



IAPD Report

DAVID JAMES LOWNIK

CRD# 2039938

<u>Section Title</u>	<u>Page(s)</u>
Report Summary	1
Qualifications	2 - 4
Registration and Employment History	5
Disclosure Information	6



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 JAMES LOWNIK (CRD# 2039938)

The report summary provides an overview of the representative's professional background and conduct. The information contained in this report has been provided by the representative, investment adviser and/or securities firms, and/or securities regulators as part of the states' investment adviser registration and licensing process. The information contained in this report was last updated by the representative, a previous employing firm, or a securities regulator on **10/25/2022**.

CURRENT EMPLOYERS

	Firm	CRD#	Registered Since
B	MORGAN STANLEY	CRD# 149777	06/01/2009
IA	MORGAN STANLEY	CRD# 149777	06/01/2009

QUALIFICATIONS

This representative is currently registered in **4** SRO(s) and **13** 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	CITIGROUP GLOBAL MARKETS INC.	7059	MILWAUKEE, WI	07/31/1993 - 06/01/2009
IA	CITIGROUP GLOBAL MARKETS INC.	7059	MILWAUKEE, WI	07/31/1993 - 06/01/2009
B	LEHMAN BROTHERS INC.	7506	NEW YORK, NY	03/20/1990 - 07/31/1993

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 **13** jurisdiction(s) and 4 SRO(s) through his or her employer(s).

Employment 1 of 1

Firm Name: **MORGAN STANLEY**
Main Address: 2000 WESTCHESTER AVENUE
PURCHASE, NY 10577-2530
Firm ID#: 149777

	Regulator	Registration	Status	Date
	FINRA	General Securities Representative	Approved	06/01/2009
	NYSE American LLC	General Securities Representative	Approved	06/17/2011
	Nasdaq Stock Market	General Securities Representative	Approved	06/01/2009
	New York Stock Exchange	General Securities Representative	Approved	06/01/2009
	Arizona	Agent	Approved	11/16/2022
	California	Agent	Approved	06/01/2009
	Colorado	Agent	Approved	10/18/2018
	District of Columbia	Agent	Approved	06/01/2009
	Florida	Agent	Approved	04/13/2021
	Iowa	Agent	Approved	07/19/2019
	Louisiana	Agent	Approved	04/11/2018
	Maryland	Agent	Approved	04/29/2013
	New York	Agent	Approved	01/29/2014



Qualifications

	Regulator	Registration	Status	Date
B	Texas	Agent	Approved	04/26/2011
IA	Texas	Investment Adviser Representative	Restricted Approval	05/24/2011
B	Virginia	Agent	Approved	06/01/2009
B	Wisconsin	Agent	Approved	06/01/2009
IA	Wisconsin	Investment Adviser Representative	Approved	06/01/2009
B	Wyoming	Agent	Approved	06/01/2009

Branch Office Locations

MORGAN STANLEY

411 East Wisconsin Avenue
Suite 2200
Milwaukee, WI 53202



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

Principal/Supervisory Exams

Exam	Category	Date
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No information reported.

General Industry/Product Exams

Exam	Category	Date
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	Securities Industry Essentials Examination (SIE)	SIE	10/01/2018
	National Commodity Futures Examination (S3)	Series 3	04/23/1990
	General Securities Representative Examination (S7)	Series 7	03/17/1990

State Securities Law Exams

Exam	Category	Date
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	Uniform Investment Adviser Law Examination (S65)	Series 65	05/07/1992
	Uniform Securities Agent State Law Examination (S63)	Series 63	04/03/1990

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
B	07/31/1993 - 06/01/2009	CITIGROUP GLOBAL MARKETS INC.	CRD# 7059	MILWAUKEE, WI
IA	07/31/1993 - 06/01/2009	CITIGROUP GLOBAL MARKETS INC.	CRD# 7059	MILWAUKEE, WI
B	03/20/1990 - 07/31/1993	LEHMAN BROTHERS INC.	CRD# 7506	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
01/2015 - Present	MORGAN STANLEY PRIVATE BANK, NATIONAL ASSOCIATION	FINANCIAL ADVISOR	Y	NEW YORK, NY, United States
06/2009 - Present	MORGAN STANLEY SMITH BARNEY	Mass Transfer	Y	MILWAUKEE, WI, United States
07/1993 - Present	CITIGROUP GLOBAL MARKETS INC.	FINANCIAL ADVISOR	Y	MILWAUKEE, WI, 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.

No information reported.



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: FINRA

Sanction(s) Sought: Other: N/A

Date Initiated: 12/09/2011

Docket/Case Number: [2009018275501](#)

Employing firm when activity occurred which led to the regulatory action: CITIGROUP GLOBAL MARKETS INC.

Product Type: Annuity-Variable

Allegations: NASD RULE 2110 - DAVID LOWNIK NEGLIGENTLY REPRESENTED IN WRITING TO A CUSTOMER IN A VARIABLE ANNUITY REPLACEMENT DISCLOSURE FORM THAT THE DEATH BENEFITS IN A NEW POLICY WOULD BE HIGHER THAN THOSE CONTAINED IN THE REPLACED POLICY; GIVEN THAT THE DEATH BENEFITS WERE ESSENTIALLY THE SAME, LOWNIK'S REPRESENTATION WAS UNTRUE. LOWNIK NEGLIGENTLY REPRESENTED AGAIN IN WRITING TO THE SAME CUSTOMER IN A VARIABLE ANNUITY REPLACEMENT DISCLOSURE FORM THAT THE DEATH BENEFITS IN A NEW POLICY WOULD BE HIGHER THAN THOSE CONTAINED IN THE REPLACED POLICY. LOWNIK ALSO REPRESENTED THAT THERE WERE NO SURRENDER CHARGES IN CONNECTION WITH THE EXCHANGE; GIVEN THAT THE DEATH BENEFITS IN THE EARLIER POLICY WERE HIGHER THAN THOSE IN THE LATER POLICY AND THAT THERE WAS A \$2,900 SURRENDER CHARGE, BOTH REPRESENTATIONS WERE UNTRUE. LOWNIK'S NEGLIGENT MISREPRESENTATIONS ARE CONSIDERED MATERIAL.



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:	12/09/2011
Sanctions Ordered:	Censure Civil and Administrative Penalty(ies)/Fine(s)
If the regulator is the SEC, CFTC, or an SRO, did the action result in a finding of a willful violation or failure to supervise?	No
(1) willfully violated any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, the Commodity Exchange Act, or any rule or regulation under any of such Acts, or any of the rules of the Municipal Securities Rulemaking Board, or to have been unable to comply with any provision of such Act, rule or regulation?	
(2) willfully aided, abetted, counseled, commanded, induced, or procured the violation by any person of any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, the Commodity Exchange Act, or any rule or regulation under any of such Acts, or any of the rules of the Municipal Securities Rulemaking Board? or	



(3) failed reasonably to supervise another person subject to your supervision, with a view to preventing the violation by such person of any provision of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Advisers Act of 1940, the Investment Company Act of 1940, the Commodity Exchange Act, or any rule or regulation under any such Acts, or any of the rules of the Municipal Securities Rulemaking Board?

Monetary Sanction 1 of 1

Monetary Related Sanction: Civil and Administrative Penalty(ies)/Fine(s)

Total Amount: \$10,000.00

Portion Levied against individual: \$10,000.00

Payment Plan:

Is Payment Plan Current: No

Date Paid by individual: 05/04/2012

Was any portion of penalty waived? No

Amount Waived:

Regulator Statement WITHOUT ADMITTING OR DENYING THE FINDINGS, LOWNIK CONSENTED TO THE DESCRIBED SANCTIONS AND TO THE ENTRY OF FINDINGS, THEREFORE, HE IS CENSURED AND FINED \$10,000. FINE PAID IN FULL ON MAY 4, 2012.

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Reporting Source: Individual

Regulatory Action Initiated By: FINRA

Sanction(s) Sought: Other: N/A

Date Initiated: 12/09/2011

Docket/Case Number: [2009018275501](#)

Employing firm when activity occurred which led to the regulatory action: CITIGROUP GLOBAL MARKETS INC.

Product Type: Annuity-Variable

Allegations: NASD RULE 2110 - DAVID LOWNIK NEGLIGENTLY REPRESENTED IN WRITING TO A CUSTOMER IN A VARIABLE ANNUITY REPLACEMENT DISCLOSURE FORM THAT THE DEATH BENEFITS IN A NEW POLICY WOULD



BE HIGHER THAN THOSE CONTAINED IN THE REPLACED POLICY; GIVEN THAT THE DEATH BENEFITS WERE ESSENTIALLY THE SAME, LOWNIK'S REPRESENTATION WAS UNTRUE. LOWNIK REPRESENTED AGAIN IN WRITING TO THE SAME CUSTOMER IN A VARIABLE ANNUITY REPLACEMENT DISCLOSURE FORM THAT THE DEATH BENEFITS IN A NEW POLICY WOULD BE HIGHER THAN THOSE CONTAINED IN THE REPLACED POLICY. LOWNIK ALSO REPRESENTED THAT THERE WERE NO SURRENDER CHARGES IN CONNECTION WITH THE EXCHANGE; GIVEN THAT THE DEATH BENEFITS IN THE EARLIER POLICY WERE HIGHER THAN THOSE IN THE LATER POLICY AND THAT THERE WAS A \$2,900 SURRENDER CHARGE, BOTH REPRESENTATIONS WERE UNTRUE. LOWNIK'S NEGLIGENT MISREPRESENTATIONS ARE CONSIDERED MATERIAL.

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: 12/09/2011

Sanctions Ordered: Censure
Civil and Administrative Penalty(ies)/Fine(s)

Monetary Sanction 1 of 1

Monetary Related Sanction: Civil and Administrative Penalty(ies)/Fine(s)

Total Amount: \$10,000.00

Portion Levied against individual: \$10,000.00

Payment Plan:

Is Payment Plan Current: No

Date Paid by individual:

Was any portion of penalty waived? No

Amount Waived:

Broker Statement REGISTERED REPRESENTATIVE ENTERED INTO AN AWC WITH FINRA NEITHER ADMITTING OR DENYING AN ALLEGED VIOLATION OF OF NASD RULE 2110 REGARDING VARIABLE ANNUITIES.



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:	CITIGROUP GLOBAL MARKETS, INC.
Allegations:	CLAIMANT ALLEGES, INTER ALIA, THAT BEGINNING IN 2007 THE FINANCIAL ADVISOR PURCHASED UNSUITABLE VARIABLE ANNUITIES FOR THE CLAIMANT, AND MISREPRESENTED THE MATURITY DATES OF THE ANNUITIES THAT SHE HELD.
Product Type:	Annuity-Variable
Alleged Damages:	\$0.00
Alleged Damages Amount Explanation (if amount not exact):	DAMAGES ALLEGED, BUT NOT QUANTIFIED
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:	04/01/2009
Complaint Pending?	No
Status:	Evolved into Arbitration/CFTC reparation (the individual is a named party)
Status Date:	01/05/2010
Settlement Amount:	
Individual Contribution Amount:	

Arbitration Information

Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.):	FINRA
Docket/Case #:	09-06501
Date Notice/Process Served:	01/05/2010
Arbitration Pending?	No
Disposition:	Settled
Disposition Date:	10/27/2010



Monetary Compensation Amount:	\$70,000.00
Individual Contribution Amount:	\$0.00
Broker Statement	THE FIRM SETTLED FOR BUSINESS PURPOSES ONLY WITH NO ADMISSION OF LIABILITY. BROKER DID NOT CONTRIBUTE.



End of Report

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