## IAPD Report

# KEVIN PATRICK FITZGERALD

CRD# 1754938

# 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

## KEVIN PATRICK FITZGERALD (CRD# 1754938)

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 **09/26/2024**.

## CURRENT EMPLOYERS

| | Firm | CRD# | Registered Since |
|---|---|---|---|
| B | OSAIC WEALTH, INC. | CRD# 23131 | 06/14/2024 |
| IA | OSAIC WEALTH, INC. | CRD# 23131 | 06/14/2024 |

## QUALIFICATIONS

This representative is currently registered in **1** SRO(s) and **8** 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 | SECURITIES AMERICA ADVISORS, INC. | 110518 | CAMPBELL, CA | 07/17/2020 - 06/14/2024 |
| B | SECURITIES AMERICA, INC. | 10205 | CAMPBELL, CA | 07/17/2020 - 06/14/2024 |
| B | INVESTACORP, INC. | 7684 | CAMPBELL, CA | 08/27/2009 - 07/17/2020 |

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 |
|---|---|
| Criminal | 1 |
| Customer Dispute | 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 **8** jurisdiction(s) and 1 SRO(s) through his or her employer(s).

### Employment 1 of 1

Firm Name: **OSAIC WEALTH, INC.**

Main Address: 18700 N. HAYDEN ROAD
SUITE 255
SCOTTSDALE, AZ 85255

Firm ID#: 23131

| | Regulator | Registration | Status | Date |
|---|---|---|---|---|
| B | FINRA | General Securities Principal | Approved | 06/14/2024 |
| B | FINRA | General Securities Representative | Approved | 06/14/2024 |
| B | FINRA | Invest. Co and Variable Contracts | Approved | 06/14/2024 |
| B | FINRA | Investment Banking Principal | Approved | 06/14/2024 |
| B | FINRA | Investment Banking Representative | Approved | 06/14/2024 |
| B | Arizona | Agent | Approved | 06/14/2024 |
| B | California | Agent | Approved | 06/14/2024 |
| IA | California | Investment Adviser Representative | Approved | 06/14/2024 |
| B | Colorado | Agent | Approved | 06/14/2024 |
| B | Idaho | Agent | Approved | 06/14/2024 |
| B | Nevada | Agent | Approved | 06/14/2024 |
| B | Oregon | Agent | Approved | 06/14/2024 |
| B | Texas | Agent | Approved | 06/14/2024 |

## Qualifications

| | Regulator | Registration | Status | Date |
|---|---|---|---|---|
| IA | Texas | Investment Adviser Representative | Restricted Approval | 09/30/2024 |
| B | Washington | Agent | Approved | 06/14/2024 |

### Branch Office Locations

**OSAIC WEALTH, INC.**
268 E. HAMILTON AVENUE
SUITE E
CAMPBELL, CA  95008

# 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 1 state securities law exam.**

### Principal/Supervisory Exams

| | Exam | Category | Date |
|---|---|---|---|
| B | General Securities Principal Examination (S24) | Series 24 | 01/08/2007 |

### General Industry/Product Exams

| | Exam | Category | Date |
|---|---|---|---|
| B | Investment Banking Registered Representative Examination (S79TO) | Series 79TO | 01/02/2023 |
| B | Securities Industry Essentials Examination (SIE) | SIE | 10/01/2018 |
| B | General Securities Representative Examination (S7) | Series 7 | 09/02/1999 |
| B | Investment Company Products/Variable Contracts Representative Examination (S6) | Series 6 | 12/02/1987 |

### State Securities Law Exams

| | Exam | Category | Date |
|---|---|---|---|
| IA B | Uniform Combined State Law Examination (S66) | Series 66 | 06/23/1999 |

## PROFESSIONAL DESIGNATIONS

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

No information reported.

Only professional designations listed in Question 8 of the Form U4 will appear in this section if the appropriate box is checked and verified by the issuing organization at the time of the filing. Learn more about eligible designations at IARD and NASAA.

 

# 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 | 07/17/2020 - 06/14/2024 | SECURITIES AMERICA ADVISORS, INC. | CRD# 110518 | CAMPBELL, CA |
| B | 07/17/2020 - 06/14/2024 | SECURITIES AMERICA, INC. | CRD# 10205 | CAMPBELL, CA |
| B | 08/27/2009 - 07/17/2020 | INVESTACORP, INC. | CRD# 7684 | CAMPBELL, CA |
| IA | 08/24/2009 - 07/17/2020 | INVESTACORP ADVISORY SERVICES INC | CRD# 109011 | CAMPBELL, CA |
| IA | 06/26/2007 - 06/26/2009 | BERTHEL FISHER & COMPANY FINANCIAL SERVICES, INC. | CRD# 13609 | SAN JOSE, CA |
| B | 06/26/2007 - 06/26/2009 | BERTHEL, FISHER & COMPANY FINANCIAL SERVICES, INC. | CRD# 13609 | SAN JOSE, CA |
| IA | 08/22/2006 - 06/26/2007 | BROOKSTREET CAPITAL MANAGEMENT | CRD# 14667 | SAN JOSE, CA |
| B | 08/08/2006 - 06/26/2007 | BROOKSTREET SECURITIES CORPORATION | CRD# 14667 | SAN JOSE, CA |
| IA | 05/30/2000 - 08/02/2006 | CENTAURUS FINANCIAL, INC. | CRD# 30833 | SAN JOSE, CA |
| B | 04/11/2000 - 08/02/2006 | CENTAURUS FINANCIAL, INC. | CRD# 30833 | SAN JOSE, CA |
| B | 12/03/1987 - 04/24/2000 | AXA ADVISORS, LLC | CRD# 6627 | NEW YORK, NY |
| B | 12/03/1987 - 01/05/2000 | THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES | CRD# 4039 | NEW YORK, NY |

## 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 |
|---|---|---|---|---|
| 06/2024 - Present | OSAIC WEALTH, INC. | REGISTERED REP | Y | CAMPBELL, CA, United States |
| 10/1988 - Present | KEVIN FITZGERALD | INSURANCE SALES-INVESTMENT ADVISOR | Y | SAN JOSE, CA, United States |

 

# Registration & Employment History

## EMPLOYMENT HISTORY

| Employment Dates | Employer Name | Position | Investment Related | Employer Location |
|---|---|---|---|---|
| 07/2020 - 06/2024 | SECURITIES AMERICA ADVISORS, INC. | IAR | Y | CAMPBELL, CA, United States |
| 07/2020 - 06/2024 | SECURITIES AMERICA, INC. | REGISTERED REPRESENTATIVE | Y | CAMPBELL, CA, United States |
| 08/2009 - 07/2020 | INVESTACORP INC. | REGISTERED REPRESENTATIVE | Y | MIAMI LAKES, FL, 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.

1) TRINITY FINANCIAL SERVICES, INVESTMENT RELATED, CONDUCTED FROM 268 E HAMILTON AVE, CAMPBELL, CA 95008. THE NATURE OF THE OUTSIDE BUSINESS ACTIVITY (OBA) IS DBA/FIXED INSURANCE, MY POSITION IN THE ORGANIZATION IS OWNER. 09/2009 WAS THE START OF THE RELATIONSHIP WITH THE OTHER BUSINESS AND 160-200 HOURS ARE DEVOTED TO THE OTHER BUSINESS PER WEEK AND 160-200 OF HOURS ARE DEVOTED TO THE OTHER BUSINESS DURING SECURITIES TRADING HOURS PER MONTH.

 

# 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 |
|---|---|
| Criminal | 1 |
| Customer Dispute | 2 |

### Criminal

This disclosure event involves a criminal charge against the Investment Adviser Representative that has resulted in a dismissal, plea, acquittal or conviction. The criminal matter may relate to any felony or certain misdemeanor offenses (e.g., bribery, perjury, forgery, counterfeiting, extortion, fraud, wrongful taking of property).

**Disclosure 1 of 1**

| | |
|---|---|
| **Reporting Source:** | Individual |
| **Formal Charges were brought in:** | State Court |
| **Name of Court:** | SUPERIOR COURT OF THE STATE OF CALIFORNIA |
| **Location of Court:** | NEVADA COUNTY, CALIFORNIA |
| **Docket/Case #:** | 32025 |
| **Charge Date:** | 03/24/1986 |
| **Charge(s) 1 of 1** | |
| **Formal Charge(s)/Description:** | KEEPING A PLACE FOR THE SELLING OF A CONTROLLED SUBSTANCE, a Felony |
| **No of Counts:** | 1 |
| **Felony or Misdemeanor:** | Felony |
| **Plea for each charge:** | Not Guilty |
| **Disposition of charge:** | Reduced |
| **Date of Amended Charge:** | 06/02/1986 |
| **Charge was Amended or reduced to:** | VIOLAT.ION OF HEALTH & SAFETY CODE 11366, a misdemeanor |
| **Amended No of Counts:** | 1 |
| **Amended Charge:** | Misdemeanor |
| **Amended Plea:** | Nolo Contendre |
| **Disposition of Amended Charge:** | Convicted |

| | |
|---|---|
| **Current Status:** | Final |
| **Status Date:** | 06/02/1986 |
| **Disposition Date:** | 06/02/1986 |
| **Sentence/Penalty:** | SENTENCE 3 YEARS PROBATION. FINE OF $1500. 60 DAYS IN JAIL. START DATE OF PENALTY: 07/11/1986. END DATE OF PENALTY: 09/11/1986. DATE MONETARY/PENALTY FINE PAID: 07/01/1989. |
| **Broker Statement** | IN AUGUST OF 1983 I WAS LIVING ON A FRIENDS PROPERTY HELPING HIM CUT TREES & BUILD FENCES FOR A SUMMER JOB BETWEEN SCHOOL SEMESTERS. ONE EVENING 3/24/1986, OUR CAMP WAS RAIDED BY NEVADA COUNTY POLICE OFFICERS ASSUMING WE USED THIS AS A BASE CAMP FOR A MARIJUANA CULTIVATION ESTABLISHMENT. WE NEVER GREW THE MARIJUANA BUT ALOT WAS BEING GROWN AROUND US. WE WERE LIVING IN NORTHERN CALIFORNIA IN THE FOOTHILLS. MOST OF THE PEOPLE IN THAT AREA GROW MARIJUANA. |

## 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 2

| | |
|---|---|
| **Reporting Source:** | Individual |
| **Employing firm when activities occurred which led to the complaint:** | INVESTACORP, INC. |
| **Allegations:** | Claimants allege unsuitability of alternative investments which caused financial harm. |
| **Product Type:** | Real Estate Security<br>Other: Business Development Company (BDC) |
| **Alleged Damages:** | $100,000.00 |
| **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 #:** | 21-00910 |
| **Filing date of arbitration/CFTC reparation or civil litigation:** | 04/07/2021 |

## Customer Complaint Information

| | |
|---|---|
| **Date Complaint Received:** | 05/17/2021 |
| **Complaint Pending?** | No |
| **Status:** | Settled |
| **Status Date:** | 12/20/2022 |
| **Settlement Amount:** | $110,000.00 |
| **Individual Contribution Amount:** | $0.00 |
| **Broker Statement** | This matter was settled by the broker-dealer in order to avoid the ongoing costs and uncertainty of arbitration. The financial professional did not participate in or contribute to the settlement. |

### Disclosure 2 of 2

| | |
|---|---|
| **Reporting Source:** | Firm |

| | |
|---|---|
| **Employing firm when activities occurred which led to the complaint:** | AXA ADVISORS, LLC |
| **Allegations:** | THE FIRM'S INTERNAL AUDIT DEPARTMENT RECEIVED A COMPLAINT FROM THE CUSTOMERS WHO ALLEGED THAT THEY DID NOT RECALL SIGNING VARIOUS DOCUMENTS TO PAY PREMIUMS FROM DIVIDENDS AND POLICY LOANS. CUSTOMERS REQUEST THE RE-ESTABLISHMENT OF THE PROPER CASH VALUE AND ALL INTEREST, DIVIDENDS AND/OR FEES TO BE RETURNED. DAMAGES UNSPECIFIED. |
| **Product Type:** | Insurance |
| **Alleged Damages:** | $0.00 |
| **Alleged Damages Amount Explanation (if amount not exact):** | DAMAGES UNSPECIFIED |
| **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:** | 05/11/2011 |
| **Complaint Pending?** | No |
| **Status:** | Closed/No Action |
| **Status Date:** | 03/06/2012 |
| **Settlement Amount:** | |
| **Individual Contribution Amount:** | |
| **Firm Statement** | THE FIRM CLOSED ITS CASE ON THIS MATTER DUE TO NO RESPONSE FROM CLIENT REGARDING ACCEPTANCE OF OFFER LETTERS. |

| | |
|---|---|
| **Reporting Source:** | Individual |
| **Employing firm when activities occurred which led to the complaint:** | AXA ADVISORS LLC |
| **Allegations:** | AXA ADVSIORS' INTERNAL AUDIT DEPARTMENT RECEIVED A COMPLAINT FROM THE CUSTOMERS WHO ALLEGED THAT THEY DID NOT RECALL SIGNING VARIOUS DOCUMENTS TO PAY PREMIUMS FROM DIVIDENDS AND POLICY LOANS. CUSTOMERS REQUEST THE RE-ESTABLISHMENT OF THE PROPER CASH VALUE AND ALL INTEREST, DIVIDENDS AND/OR FEES TO BE RETURNED. DAMAGES UNSPECIFIED. |
| **Product Type:** | Insurance |
| **Alleged Damages:** | $0.00 |
| **Alleged Damages Amount Explanation (if amount not exact):** | DAMAGES UNSPECIFIED. |

| | |
|---|---|
| **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:** | 05/11/2011 |
| **Complaint Pending?** | No |
| **Status:** | Closed/No Action |
| **Status Date:** | 03/06/2012 |
| **Settlement Amount:** | |
| **Individual Contribution Amount:** | |
| **Broker Statement** | THE FIRM CLOSED ITS CASE ON THIS MATTER DUE TO NO RESPONSE FROM CLIENTS REGARDING ACCEPTANCE OF OFFER LETTERS. |

# End of Report

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