



IAPD Report

DAVID LINUS KELLY

CRD# 1597375

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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

DAVID LINUS KELLY (CRD# 1597375)

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 **06/03/2024**.

CURRENT EMPLOYERS

	Firm	CRD#	Registered Since
B	COMMONWEALTH FINANCIAL NETWORK	CRD# 8032	06/07/1991
IA	COMMONWEALTH FINANCIAL NETWORK	CRD# 8032	01/30/2014

QUALIFICATIONS

This representative is currently registered in **1** SRO(s) and **53** 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	R. G. DICKINSON & CO.	689	DES MOINES, IA	01/29/1990 - 06/05/1991
B	J. T. MORAN & CO., INC.	15655	DES MOINES, IA	09/14/1989 - 02/20/1990
B	FIDELITY BROKERAGE SERVICES, INC.	7784	DES MOINES, IA	03/17/1987 - 09/09/1989

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	1



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 **53** jurisdiction(s) and 1 SRO(s) through his or her employer(s).

Employment 1 of 1

Firm Name: **COMMONWEALTH FINANCIAL NETWORK**
Main Address: 275 WYMAN STREET
SUITE 400
WALTHAM, MA 02451-1200
Firm ID#: 8032

	Regulator	Registration	Status	Date
B	FINRA	General Securities Representative	Approved	06/07/1991
B	FINRA	General Securities Principal	Approved	02/26/1992
B	FINRA	Municipal Securities Representative	Approved	05/08/1992
B	FINRA	Municipal Securities Principal	Approved	08/05/1992
B	FINRA	Registered Options Principal	Approved	04/06/1993
B	FINRA	Operations Professional	Approved	12/05/2011
B	FINRA	Securities Trader	Approved	01/04/2016
B	Alabama	Agent	Approved	05/07/2004
B	Alaska	Agent	Approved	04/29/2004
B	Arizona	Agent	Approved	05/26/2004
B	Arkansas	Agent	Approved	04/27/2004
B	California	Agent	Approved	10/26/1994
B	Colorado	Agent	Approved	06/02/2004



Qualifications

	Regulator	Registration	Status	Date
B	Connecticut	Agent	Approved	04/27/2004
B	Delaware	Agent	Approved	04/28/2004
B	District of Columbia	Agent	Approved	05/05/2004
B	Florida	Agent	Approved	05/06/2004
B	Georgia	Agent	Approved	04/27/2004
B	Hawaii	Agent	Approved	05/25/2004
B	Idaho	Agent	Approved	04/28/2004
B	Illinois	Agent	Approved	04/27/2004
B	Indiana	Agent	Approved	04/29/2004
B	Iowa	Agent	Approved	06/02/2000
B	Kansas	Agent	Approved	04/29/2004
B	Kentucky	Agent	Approved	04/29/2004
B	Louisiana	Agent	Approved	04/27/2004
B	Maine	Agent	Approved	06/18/2004
B	Maryland	Agent	Approved	04/28/2004
B	Massachusetts	Agent	Approved	06/07/1991
IA	Massachusetts	Investment Adviser Representative	Approved	01/30/2014
B	Michigan	Agent	Approved	05/03/2004
B	Minnesota	Agent	Approved	04/27/2004



Qualifications

Regulator	Registration	Status	Date
B Mississippi	Agent	Approved	04/27/2004
B Missouri	Agent	Approved	04/27/2004
B Montana	Agent	Approved	04/27/2004
B Nebraska	Agent	Approved	07/16/2020
B Nevada	Agent	Approved	05/04/2004
B New Hampshire	Agent	Approved	05/25/2004
B New Jersey	Agent	Approved	08/31/1995
B New Mexico	Agent	Approved	04/27/2004
B New York	Agent	Approved	01/12/2002
B North Carolina	Agent	Approved	06/21/1999
B North Dakota	Agent	Approved	04/28/2004
B Ohio	Agent	Approved	10/12/2004
B Oklahoma	Agent	Approved	04/27/2004
B Oregon	Agent	Approved	04/27/2004
B Pennsylvania	Agent	Approved	04/28/2004
B Puerto Rico	Agent	Approved	07/12/2004
B Rhode Island	Agent	Approved	04/28/2004
B South Carolina	Agent	Approved	04/27/2004
B South Dakota	Agent	Approved	04/27/2004



Qualifications

Regulator	Registration	Status	Date
B Tennessee	Agent	Approved	04/28/2004
B Texas	Agent	Approved	06/25/2004
B Utah	Agent	Approved	04/27/2004
B Vermont	Agent	Approved	04/27/2004
B Virgin Islands	Agent	Approved	01/07/2020
B Virginia	Agent	Approved	04/27/2004
B Washington	Agent	Approved	05/07/2004
B West Virginia	Agent	Approved	04/27/2004
B Wisconsin	Agent	Approved	04/27/2004
B Wyoming	Agent	Approved	04/27/2004

Branch Office Locations

COMMONWEALTH FINANCIAL NETWORK
275 Wyman Street, Ste. 400
WALTHAM, MA 02451

COMMONWEALTH FINANCIAL NETWORK
Charlestown, MA






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 3 principal/supervisory exams, 7 general industry/product exams, and 2 state securities law exams.


Principal/Supervisory Exams

Exam	Category	Date
 Registered Options Principal Examination (S4)	Series 4	04/05/1993
 Municipal Securities Principal Examination (S53)	Series 53	08/03/1992
 General Securities Principal Examination (S24)	Series 24	02/24/1992

General Industry/Product Exams

Exam	Category	Date
 Municipal Securities Representative Examination (S52TO)	Series 52TO	01/02/2023
 Operations Professional Examination (S99TO)	Series 99TO	01/02/2023
 Securities Trader Exam (S57TO)	Series 57TO	01/02/2023
 Securities Industry Essentials Examination (SIE)	SIE	10/01/2018
 Limited Representative-Equity Trader Exam (S55)	Series 55	04/27/2000
 General Securities Representative Examination (S7)	Series 7	10/17/1987
 Investment Company Products/Variable Contracts Representative Examination (S6)	Series 6	03/16/1987

State Securities Law Exams


Exam	Category	Date
 Uniform Investment Adviser Law Examination (S65)	Series 65	12/27/1999



Qualifications

PASSED INDUSTRY EXAMS

State Securities Law Exams

Exam	Category	Date
 Uniform Securities Agent State Law Examination (S63)	Series 63	01/26/1987

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	01/29/1990 - 06/05/1991	R. G. DICKINSON & CO.	CRD# 689	DES MOINES, IA
B	09/14/1989 - 02/20/1990	J. T. MORAN & CO., INC.	CRD# 15655	
B	03/17/1987 - 09/09/1989	FIDELITY BROKERAGE SERVICES, INC.	CRD# 7784	

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
06/1991 - Present	COMMONWEALTH EQUITY SERVICES, INC.	NOT PROVIDED	Y	NEWTON, MA, 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.

CES INSURANCE AGENCY, LLC, SECRETARY AND INSURANCE AGENT, CONDUCTED AT BRANCH, INVESTMENT 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	1

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: NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

Sanction(s) Sought:

Other Sanction(s) Sought:

Date Initiated: 03/12/1996

Docket/Case Number: C11960008

Employing firm when activity occurred which led to the regulatory action: COMMONWEALTH EQUITY SERVICES, INC.

Product Type:

Other Product Type(s):

Allegations:

Current Status: Final

Resolution: Acceptance, Waiver & Consent(AWC)

Resolution Date: 03/12/1996

Sanctions Ordered: Censure
Monetary/Fine \$20,000.00

Other Sanctions Ordered:

Sanction Details:



Regulator Statement

ON MARCH 12, 1996, DISTRICT NO. 11 NOTIFIED RESPONDENTS COMMONWEALTH EQUITY SERVICES, INC. AND DAVID L. KELLY THAT THE LETTER OF ACCEPTANCE, WAIVER AND CONSENT NO. C11960008 WAS ACCEPTED; THEREFORE, THEY ARE CENSURED AND FINED \$20,000, JOINTLY AND SEVERALLY. IN ADDITION, RESPONDENT MEMBER IN ORDERED TO INSURE FUTURE COMPLIANCE, AGREES TO IMPLEMENT CERTAIN IMPROVEMENTS IN THE FIRM'S SUPERVISORY, COMPLIANCE AND MANAGEMENT STRUCTURE AS DESCRIBED IN THEIR STATEMENT OF MITIGATION; AGREES TO REFUND \$55,235 TO AFFECTED CUSTOMERS REPRESENTING ALL COMMISSIONS CHARGED THEM IN RELATION TO TRANSACTIONS - (ARTICLE III, SECTIONS 1 AND 27(a) OF THE RULES OF FAIR PRACTICE - RESPONDENT MEMBER, ACTING THROUGH RESPONDENT KELLY, FAILED TO ENFORCE THE FIRM'S WRITTEN SUPERVISORY PROCEDURES TO ACHIEVE COMPLIANCE WITH APPLICABLE SECURITIES LAWS AND REGULATIONS AND WITH THE RULES OF THE NASD IN THAT IT FAILED TO REVIEW AND APPROVE IN WRITING THE OPENING OF THE NEW ACCOUNTS IN A TIMELY MANNER, FAILED TO REVIEW THE AFOREMENTIONED PURCHASE TRANSACTIONS IN A TIMELY MANNER, AND FAILED TO REVIEW INFORMATION AS SET FORTH ON THE NEW ACCOUNT INFORMATION FORMS REGARDING THE SUITABILITY OF THE PURCHASE OF STOCK BY THE AFOREMENTIONED ACCOUNTS IN A TIMELY MANNER).

\$20,000 PAID J&S ON 4/2/96, INVOICE #96-11-224

Reporting Source: Individual
Regulatory Action Initiated By: NASD
Sanction(s) Sought:
Other Sanction(s) Sought:
Date Initiated: 03/12/1996
Docket/Case Number: C11960008
Employing firm when activity occurred which led to the regulatory action: COMMONWEALTH EQUITY SERVICES, INC.
Product Type:
Other Product Type(s):
Allegations: INCLUDED IN NASD INQUIRY AS TO FAILURE TO FOLLOW FIRM PROCEDURES FOR PRE-APPROVAL OF CERTAIN TRADES.
Current Status: Final
Resolution: Acceptance, Waiver & Consent(AWC)
Resolution Date: 03/12/1996
Sanctions Ordered: Censure
Monetary/Fine \$20,000.00
Other Sanctions Ordered:
Sanction Details: FIRM AND KELLY WERE JOINTLY AND SEVERALLY CENSURED AND FINED \$20,000



Broker Statement

AWC LETTER WAS SIGNED BY KELLY WITHOUT ADMITTING LIABILITY IN SETTLEMENT OF ALLEGATIONS BY NASD AS TO FAILURE TO FOLLOW INTERNAL PROCEDURES FOR PRE-APPROVAL OF CERTAIN TRADES.



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 1

Reporting Source: Regulator

Employing firm when activities occurred which led to the complaint: COMMONWEALTH EQUITY SERVICES, INC.

Allegations: MISREPRESENTATION; BRCH OF FIDUCIARY DT; ACCOUNT RELATED-NEGLIGENCE; ACCOUNT RELATED-BREACH OF CONTRACT

Product Type:

Alleged Damages: \$878,941.36

Arbitration Information

Arbitration/Reparation Claim filed with and Docket/Case No.: UNKNOWN - CASE #96-00275

Date Notice/Process Served: 01/25/1996

Arbitration Pending? No

Disposition: Settled

Disposition Date: 11/04/1996

Disposition Detail: CASE CLOSED,SETTLED/OTHER ACTUAL/COMPENSATORY DAMAGES, RELIEF REQUEST IS OVER FOR OTHER REASONS, AWARD AMOUNT JOINTLY AND SEVERALLY; INTEREST, RELIEF REQUEST IS OVER FOR OTHER REASONS, AWARD AMOUNT JOINTLY AND SEVERALLY; OTHER COSTS, RELIEF REQUEST IS OVER FOR OTHER REASONS, AWARD AMOUNT JOINTLY AND SEVERALLY; ATTORNEY'S FEES, RELIEF REQUEST IS OVER FOR OTHER REASONS, AWARD AMOUNT JOINTLY AND SEVERALLY; ACTUAL/COMPENSATORY DAMAGES, RELIEF REQUEST IS WITHDRAWN/SETTLED/ETC, AWARD AMOUNT JOINTLY AND SEVERALLY; INTEREST, RELIEF REQUEST IS WITHDRAWN/SETTLED/ETC, AWARD AMOUNT JOINTLY AND SEVERALLY; OTHER COSTS, RELIEF REQUEST IS WITHDRAWN/SETTLED/ETC, AWARD AMOUNT JOINTLY AND SEVERALLY; ATTORNEY'S FEES, RELIEF REQUEST IS WITHDRAWN/SETTLED/ETC, AWARD AMOUNT JOINTLY AND SEVERALLY

Reporting Source: Individual

Employing firm when activities occurred which led to the complaint: COMMONWEALTH EQUITY SERVICES, INC.

Allegations: THE CUSTOMERS ALELGED THAT MR. KELLY FAILED TO



QUESTION THE LIQUIDATION OF THEIR STOCK PORTFOLIO OR THE WITHDRAWAL OF FUNDS FROM THEIR ACCOUNT. TH CUSTOMER MADE THE FOLLOWING ALLEGATIONS AGINST ANDREW SHAPANKA AND COMMONWEALTH EQUITY SERVICES (‘CES`): MISREPRESENTATION, BREACH OF FIDUCIARY DUTY, ACCOUNT-RELATED NEGLIGENCE, AND ACCOUNT-RELATED BREACH OF CONTRACT.

Product Type:

Alleged Damages: \$878,941.36

Customer Complaint Information

Date Complaint Received:

Complaint Pending? No

Status: Arbitration/Reparation

Status Date:

Settlement Amount:

Individual Contribution Amount:

Arbitration Information

Arbitration/Reparation Claim filed with and Docket/Case No.: NATIONAL ASSOC. OF SECURITIES DEALERS; 96-00275

Date Notice/Process Served: 01/25/1996

Arbitration Pending? No

Disposition: Settled

Disposition Date: 11/04/1996

Monetary Compensation Amount: \$130,000.00

Individual Contribution Amount: \$0.00

Broker Statement

MUTUAL RELEASE AND DISCHARGE OF MR. KELLY AND CES. CES AGREED TO PAY \$130,000 TO THE CUSTOMER AS A RESULT OF THE FRAUDULENT ACTIVIES OF FORMER REPRESENTATIVE SHAPANKA. CES AND MR. KELLY DID NOT ADMIT TO ANY LIABILITY OR WRONGDOING. MR. KELLY DID NOT PARTICIPATE IN THE SETTLEMENT NEGOTIATIONS. MR. KELLY NEVER SHOULD HAVE BEEN NAMED IN THIS ACTION. THE CUSTOMERS` ATTORNEY FELT THAT IT WAS NECESSARY TO INCLUDE EVERY HOME OFFICE EMPLOYEE WHO HAD CONTACT WITH THE CUSTOMERS. MR. KELLY IS MANAGER OF CES`S TRADE DESK, AND HIS ONLY CONTACT WITH THE CUSTOMERS OCCURRED WHEN HE TOOK THEIR PHONE CALL INQUIRING ABOUT THE FICTITIOUS POMISSORY NOTES THAT REGISTERED REPRESENTATIVE ANDREW SHAPANKA SOLD WITHOUT CES`S APPROVAL. MR. KELLY ALSO APPROVED THE CUSTOMERS` NEW ACCOUNT FORM. THIS FORM WAS PROPERLY COMPLETED AND THE CUSTOMERS



MADE
SEVERAL LEGITIMATE INVESTMENTS THROUGH CES ABOUT WHICH THEY
HAVE NEVER COMPLAINED. THERE WAS NOTHING UNUSUAL ABOUT THE
CUSTOMERS` LIQUIDATION OF STOCK, AND MR. KELLY DID NOT AND
COULD
NOT HAVE KNOWN THAT THE CUSTOMERS WERE GIVING THEIR SAVINGS
TO
MR. SHAPANKA TO INVEST IN FICTITIOUS SECURITIES.



End of Report

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