



IAPD Report

JAMES EDWARD WHEELER II

CRD# 1953865

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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

JAMES EDWARD WHEELER II (CRD# 1953865)

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 **12/23/2019**.

CURRENT EMPLOYERS

| | Firm | CRD# | Registered Since |
|-----------|------------------------------|-------------|------------------|
| IA | JAMES WHEELER & CO. ADVISORS | CRD# 306498 | 12/20/2019 |

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 | CHANGE PATH LLC | 281213 | Centennial, CO | 09/18/2018 - 12/23/2019 |
| B | RICHFIELD ORION INTERNATIONAL, INC. | 24433 | CASTLE ROCK, CO | 03/06/2018 - 06/15/2018 |
| B | PROFESSIONAL BROKER-DEALER FINANCIAL PLANNING, INC. | 23651 | CASTLE ROCK, CO | 02/05/2018 - 02/20/2018 |

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 | 4 |
| 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 **1** jurisdiction(s) and **0** SRO(s) through his or her employer(s).

Employment 1 of 1

Firm Name: **JAMES WHEELER & CO. ADVISORS**
Main Address: HIGHLANDS RANCH, CO
Firm ID#: 306498

| Regulator | Registration | Status | Date |
|--------------------|-----------------------------------|----------|------------|
| IA Colorado | Investment Adviser Representative | Approved | 12/20/2019 |

Branch Office Locations

JAMES WHEELER & CO. ADVISORS
6901 S. RACE STREET
#101
Centennial, CO 80122



Qualifications

PASSED INDUSTRY EXAMS

This section includes all industry exams that the representative has passed. Under limited circumstances, a representative may attain registration after receiving an exam waiver based on a combination of exams the representative has passed and qualifying work experience. Likewise a new exam requirement may be grandfathered based on a representative's specific qualifying work experience. Exam waivers and grandfathering are not included below.

This individual has passed 2 principal/supervisory exams, 2 general industry/product exams, and 2 state securities law exams.

Principal/Supervisory Exams

| Exam | Category | Date |
|--|-----------|------------|
| Introducing Broker/Dealer Financial Operations Principal Examination (S28) | Series 28 | 09/24/1997 |
| General Securities Principal Examination (S24) | Series 24 | 01/05/1995 |

General Industry/Product Exams

| Exam | Category | Date |
|--|----------|------------|
| Securities Industry Essentials Examination (SIE) | SIE | 06/15/2018 |
| General Securities Representative Examination (S7) | Series 7 | 05/20/1989 |

State Securities Law Exams

| Exam | Category | Date |
|--|-----------|------------|
| Uniform Combined State Law Examination (S66) | Series 66 | 07/03/2018 |
| Uniform Securities Agent State Law Examination (S63) | Series 63 | 11/28/1989 |

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 | 09/18/2018 - 12/23/2019 | CHANGE PATH LLC | CRD# 281213 | Centennial, CO |
| B | 03/06/2018 - 06/15/2018 | RICHFIELD ORION INTERNATIONAL, INC. | CRD# 24433 | CASTLE ROCK, CO |
| B | 02/05/2018 - 02/20/2018 | PROFESSIONAL BROKER-DEALER FINANCIAL PLANNING, INC. | CRD# 23651 | CASTLE ROCK, CO |
| B | 06/16/2003 - 08/08/2017 | 1ST DISCOUNT BROKERAGE, INC. | CRD# 39164 | Lone Tree, CO |
| IA | 08/25/2010 - 04/09/2013 | 1ST DISCOUNT BROKERAGE, INC. | CRD# 39164 | Lone Tree, CO |
| B | 05/24/1995 - 07/22/2003 | JAMES WHEELER & CO. INVESTMENTS, INC. | CRD# 38157 | DENVER, CO |
| B | 11/07/1994 - 05/31/1995 | U.S. CLEARING CORP. | CRD# 13071 | DALLAS, TX |
| B | 03/14/1991 - 02/19/1993 | OLDE DISCOUNT CORPORATION | CRD# 5979 | DETROIT, MI |
| B | 01/30/1990 - 03/06/1991 | DAIN BOSWORTH INCORPORATED | CRD# 7600 | |
| B | 01/23/1990 - 02/14/1990 | JESUP & LAMONT, INCORPORATED | CRD# 3144 | |
| B | 09/21/1989 - 02/05/1990 | HANIFEN, IMHOFF SECURITIES CORP. | CRD# 10620 | |
| B | 08/25/1989 - 12/14/1989 | RICHFIELD SECURITIES, INC. | CRD# 16109 | |
| B | 05/24/1989 - 07/18/1989 | MULTI-FINANCIAL SECURITIES CORPORATION | CRD# 10299 | |

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 |
|-------------------|------------------------------|-----------------------------------|--------------------|-------------------------------|
| 11/2019 - Present | James Wheeler & Co. Advisors | Investment Adviser Representative | Y | Centennial, CO, United States |



Registration & Employment History

EMPLOYMENT HISTORY

| Employment Dates | Employer Name | Position | Investment Related | Employer Location |
|-------------------|--|-----------------------------------|--------------------|------------------------------------|
| 12/2017 - Present | SELECT QUOTE | MEDICARE SPECIALIST | Y | Centennial, CO, United States |
| 04/2018 - 12/2019 | CHANGE PATH LLC | INVESTMENT ADVISER REPRESENTATIVE | Y | LEAWOOD, KS, United States |
| 03/2018 - 04/2018 | Richfield Orion International, Inc. | Registered Rep | Y | Castle Rock, CO, United States |
| 02/2018 - 03/2018 | Professional Broker-Dealer Financial Planning, Inc | REGISTERED REPRESENTATIVE | Y | Castle Rock, CO, United States |
| 05/1995 - 02/2018 | JAMES WHEELER & CO. | PRESIDENT | Y | CASTLE ROCK, CO, United States |
| 06/2003 - 07/2017 | FIRST DISCOUNT BROKERAGE, INC. | REGISTERED REPRESENTATIVE | Y | WEST PALM BEACH, FL, United States |
| 05/1995 - 07/2017 | JAMES WHEELER & CO. INVESTMENTS, INC. | PRESIDENT - President | Y | DENVER, CO, United States |
| 02/1995 - 07/2017 | JAMES WHEELER & CO. INVESTMENTS, INC. | NOT PROVIDED | Y | DENVER, CO, United States |
| 10/1994 - 07/2017 | JAMES WHEELER & CO | OTHER - SHAREHOLDER | Y | DENVER, CO, 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.

JAMES WHEELER & CO. - DBA, INVESTMENT RELATED, Centennial, CO 80122, PRESIDENT/OWNER, SINCE 1993, LESS THAN 5 HOURS/MO ALL OF WHICH ARE DURING TRADING HOURS.

SELECT QUOTE, INVESTMENT RELATED, Centennial, CO 80122, MEDICARE SUPPLEMENT AND INSURANCE SALES, INSURANCE AGENT, SINCE 08/2018, LESS THAN 40/HR MONTH ALL OF WHICH ARE DURING TRADING HOURS.

PERSONAL PENSION CORPORATION, INVESTMENT RELATED, Centennial, CO 80122, ANNUITY SALES, INSURANCE AGENT, LESS THAN 40 HOURS/MO ALL OF WHICH ARE DURING TRADING HOURS.



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 | 4 |
| 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 4

| | |
|---|---|
| Reporting Source: | Regulator |
| Regulatory Action Initiated By: | ILLINOIS |
| Sanction(s) Sought: | Denial |
| Other Sanction(s) Sought: | |
| Date Initiated: | 01/23/2004 |
| Docket/Case Number: | 0300728 |
| Employing firm when activity occurred which led to the regulatory action: | 1ST DISCOUNT BROKERAGE, INC. |
| Product Type: | Other |
| Other Product Type(s): | |
| Allegations: | RESPONDENTS REGISTRATION AS A SALESPERSON IN THE STATE OF ILLINOIS IS SUBJECT TO REVOCATION PURSUANT TO SECTION 8.E(1)(J) OF THE ILLINOIS SECURITIES LAW. |
| 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: 07/06/2004

Sanctions Ordered: Revocation/Expulsion/Denial

Other Sanctions Ordered:

Sanction Details: RESPONDENT SOLD CLIENT MUTUAL FUND B-SHARES WITHOUT A REASONABLE BASIS FOR BELIEVING THEM TO BE SUITABLE FOR CLIENT WHICH PREVENTED CLIENT FROM OBTAINING THE BENEFIT OF SALES CHARGE "BREAKOUT".

Regulator Statement NOTICE OF HEARING ISSUED AND HEARING IS SCHEDULED FOR MARCH 10TH. ANY QUESTIONS CALL CHERYL WEISS @ 312-793-3324. HEARING IS HEREBY DISMISSED.

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Reporting Source: Individual

Regulatory Action Initiated By: STATE OF ILLINOIS

Sanction(s) Sought: Revocation

Date Initiated: 01/23/2004

Docket/Case Number: 0300728

Employing firm when activity occurred which led to the regulatory action: 1ST DISCOUNT BROKERAGE, INC.

Product Type: Mutual Fund

Allegations: RESPONDENT REGISTRATION AS A SALESPERSON IN THE STATE OF ILLINOIS IS SUBJECT TO REVOCATION PURSUANT TO SECTION 8.E(1)(J) OF THE ILLINOIS SECURITIES LAW.

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? Yes

Resolution Date: 07/06/2004

Sanctions Ordered: Revocation

Broker Statement THIS IS THE SAME CASE THAT WAS PREVIOUSLY SETTLED FOR OVER DIVERSIFICATION WITH THE NASD. THE STATE OF ILLINOIS, RATHER THAN LET WHEELER U5, HELD A HEARING THAT WHEELER WAS UNABLE TO ATTEND. THE HEARING RESULTED IN SUSPENSION OF REGISTRATION IN ILLINOIS. AT THE TIME WHEELER WAS TERMINATING HIS REGISTRATION IN APPROX 30 STATES DUE TO THE SALE OF HIS BROKER/DEALER. ILLINOIS HELD A HEARING RATHER THAN ALLOW WHEELER TO CANCEL HIS REGISTRATION.

Disclosure 2 of 4

Reporting Source: Regulator



Regulatory Action Initiated By: NASD

Sanction(s) Sought:

Other Sanction(s) Sought:

Date Initiated: 07/23/2003

Docket/Case Number: C3A030033

Employing firm when activity occurred which led to the regulatory action: JAMES WHEELER & CO., INVESTMENTS, INC.

Product Type: Mutual Fund(s)

Other Product Type(s):

Allegations: NASD CONDUCT RULES 2110 AND 2310 - RESPONDENT WHEELER ACTING ON BEHALF OF HIS MEMBER FIRM RECOMMENDED THAT A CUSTOMER PURCHASE MUTUAL FUNDS WITHOUT HAVING A REASONABLE BASIS FOR BELIEVING THAT THE RECOMMENDATION WERE SUITABLE FOR THE CUSTOMERS ACCOUNT.

Current Status: Final

Resolution: Acceptance, Waiver & Consent(AWC)

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: 07/23/2003

Sanctions Ordered: Suspension

Other Sanctions Ordered:

Sanction Details: WITHOUT ADMITTING OR DENYING THE ALLEGATIONS, THE RESPONDENT JAMES WHEELER CONSENTED TO THE FINDING OF THE ALLEGATIONS AND TO THE FOLLOWING SANCTIONS: SUSPENDED FROM ASSOCIATION WITH ANY NASD MEMBER IN ANY CAPACITY FOR 10 BUSINESS DAYS. THE SUSPENSION WILL COMMENCE WITH THE OPENING OF BUSINESS ON AUGUST 18, 2003, AND WILL CONCLUDE AT THE CLOSE OF BUSINESS ON AUGUST 29, 2003.

Reporting Source: Individual

Regulatory Action Initiated By: NASD

Sanction(s) Sought:

Date Initiated: 06/15/2000

Docket/Case Number: C3A030033



| | |
|---|---|
| Employing firm when activity occurred which led to the regulatory action: | JAMES WHEELER & COMPANY |
| Product Type: | Mutual Fund |
| Allegations: | THE NASD ALLEGED THE CLASS "B" TRANSACTIONS IN MUTUAL FUNDS FOR ONE CUSTOMER WAS EXCESSIVE. |
| Current Status: | Final |
| Resolution: | Acceptance, Waiver & Consent(AWC) |
| Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct? | Yes |
| Resolution Date: | 05/28/2003 |
| Sanctions Ordered: | Monetary Penalty other than Fines Suspension |
| Sanction 1 of 1 | |
| Sanction Type: | Suspension |
| Capacities Affected: | PRINCIPLE |
| Duration: | 10 DAYS |
| Start Date: | |
| End Date: | |
| Monetary Sanction 1 of 2 | |
| Monetary Related Sanction: | Disgorgement |
| Total Amount: | \$3,600.00 |
| Portion Levied against individual: | \$3,600.00 |
| Payment Plan: | |
| Is Payment Plan Current: | |
| Date Paid by individual: | |
| Was any portion of penalty waived? | No |
| Amount Waived: | |
| Monetary Sanction 2 of 2 | |
| Monetary Related Sanction: | Civil and Administrative Penalty(ies)/Fine(s) |
| Total Amount: | \$5,000.00 |
| Portion Levied against individual: | \$5,000.00 |
| Payment Plan: | |
| Is Payment Plan Current: | |



Date Paid by individual:

Was any portion of penalty waived? No

Amount Waived:

Broker Statement

THE NASD INVESTIGATED ONE CLIENT'S \$1,900,000 INVESTMENT IN 24 MUTUAL FUNDS FROM 15 MUTUAL FUND FAMILIES AND CONCLUDED THAT THE INVESTMENT, IN TOTAL, WAS OVER-DIVERSIFIED. WHEELER CONTENDS THAT THE CLIENT DID NOT WANT TO PAY A FRONT END SALES CHARGE AND THAT THE b SHARE PLAN WAS ACCEPTABLE. WHEELER ALSO CONTENDS THAT THE MODEL IS NOW USED REGULARLY BY INVESTMENT ADVISORS, 401K'S AND VARIABLE ANNUITIES.

Disclosure 3 of 4

Reporting Source: Regulator

Regulatory Action Initiated By: NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.

Sanction(s) Sought:

Other Sanction(s) Sought:

Date Initiated: 08/11/1997

Docket/Case Number: C3A970048

Employing firm when activity occurred which led to the regulatory action: JAMES WHEELER & CO. INVESTMENTS, INC.

Product Type: Other

Other Product Type(s):

Allegations: NASD RULE 2110 - RESPONDENT MEMBER , ACTING THROUGH RESPONDENT WHEELER, CONDUCTED A SECURITIES BUSINESS WHILE FAILING TO MAINTAIN THE MINIMUM REQUIRED NET CAPITAL.

Current Status: Final

Resolution: Acceptance, Waiver & Consent(AWC)

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: 08/11/1997

Sanctions Ordered: Censure
Monetary/Fine \$3,500.00

Other Sanctions Ordered:

Sanction Details: ON AUGUST 11, 1997, DISTRICT NO. 3 NOTIFIED RESPONDENTS JAMES E. WHEELER THAT THE LETTER OF ACCEPTANCE, WAIVER AND CONSENT NO. C3A970048 WAS ACCEPTED; THEREFORE, THEY ARE CENSURED AND FINED \$3,500, JOINTLY AND SEVERALLY.



Reporting Source: Individual
Regulatory Action Initiated By: NASD
Sanction(s) Sought:
Date Initiated: 08/11/1997
Docket/Case Number: C3A970048
Employing firm when activity occurred which led to the regulatory action: JAMES WHEELER & CO. INVESTMENTS, INC.
Product Type: No Product
Allegations: ON SEPT 30TH, 1996 AND JAN 31, 1997 FIRM FAILED TO MAINTAIN MINIMUM NET CAPITAL
Current Status: Final
Resolution: Acceptance, Waiver & Consent(AWC)
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: 08/11/1997
Sanctions Ordered: Censure
Monetary Sanction 1 of 1
Monetary Related Sanction: Civil and Administrative Penalty(ies)/Fine(s)
Total Amount: \$3,500.00
Portion Levied against individual: \$3,500.00
Payment Plan:
Is Payment Plan Current:
Date Paid by individual:
Was any portion of penalty waived? No
Amount Waived:

Disclosure 4 of 4

Reporting Source: Regulator
Regulatory Action Initiated By: NATIONAL ASSOCIATION OF SECURITIES DEALERS, INC.
Sanction(s) Sought:
Other Sanction(s) Sought:



Date Initiated: 01/23/1997

Docket/Case Number: C3A960050

Employing firm when activity occurred which led to the regulatory action: JAMES WHEELER & CO. INVESTMENTS, INC.

Product Type: Other

Other Product Type(s):

Allegations: NASD RULE 2110 - RESPONDENT MEMBER, ACTING THROUGH RESPONDENT WHEELER, FAILED TO DEPOSIT \$25,000 MINIMUM CONTINGENCY FROM AN AFFILIATED OFFERING IN A BANK ESCROW ACCOUNT.

Current Status: Final

Resolution: Acceptance, Waiver & Consent(AWC)

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: 01/23/1997

Sanctions Ordered: Censure
Monetary/Fine \$2,500.00

Other Sanctions Ordered:

Sanction Details: ON JANUARY 23, 1997, DISTRICT NO. 3 NOTIFIED JAMES E. WHEELER, II THAT THE LETTER OF ACCEPTANCE, WAIVER AND CONSENT NO. C3A960050 WAS ACCEPTED; THEREFORE, THEY ARE CENSURED AND FINED \$2,500, JOINTLY AND SEVERALLY.

.....

Reporting Source: Individual

Regulatory Action Initiated By: NASD

Sanction(s) Sought:

Date Initiated: 01/23/1997

Docket/Case Number: C3A960050

Employing firm when activity occurred which led to the regulatory action: JAMES WHEELER & CO. INVESTMENTS, INC.

Product Type: No Product

Allegations: JAMES WHEELER & CO INVESTMENTS USED OUR ATTORNEY AS AN ESCROW AGENT ON THEIR ADVISE. THE NASD VIEWED THIS AS A FAILURE TO FOLLOW THE PROPER ESCROW PROCEEDURES OF RULE 15 C 2-4. WE WERE FINED 2500.00 AND SIGNED A LETTER OF WAIVER & CONSENT AND PAID THE FINE - SEE ENCLOSED LETTER TO ATTORNEY.



| | |
|---|--|
| Current Status: | Final |
| Resolution: | Acceptance, Waiver & Consent(AWC) |
| Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct? | Yes |
| Resolution Date: | 01/23/1997 |
| Sanctions Ordered: | Censure |
| Monetary Sanction 1 of 1 | |
| Monetary Related Sanction: | Civil and Administrative Penalty(ies)/Fine(s) |
| Total Amount: | \$2,500.00 |
| Portion Levied against individual: | \$2,500.00 |
| Payment Plan: | |
| Is Payment Plan Current: | |
| Date Paid by individual: | |
| Was any portion of penalty waived? | No |
| Amount Waived: | |
| Broker Statement | During the mid-1990s, my former broker-dealer engaged in a private placement. Operating under the advice of legal counsel, we deposited the offering's minimum contingency funds in my attorney's escrow account. While well-intended, this was, however, a violation of the NASD requirement to deposit a contingency fund with a bank. |



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: | Individual |
| Employing firm when activities occurred which led to the complaint: | JAMES WHEELER & CO., INVESTMENTS, INC. |
| Allegations: | BROKER OF MY FIRM MISHANDLED ACCOUNT. I WAS NAMED AS THE OWNER. CLIENT ADMITTED THAT CLAIM WAS INVALID. BROKER OFFERED TO ASSIST THE CLIENT WITH \$1000 LEGAL FEES. |
| Product Type: | Options |
| Alleged Damages: | \$100,000.00 |
| 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: | 09/04/2003 |
| Complaint Pending? | No |
| Status: | Settled |
| Status Date: | 01/07/2005 |
| Settlement Amount: | \$1,000.00 |
| Individual Contribution Amount: | \$0.00 |

Arbitration Information

| | |
|--|------------|
| Date Notice/Process Served: | 11/10/2003 |
| Arbitration Pending? | No |
| Disposition: | Settled |
| Disposition Date: | 01/07/2005 |
| Monetary Compensation Amount: | \$1,000.00 |
| Individual Contribution Amount: | \$0.00 |

| | |
|-------------------------|---|
| Broker Statement | I DID NOT HAVE ANYTHING TO DO WITH THIS COMPLAINT. I PAID A FULL TIME OPERATIONAL PERSON WHO FAILED IN HIS DUTIES. AMENDMENT: THIS COMPLAINT WAS SETTLED BEFORE ARBITRATION. CLIENT ADMITTED THAT HE HAD NO CLAIM. BROKER OF THE FIRM OFFERED TO ASSIST CLIENT WITH LEGAL FEES OF \$1000. |
|-------------------------|---|



End of Report

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