<b>Employing firm when activities occurred which led to the complaint:</b>	Madison Avenue Securities, LLC.
<b>Allegations:</b>	2007-2015 recommendation of unsuitable Alternative Investments and Fixed Annuities (not sold through the firm)
<b>Product Type:</b>	Annuity-Fixed Direct Investment-DPP & LP Interests Oil & Gas
<b>Alleged Damages:</b>	\$0.00
<b>Alleged Damages Amount Explanation (if amount not exact):</b>	No claim for damages is included in the arbitration
<b>Is this an oral complaint?</b>	No
<b>Is this a written complaint?</b>	No
<b>Is this an arbitration/CFTC reparation or civil litigation?</b>	Yes
<b>Arbitration/Reparation forum or court name and location:</b>	FINRA
<b>Docket/Case #:</b>	18-03208
<b>Filing date of arbitration/CFTC reparation or civil litigation:</b>	09/13/2018

**Customer Complaint Information**

<b>Date Complaint Received:</b>	09/18/2018
<b>Complaint Pending?</b>	No
<b>Status:</b>	Evolved into Arbitration/CFTC reparation (the individual is a named party)
<b>Status Date:</b>	09/13/2018

**Settlement Amount:****Individual Contribution  
Amount:****Arbitration Information****Arbitration/CFTC reparation  
claim filed with (FINRA, AAA,  
CFTC, etc.):** FINRA**Docket/Case #:** 18-03208**Date Notice/Process Served:** 09/13/2018**Arbitration Pending?** No**Disposition:** Settled**Disposition Date:** 12/15/2021**Monetary Compensation  
Amount:** \$65,000.00**Individual Contribution  
Amount:** \$65,000.00**Reporting Source:**

Individual

**Employing firm when  
activities occurred which led  
to the complaint:**

Madison Avenue Securities, LLC, VFG Securities, Inc.

**Allegations:**

Losses related to alternative investments, over-concentration in alternative investments.

**Product Type:**Annuity-Fixed  
Direct Investment-DPP & LP Interests  
Equipment Leasing  
Oil & Gas  
Promissory Note  
Real Estate Security**Alleged Damages:**

\$1,954,304.00

**Alleged Damages Amount  
Explanation (if amount not  
exact):**

There is not specific amount mentioned in the complaint. The amount provided is the maximum assumed loss mentioned in the complaint.

**Arbitration Information****Arbitration/CFTC reparation  
claim filed with (FINRA, AAA,  
CFTC, etc.):** FINRA**Docket/Case #:** 18-03208**Date Notice/Process Served:** 10/06/2018**Arbitration Pending?** No**Disposition:** Settled**Disposition Date:** 12/15/2021**Monetary Compensation  
Amount:** \$65,000.00





**Individual Contribution Amount:** \$65,000.00

**Broker Statement** Client is claiming overconcentration and suitability issues, when the primary decision maker (now deceased) was adamant that they did not want significant amounts of money in the stock market but wanted greater yield than CD/safer investments. Claim is alleging that all investments which are not presently liquid are considered loss, which is far from the reality or interim liquidity status of most investment positions.

### Disclosure 5 of 19

**Reporting Source:** Individual

**Employing firm when activities occurred which led to the complaint:** VFG Securities Inc.

**Allegations:** Alleged breach of fiduciary duty in the recommendations of unsuitable and over-concentrated illiquid alternative investments between 2011 to 2013. Further allegations against the BD include failure to supervise.

**Product Type:** Direct Investment-DPP & LP Interests  
Oil & Gas  
Real Estate Security

**Alleged Damages:** \$100,000.00

**Alleged Damages Amount Explanation (if amount not exact):** Statement of claim states a potential loss of \$100,000 - \$500,000; actual amount to be proven during the hearing.

**Is this an oral complaint?** No

**Is this a written complaint?** Yes

**Is this an arbitration/CFTC reparation or civil litigation?** No

### Customer Complaint Information

**Date Complaint Received:** 07/10/2018

**Complaint Pending?** No

**Status:** Settled

**Status Date:** 09/15/2019

**Settlement Amount:** \$75,000.00

**Individual Contribution Amount:** \$45,000.00

### Disclosure 6 of 19

**Reporting Source:** Individual

**Employing firm when activities occurred which led to the complaint:** VFG Securities, Inc.

**Allegations:** Claimants allege negligence and breach of fiduciary duty against Mr. Trewitt and an additional negligent supervision claim against VFG Securities for recommending the purchases of unsuitable investments between 2010 - 2014.



**Product Type:** Direct Investment-DPP & LP Interests  
Real Estate Security

**Alleged Damages:** \$275,000.00

**Is this an oral complaint?** No

**Is this a written complaint?** Yes

**Is this an arbitration/CFTC reparation or civil litigation?** Yes

**Arbitration/Reparation forum or court name and location:** FINRA

**Docket/Case #:** 18-01954

**Filing date of arbitration/CFTC reparation or civil litigation:** 05/21/2018

### Customer Complaint Information

**Date Complaint Received:** 05/22/2018

**Complaint Pending?** No

**Status:** Settled

**Status Date:** 04/25/2019

**Settlement Amount:** \$25,000.00

**Individual Contribution Amount:** \$25,000.00

**Broker Statement** This claim is one of many that have been promulgated by a securities attorney consortium based in Florida, which has taken the receivership of two funds that some of our clients invested in and used it to aggressively recruit baseless and specious arbitration claims against Mr. Trewitt and the firm, which, aside from the client names and the amount of damages, read exactly or nearly the same. Firm and Mr. Trewitt maintain that the claims made are baseless and without merit. Parties agreed to resolve the matter to avoid further cost of litigation. Neither firm nor Mr. Trewitt admitted to wrongdoing.

### Disclosure 7 of 19

**Reporting Source:** Individual

**Employing firm when activities occurred which led to the complaint:** Madison Avenue Securities and VFG Securities

**Allegations:** Clients allege recommendations made to them by Mr. Trewitt were not suitable, due to the illiquid nature of some of their chosen investments. However, Clients were also invested in fully liquid investments alongside the illiquid ones, providing a diversified portfolio.

**Product Type:** Direct Investment-DPP & LP Interests  
Oil & Gas  
Real Estate Security  
Other: Private Placements

**Alleged Damages:** \$50,000.00

**Alleged Damages Amount** No damage amount is alleged, only that they would like to be "made whole" on the



**Explanation (if amount not exact):** investments made which underperformed. Alleged comp damage amount derived by investment amounts minus dividends paid.

**Is this an oral complaint?** No

**Is this a written complaint?** Yes

**Is this an arbitration/CFTC reparation or civil litigation?** No

### Customer Complaint Information

**Date Complaint Received:** 02/03/2017

**Complaint Pending?** No

**Status:** Closed/No Action

**Status Date:** 02/09/2017

**Settlement Amount:**

**Individual Contribution Amount:**

**Broker Statement** Clients were understandably concerned about a portion of their invested portfolio in pre-qualified tax advantaged illiquid investments, in a larger diversified portfolio, which underperformed expectations. Clients signed acknowledging that said investments were not liquid and they were suitable in advance of investing. Now want to be made whole after market decline, by no fault of Mr. Trewitt's. Investments do not carry such provisions. Firm believes complaint was without merit and was denied.

### Disclosure 8 of 19

**Reporting Source:** Individual

**Employing firm when activities occurred which led to the complaint:** VFG Securities Inc.

**Allegations:** Negligence and breach of fiduciary duty. Alleged activities occurred between approx. 8/15/13 - 9/6/16.

**Product Type:** Other: Private non-traded REITs

**Alleged Damages:** \$150,000.00

### Customer Complaint Information

**Date Complaint Received:**

**Complaint Pending?** No

**Status:** Settled

**Status Date:** 04/13/2018

**Settlement Amount:** \$77,952.00

**Individual Contribution Amount:** \$0.00

### Arbitration Information



**Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):**

FINRA

**Docket/Case #:**

17-02010

**Date Notice/Process Served:**

08/01/2017

**Arbitration Pending?**

No

**Disposition:**

Settled

**Disposition Date:**

04/13/2018

**Monetary Compensation Amount:**

\$77,952.00

**Individual Contribution Amount:**

\$0.00

**Broker Statement**

This settlement is one of eight that are directly related to this group of client complaints and arbitrations where investments in Vertical Capital and Aequis Income Opportunity Fund II were involved. Both of these investments went into receivership in 2015 and 2016, respectively, and largely triggered this group of complaints and arbitrations. The majority of clients involved were related socially and/or solicited directly for their arbitrations by a Florida based marketing firm that generates leads for securities attorneys. While VFG Securities and Mark Trewitt both maintain that the broader claims and allegations as promulgated by counsel and pro-se claimants are without merit, and with no admission of wrongdoing, the settlement indicated was agreed upon in order to avoid a protracted and costly arbitration process allowing all parties involved to move forward.

### Disclosure 9 of 19

**Reporting Source:**

Individual

**Employing firm when activities occurred which led to the complaint:**

VFG Securities Inc.

**Allegations:**

Claimants allege negligence and breach of fiduciary duty. Claimants met respondent Trewitt in or about 2009, and began investing with respondents shortly thereafter through 2014.

**Product Type:**

Direct Investment-DPP & LP Interests  
Oil & Gas  
Other: Private Non-traded REITs

**Alleged Damages:**

\$500,000.00

### Customer Complaint Information

**Date Complaint Received:**

**Complaint Pending?**

No

**Status:**

Settled

**Status Date:**

04/13/2018

**Settlement Amount:**

\$167,880.00



**Individual Contribution Amount:** \$0.00

### Arbitration Information

**Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):** FINRA

**Docket/Case #:** 17-01824

**Date Notice/Process Served:** 07/18/2017

**Arbitration Pending?** No

**Disposition:** Settled

**Disposition Date:** 04/13/2018

**Monetary Compensation Amount:** \$167,880.00

**Individual Contribution Amount:** \$0.00

**Broker Statement** This settlement is one of eight that are directly related to this group of client complaints and arbitrations where investments in Vertical Capital and Aequitas Income Opportunity Fund II were involved. Both of these investments went into receivership in 2015 and 2016, respectively, and largely triggered this group of complaints and arbitrations. The majority of clients involved were related socially and/or solicited directly for their arbitrations by a Florida based marketing firm that generates leads for securities attorneys. While VFG Securities and Mark Trewitt both maintain that the broader claims and allegations as promulgated by counsel and pro-se claimants are without merit, and with no admission of wrongdoing, the settlement indicated was agreed upon in order to avoid a protracted and costly arbitration process allowing all parties involved to move forward.

### Disclosure 10 of 19

**Reporting Source:** Individual

**Employing firm when activities occurred which led to the complaint:** VFG Securities, Inc.

**Allegations:** Claimants allege negligence and breach of fiduciary duty. Claimants met respondent in or about 2010 and began investing with him thereafter through 2015.

**Product Type:** Direct Investment-DPP & LP Interests  
Oil & Gas  
Other: Private non-traded REITs

**Alleged Damages:** \$100,000.00

### Customer Complaint Information

**Date Complaint Received:**

**Complaint Pending?** No

**Status:** Settled



**Status Date:** 03/20/2018

**Settlement Amount:** \$35,186.00

**Individual Contribution Amount:** \$0.00

### Arbitration Information

**Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):** FINRA

**Docket/Case #:** 17-01883

**Date Notice/Process Served:** 07/19/2017

**Arbitration Pending?** No

**Disposition:** Settled

**Disposition Date:** 03/20/2018

**Monetary Compensation Amount:** \$35,186.00

**Individual Contribution Amount:** \$0.00

**Broker Statement** This settlement is one of eight that are directly related to this group of client complaints and arbitrations where investments in Vertical Capital and Aequitas Income Opportunity Fund II were involved. Both of these investments went into receivership in 2015 and 2016, respectively, and largely triggered this group of complaints and arbitrations. The majority of clients involved were related socially and/or solicited directly for their arbitrations by a Florida based marketing firm that generates leads for securities attorneys. While VFG Securities and Mark Trewitt both maintain that the broader claims and allegations as promulgated by counsel and pro-se claimants are without merit, and with no admission of wrongdoing, the settlement indicated was agreed upon in order to avoid a protracted and costly arbitration process allowing all parties involved to move forward.

### Disclosure 11 of 19

**Reporting Source:** Individual

**Employing firm when activities occurred which led to the complaint:** VFG Securities Inc.

**Allegations:** Between March 6-April 9, 2015 claimant alleges misrepresentations and unsuitability concerning the safety of multiple alternative investments recommended by Mr. Trewitt, and VFG's failure to supervise.

**Product Type:** Other: Non-traded REITs

**Alleged Damages:** \$400,000.00

### Customer Complaint Information

**Date Complaint Received:**

**Complaint Pending?** No

**Status:** Settled

**Status Date:** 04/13/2018

**Settlement Amount:** \$139,645.00



**Individual Contribution Amount:** \$0.00

### Arbitration Information

**Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):** FINRA

**Docket/Case #:** 17-01669

**Date Notice/Process Served:** 07/11/2017

**Arbitration Pending?** No

**Disposition:** Settled

**Disposition Date:** 04/13/2018

**Monetary Compensation Amount:** \$139,645.00

**Individual Contribution Amount:** \$0.00

**Broker Statement** This settlement is one of eight that are directly related to this group of client complaints and arbitrations where investments in Vertical Capital and Aequitas Income Opportunity Fund II were involved. Both of these investments went into receivership in 2015 and 2016, respectively, and largely triggered this group of complaints and arbitrations. The majority of clients involved were related socially and/or solicited directly for their arbitrations by a Florida based marketing firm that generates leads for securities attorneys. While VFG Securities and Mark Trewitt both maintain that the broader claims and allegations as promulgated by counsel and pro-se claimants are without merit, and with no admission of wrongdoing, the settlement indicated was agreed upon in order to avoid a protracted and costly arbitration process allowing all parties involved to move forward.

### Disclosure 12 of 19

**Reporting Source:** Firm

**Employing firm when activities occurred which led to the complaint:** Madison Avenue Securites

**Allegations:** Claimants allege breach of fiduciary Duty and contract negligence based on the recommendation and sales a specific investments

**Product Type:** Direct Investment-DPP & LP Interests  
Oil & Gas

**Alleged Damages:** \$60,000.00

**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** FINRA

**or court name and location:**

**Docket/Case #:** 17-01922  
**Filing date of arbitration/CFTC reparation or civil litigation:** 07/21/2017

**Customer Complaint Information**

**Date Complaint Received:** 07/31/2017  
**Complaint Pending?** No  
**Status:** Settled  
**Status Date:** 04/16/2018  
**Settlement Amount:** \$21,000.00  
**Individual Contribution Amount:** \$0.00

**Firm Statement** Claimants filed a statement of claim against the firm. The RR was not named as a respondent in the matter. The firm denies the allegations and claims asserted against it. The claims were groundless and time-barred. The parties agreed to resolve the matter to avoid further cost of litigation.

.....

**Reporting Source:** Individual  
**Employing firm when activities occurred which led to the complaint:** Madison Avenue Securities

**Allegations:** Claimants allege breach of fiduciary duty and contract negligence based on the recommendation and sales of specific investments against Madison Ave Securities. Mr. Trewitt was not a named respondent in this case. Mr. Trewitt met Clients in October of 2007. Purchases in question were made in 2008 & 2009 as a means of positioning assets into income generating investments that were not correlated to the stock market. Subsequent declines in the energy sector have led to programs' outcomes, well below expectations.

**Product Type:** Direct Investment-DPP & LP Interests  
Oil & Gas

**Alleged Damages:** \$60,000.00

**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 #:** 17-01922  
**Filing date of arbitration/CFTC reparation or civil litigation:** 07/21/2017

**Customer Complaint Information**





**Date Complaint Received:** 08/14/2017

**Complaint Pending?** No

**Status:** Settled

**Status Date:** 04/16/2018

**Settlement Amount:** \$21,000.00

**Individual Contribution Amount:** \$0.00

**Broker Statement** Mr. Trewitt met clients in October of 2007. Purchases in question were made in 2008 & 2009 as a means of positioning assets into income generating investments that were not correlated to the stock market. Subsequent declines in the energy sector led to the programs' outcomes that were well below any initial expectations. The Clients were apprised of and acknowledged the risks associated with the investments in question. Clients have been kept apprised of the outcome of the equipment leasing and energy programs over the years, and still chose to file a claim against Madison Ave Securities. Trewitt was not named as a respondent in this matter. MAS denied all allegations and claims, which were groundless and time-barred. Parties agreed to resolve the matter to avoid further cost of litigation.

#### Disclosure 13 of 19

**Reporting Source:** Firm

**Employing firm when activities occurred which led to the complaint:** Madison Avenue Securities, LLC and VFG Securities, Inc.

**Allegations:** Claimant(s) allege Breach of Fiduciary Duty and contract negligence pertaining to the commendation and sales of specific products to claimants.

**Product Type:** Oil & Gas

**Alleged Damages:** \$499,000.00

**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 #:** 17-01115

**Filing date of arbitration/CFTC reparation or civil litigation:** 05/05/2017

#### Customer Complaint Information

**Date Complaint Received:** 05/08/2017

**Complaint Pending?** No

**Status:** Settled

**Status Date:** 04/16/2018

**Settlement Amount:** \$20,000.00



**Individual Contribution Amount:** \$0.00

**Firm Statement** Claimants filed a statement of claim against the firm. The RR was not named as a respondent in the matter. The firm denies the allegations and claims asserted against it. The claims were groundless and without merit. The parties agreed to resolve the matter to avoid further cost of litigation.

.....

**Reporting Source:** Individual

**Employing firm when activities occurred which led to the complaint:** Madison Avenue Securities and VFG Securities

**Allegations:** Clients alleged during 2010 breach of fiduciary duty, breach of contract and negligent supervision.

**Product Type:** Oil & Gas

**Alleged Damages:** \$499,000.00

**Is this an oral complaint?** No

**Is this a written complaint?** Yes

**Is this an arbitration/CFTC reparation or civil litigation?** Yes

**Arbitration/Reparation forum or court name and location:** FINRA

**Docket/Case #:** 17-01115

**Filing date of arbitration/CFTC reparation or civil litigation:** 05/01/2017

### Customer Complaint Information

**Date Complaint Received:** 06/09/2017

**Complaint Pending?** No

**Status:** Settled

**Status Date:** 04/16/2018

**Settlement Amount:** \$20,000.00

**Individual Contribution Amount:** \$0.00

**Broker Statement** This claim is one of many that have been promulgated by a securities attorney consortium based in Florida, which has taken the receivership of two funds that some of our clients invested in and used it to aggressively recruit baseless and specious arbitration claims against Mr. Trewitt and the firm, which, aside from the client names and the amount of damages, read exactly or nearly the same. Claimed damages are exclusive of investments that have full cycled at 100% or more of initial investment. Investments that have not turned out to the [customer's] satisfaction are minimal in relation to the damages claimed, and included "lost opportunity" relative to the rise in equities, which the [customers] specifically desired to avoid (20% maximum market risk). Claim was filed against the firm, MAS; Trewitt was not named a respondent in this matter. MAS denied allegations and claims, which were groundless and without merit. The parties agreed to resolve the matter to avoid further cost of litigation.

**Disclosure 14 of 19**

**Reporting Source:** Individual

**Employing firm when activities occurred which led to the complaint:** VFG Securities, Inc.

**Allegations:** Between 2012 - 2014, claimants allege negligence, breach of fiduciary duty, and negligent supervision by VFG.

**Product Type:** Other: Private Placement Securities

**Alleged Damages:** \$800,000.00

**Arbitration Information**

**Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):** FINRA

**Docket/Case #:** 17-01412

**Date Notice/Process Served:** 06/05/2017

**Arbitration Pending?** No

**Disposition:** Settled

**Disposition Date:** 06/01/2018

**Monetary Compensation Amount:** \$200,000.00

**Individual Contribution Amount:** \$0.00

**Broker Statement**

This claim is one of many that have been promulgated by a securities attorney consortium based in Florida, which has taken the receivership of two funds that some of our clients invested in and used it to aggressively recruit baseless and specious arbitration claims against Mr. Trewitt and the firm, which, aside from the client names and the amount of damages, read exactly or nearly the same. Firm and advisor maintain that the claims made are baseless and without merit. Client had specific objectives which were addressed and satisfied through a variety of planning measures, investment oriented and otherwise. Client was provided with opportunities and recommendations on multiple occasions to diversify investment holdings to achieve greater balance in their holdings, but most recommendations were not acted upon. Tax reduction planning was, at the outset and throughout the relationship, a primary focus of the clients. Multiple planning strategies for tax reduction, both implemented and not implemented, were provided to the client each year. Client's objectives, concerns and risk tolerance, via the completion of the firm's financial organizer, in the client's own handwriting, provides a significantly different picture than what is now stated in their claim.

**Disclosure 15 of 19**

**Reporting Source:** Individual

**Employing firm when activities occurred which led to the complaint:** VFG Securities Inc./VFG Advisors Inc.

**Allegations:** OVERCONCENTRATION OF ALTERNATIVE INVESTMENTS, SUITABILITY; 2010-2015



**Product Type:** Debt-Asset Backed  
Direct Investment-DPP & LP Interests  
Equipment Leasing  
Promissory Note  
Real Estate Security

**Alleged Damages:** \$300,000.00

### Customer Complaint Information

**Date Complaint Received:**

**Complaint Pending?** No

**Status:** Settled

**Status Date:** 04/13/2018

**Settlement Amount:** \$101,576.00

**Individual Contribution Amount:** \$0.00

### Arbitration Information

**Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):** FINRA

**Docket/Case #:** 17-00669

**Date Notice/Process Served:** 03/24/2017

**Arbitration Pending?** No

**Disposition:** Settled

**Disposition Date:** 04/13/2018

**Monetary Compensation Amount:** \$101,576.00

**Individual Contribution Amount:** \$0.00

### Broker Statement

This case was chosen by FINRA for review and returned a "no action" letter to firm on October 6, 2017. Firm also believes claims are without merit and baseless. This settlement is one of eight that are directly related to this group of client complaints and arbitrations where investments in Vertical Capital and Aequis Income Opportunity Fund II were involved. Both of these investments went into receivership in 2015 and 2016, respectively, and largely triggered this group of complaints and arbitrations. The majority of clients involved were related socially and/or solicited directly for their arbitrations by a Florida based marketing firm that generates leads for securities attorneys. While VFG Securities and Mark Trewitt both maintain that the broader claims and allegations as promulgated by counsel and pro-se claimants are without merit, and with no admission of wrongdoing, the settlement indicated was agreed upon in order to avoid a protracted and costly arbitration process allowing all parties involved to move forward.



<b>Reporting Source:</b>	Individual
<b>Employing firm when activities occurred which led to the complaint:</b>	VFG Securities, Inc.
<b>Allegations:</b>	Allegations include unsuitable recommendations and misrepresentation of investment program safety. Alleged timeframe of activity; 12/5/2012 - 6/9/2015.
<b>Product Type:</b>	Direct Investment-DPP & LP Interests
<b>Alleged Damages:</b>	\$84,000.00
<b>Alleged Damages Amount Explanation (if amount not exact):</b>	Difficult to identify specific claims and alleged damages, but statement of claim lists \$84,000 as amount invested.
<b>Is this an oral complaint?</b>	No
<b>Is this a written complaint?</b>	Yes
<b>Is this an arbitration/CFTC reparation or civil litigation?</b>	Yes
<b>Arbitration/Reparation forum or court name and location:</b>	FINRA
<b>Docket/Case #:</b>	17-02163
<b>Filing date of arbitration/CFTC reparation or civil litigation:</b>	08/16/2017

### Customer Complaint Information

<b>Date Complaint Received:</b>	08/23/2017
<b>Complaint Pending?</b>	No
<b>Status:</b>	Settled
<b>Status Date:</b>	04/13/2018
<b>Settlement Amount:</b>	\$63,453.00
<b>Individual Contribution Amount:</b>	\$0.00

### Arbitration Information

<b>Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):</b>	FINRA
<b>Docket/Case #:</b>	17-02163
<b>Date Notice/Process Served:</b>	08/23/2017
<b>Arbitration Pending?</b>	No
<b>Disposition:</b>	Settled
<b>Disposition Date:</b>	04/13/2018
<b>Monetary Compensation Amount:</b>	\$63,453.00
<b>Individual Contribution Amount:</b>	\$0.00

**Broker Statement**

This settlement is one of eight that are directly related to this group of client complaints and arbitrations where investments in Vertical Capital and Aequis Income Opportunity Fund II were involved. Both of these investments went into receivership in 2015 and 2016, respectively, and largely triggered this group of complaints and arbitrations. The majority of clients involved were related socially and/or solicited directly for their arbitrations by a Florida based marketing firm that generates leads for securities attorneys. While VFG Securities and Mark Trewitt both maintain that the broader claims and allegations as promulgated by counsel and pro-se claimants are without merit, and with no admission of wrongdoing, the settlement indicated was agreed upon in order to avoid a protracted and costly arbitration process allowing all parties involved to move forward.

**Disclosure 17 of 19****Reporting Source:**

Individual

**Employing firm when activities occurred which led to the complaint:**

VFG Securities, Inc.

**Allegations:**

Poor and unsuitable recommendations and advice, deceptive marketing practices. Timeframe difficult to identify in Statement of Claim, but RR worked with client between 2013-2016.

**Product Type:**

Direct Investment-DPP & LP Interests  
Oil & Gas  
Other: Private Plcmt/Non-traded REITs

**Alleged Damages:**

\$213,000.00

**Alleged Damages Amount Explanation (if amount not exact):**

No amount of damages are claimed. This figure provided is amount invested in two products which are the subject of complaint, minus distributions received as of the date of complaint.

**Is this an oral complaint?**

No

**Is this a written complaint?**

Yes

**Is this an arbitration/CFTC reparation or civil litigation?**

Yes

**Arbitration/Reparation forum or court name and location:**

FINRA

**Docket/Case #:**

17-02163

**Filing date of arbitration/CFTC reparation or civil litigation:**

08/16/2017

**Customer Complaint Information****Date Complaint Received:**

08/23/2017

**Complaint Pending?**

No

**Status:**

Settled

**Status Date:**

04/13/2018



**Settlement Amount:** \$100,896.00

**Individual Contribution Amount:** \$0.00

### Arbitration Information

**Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):** FINRA

**Docket/Case #:** 17-02163

**Date Notice/Process Served:** 08/23/2017

**Arbitration Pending?** No

**Disposition:** Settled

**Disposition Date:** 04/13/2018

**Monetary Compensation Amount:** \$100,896.00

**Individual Contribution Amount:** \$0.00

### Broker Statement

This settlement is one of eight that are directly related to this group of client complaints and arbitrations where investments in Vertical Capital and Aequitas Income Opportunity Fund II were involved. Both of these investments went into receivership in 2015 and 2016, respectively, and largely triggered this group of complaints and arbitrations. The majority of clients involved were related socially and/or solicited directly for their arbitrations by a Florida based marketing firm that generates leads for securities attorneys. While VFG Securities and Mark Trewitt both maintain that the broader claims and allegations as promulgated by counsel and pro-se claimants are without merit, and with no admission of wrongdoing, the settlement indicated was agreed upon in order to avoid a protracted and costly arbitration process allowing all parties involved to move forward.

### Disclosure 18 of 19

**Reporting Source:** Firm

**Employing firm when activities occurred which led to the complaint:** Madison Avenue Securities and VFG Securites

**Allegations:** During the period 2007 through 2011 client met with and purchased various investments from RR. Client alleges he purchased these investments through inducement and misrepresentations. Client alleges loss of principle.

**Product Type:** Other: Non traded Reits and Private Placements

**Alleged Damages:** \$400,000.00

**Is this an oral complaint?** No

**Is this a written complaint?** Yes

**Is this an arbitration/CFTC reparation or civil litigation?** No

**Customer Complaint Information**

**Date Complaint Received:** 02/07/2016

**Complaint Pending?** No

**Status:** Evolved into Arbitration/CFTC reparation (the individual is a named party)

**Status Date:** 02/07/2017

**Settlement Amount:**

**Individual Contribution Amount:**

**Arbitration Information**

**Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):** FINRA

**Docket/Case #:** 17-00217

**Date Notice/Process Served:** 02/07/2017

**Arbitration Pending?** No

**Disposition:** Settled

**Disposition Date:** 04/13/2018

**Monetary Compensation Amount:** \$48,413.00

**Individual Contribution Amount:** \$0.00

**Firm Statement** Firm maintains claims pertaining to misrepresentation and inducement are baseless and without merit. Client was a knowledgeable accredited investor. RR's interaction and dealings with the client were appropriate and within the scope of proper conduct.

.....

**Reporting Source:** Individual

**Employing firm when activities occurred which led to the complaint:** Madison Avenue Securities and VFG Securities

**Allegations:** Between 11/2007 - 4/2016 Claimants allege unsuitable recommendations, over-concentration in high risk investments, and breach of fiduciary duty.

**Product Type:** CD  
Direct Investment-DPP & LP Interests  
Oil & Gas  
Real Estate Security

**Alleged Damages:** \$350,000.00

**Is this an oral complaint?** No

**Is this a written complaint?** Yes

**Is this an arbitration/CFTC reparation or civil litigation?** Yes

**Arbitration/Reparation forum or court name and location:** FINRA





**Docket/Case #:** 17-00217  
**Filing date of arbitration/CFTC reparation or civil litigation:** 01/25/2017

### Customer Complaint Information

**Date Complaint Received:** 02/06/2017  
**Complaint Pending?** No  
**Status:** Settled  
**Status Date:** 04/13/2018  
**Settlement Amount:** \$48,413.00  
**Individual Contribution Amount:** \$0.00

### Arbitration Information

**Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):** 01/25/2017

**Docket/Case #:** 17-00217  
**Date Notice/Process Served:** 02/06/2017  
**Arbitration Pending?** No  
**Disposition:** Settled  
**Disposition Date:** 04/13/2018  
**Monetary Compensation Amount:** \$48,413.00  
**Individual Contribution Amount:** \$0.00

**Broker Statement** This settlement is one of eight that are directly related to this group of client complaints and arbitrations where investments in Vertical Capital and Aequitas Income Opportunity Fund II were involved. Both of these investments went into receivership in 2015 and 2016, respectively, and largely triggered this group of complaints and arbitrations. The majority of clients involved were related socially and/or solicited directly for their arbitrations by a Florida based marketing firm that generates leads for securities attorneys. While VFG Securities and Mark Trewitt both maintain that the broader claims and allegations as promulgated by counsel and pro-se claimants are without merit, and with no admission of wrongdoing, the settlement indicated was agreed upon in order to avoid a protracted and costly arbitration process allowing all parties involved to move forward.

### Disclosure 19 of 19

**Reporting Source:** Individual  
**Employing firm when activities occurred which led to the complaint:** VFG SECURITIES, INC.



**Allegations:** MISAPPROPRIATION OF INVESTMENT IN KBR BARONS COVE BY KBR PRINCIPAL, [THIRD PARTY]. CUSTOMER WISHES RETURN OF ENTIRE INVESTMENT. CUSTOMER PURCHASED \$25,000 OF KBR BARON'S COVE, A PRIVATE PLACEMENT, ON 12/5/2012. INITIAL CONVERSATIONS WITH [CUSTOMER] BY VFG BEGAN ON 6/26/14, WHEREBY [CUSTOMER] DID NOT WANT TO FILE A COMPLAINT BUT WANTED HIS MONEY BACK. SUBSEQUENT CONVERSATIONS BETWEEN VFG, RR AND [CUSTOMER] RESULTED IN RR OFFERING TO BUY INVESTMENT INTERESTS FROM CLIENT, WHICH WAS AGREED AND SETTLED ON 12/15/2014.

**Product Type:** Other: PRIVATE PLACEMENT

**Alleged Damages:** \$25,000.00

**Is this an oral complaint?** No

**Is this a written complaint?** Yes

**Is this an arbitration/CFTC reparation or civil litigation?** No

### Customer Complaint Information

**Date Complaint Received:** 09/07/2014

**Complaint Pending?** No

**Status:** Settled

**Status Date:** 12/15/2014

**Settlement Amount:** \$25,000.00

**Individual Contribution Amount:** \$25,000.00

**Broker Statement** CUSTOMER PURCHASED \$25,000 OF KBR BARON'S COVE, A PRIVATE PLACEMENT, ON 12/5/2012. KBR PRINCIPAL, [THIRD PARTY], MISAPPROPRIATED INVESTOR FUNDS IN BARON'S COVE INVESTMENT AND CANNOT BE LOCATED, APPARENTLY LEFT THE COUNTRY. CUSTOMER WANTED RETURN OF ENTIRE INVESTMENT, UNDERSTANDABLY. INITIAL CONVERSATIONS WITH [CUSTOMER] BY VFG ON 6/26/14, [CUSTOMER] DID NOT WANT TO FILE A COMPLAINT BUT WANTED HIS MONEY BACK. SUBSEQUENT CONVERSATIONS BETWEEN VFG, RR AND [CUSTOMER] RESULTED IN RR OFFERING TO BUY INVESTMENT INTERESTS FROM CLIENT, WHICH WAS AGREED TO AND SETTLED ON 12/15/2014. RR TO PAY CUSTOMER \$5,000 BY 12/31/2014, THEN 8 MONTHLY PAYMENTS OF \$2,500 UNTIL THE FULL \$25,000 IS PAID TO CUSTOMER.



## End of Report

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