



IAPD Report

Bryan Richard Mackey

CRD# 5444779

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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

Bryan Richard Mackey (CRD# 5444779)

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 **07/10/2026**.

CURRENT EMPLOYERS

	Firm	CRD#	Registered Since
B	MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED	CRD# 7691	01/10/2008
IA	MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED	CRD# 7691	02/06/2008

QUALIFICATIONS

This representative is currently registered in **6** SRO(s) and **37** 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
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No information reported.

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 **37** jurisdiction(s) and 6 SRO(s) through his or her employer(s).

Employment 1 of 1

Firm Name: **MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED**

Main Address: ONE BRYANT PARK
NEW YORK, NY 10036

Firm ID#: 7691

	Regulator	Registration	Status	Date
B	Cboe BYX Exchange, Inc.	General Securities Representative	Approved	05/07/2014
B	Cboe BZX Exchange, Inc.	General Securities Representative	Approved	05/07/2014
B	Cboe Exchange, Inc.	General Securities Representative	Approved	01/10/2008
B	FINRA	General Securities Representative	Approved	01/10/2008
B	Nasdaq Stock Market	General Securities Representative	Approved	01/10/2008
B	New York Stock Exchange	General Securities Representative	Approved	02/25/2008
B	Arizona	Agent	Approved	05/29/2008
B	Arkansas	Agent	Approved	09/03/2020
B	California	Agent	Approved	04/07/2008
B	Colorado	Agent	Approved	02/05/2015
B	Connecticut	Agent	Approved	02/06/2008
IA	Connecticut	Investment Adviser Representative	Approved	02/06/2008
B	Delaware	Agent	Approved	09/10/2019



Qualifications

	Regulator	Registration	Status	Date
B	District of Columbia	Agent	Approved	03/07/2018
B	Florida	Agent	Approved	05/29/2008
B	Georgia	Agent	Approved	05/29/2008
B	Idaho	Agent	Approved	10/21/2015
B	Illinois	Agent	Approved	01/27/2015
B	Indiana	Agent	Approved	05/29/2008
B	Kentucky	Agent	Approved	08/20/2025
B	Maine	Agent	Approved	05/29/2008
B	Maryland	Agent	Approved	04/15/2013
B	Massachusetts	Agent	Approved	05/29/2008
B	Michigan	Agent	Approved	05/26/2017
B	Minnesota	Agent	Approved	01/18/2013
B	Montana	Agent	Approved	11/23/2020
B	New Hampshire	Agent	Approved	05/29/2008
B	New Jersey	Agent	Approved	05/29/2008
B	New Mexico	Agent	Approved	03/31/2017
B	New York	Agent	Approved	02/05/2008
IA	New York	Investment Adviser Representative	Approved	04/06/2021
B	North Carolina	Agent	Approved	05/30/2008



Qualifications

	Regulator	Registration	Status	Date
B	Ohio	Agent	Approved	05/30/2008
B	Oregon	Agent	Approved	06/12/2017
B	Pennsylvania	Agent	Approved	05/29/2008
B	Rhode Island	Agent	Approved	04/11/2013
B	South Carolina	Agent	Approved	10/22/2019
B	South Dakota	Agent	Approved	04/07/2026
B	Tennessee	Agent	Approved	10/14/2019
B	Texas	Agent	Approved	12/15/2016
IA	Texas	Investment Adviser Representative	Restricted Approval	05/18/2011
B	Vermont	Agent	Approved	03/12/2018
B	Virginia	Agent	Approved	05/29/2008
B	Washington	Agent	Approved	02/02/2018
B	Wisconsin	Agent	Approved	08/20/2015
B	Wyoming	Agent	Approved	05/11/2018

Branch Office Locations

**MERRILL LYNCH, PIERCE, FENNER & SMITH
INCORPORATED**
50 FOUNTAIN PLZ
BUFFALO, NY 14202



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, 2 general industry/product exams, and 1 state securities law exam.

Principal/Supervisory Exams

Exam	Category	Date
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No information reported.

General Industry/Product Exams

Exam	Category	Date
B Securities Industry Essentials Examination (SIE)	SIE	10/01/2018
B General Securities Representative Examination (S7)	Series 7	01/09/2008

State Securities Law Exams

Exam	Category	Date
IA B Uniform Combined State Law Examination (S66)	Series 66	02/04/2008



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:

No information reported.

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
06/2011 - Present	Bank of America, N.A.	Wealth Management Advisor	Y	BUFFALO, NY, United States
10/2007 - Present	MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED	WEALTH MANAGEMENT ADVISOR	Y	BUFFALO, NY, United States

OTHER BUSINESS ACTIVITIES

This section includes information, if any, as provided by the representative regarding other business activities the representative is currently engaged in either as a proprietor, partner, officer, director, employee, trustee, agent, or otherwise. This section does not include non-investment related activity that is exclusively charitable, civic, religious, or fraternal and is recognized as tax exempt.

I*2031281, Entity Type Fiduciary , Name of OBA: SM Address: Youngstown, New York, 14174 Investment Related: Yes Position, Title, Association: Power of Attorney Employee Start Date: 22-Feb-2029 No Hours: 10 yearly No Hours during trading: 0 Duties:

I*4787268

Entity Type: N/A

Name of OBA: MLPF& S CUST FPO S C M IRA FBO S C M

Address: Lewiston, New York, 14092

Investment Related: No

Position, Title, Association: Power of Attorney

Employee Start Date: 07/02/2026

Number of Hours: 1, Yearly

Number of Hours during trading: 0, Yearly

Duties: Self, Parents

I*4787269

Entity Type: N/A

Name of OBA: S C M PLEDGED TO ML LENDER

Address: Lewiston, New York, 14092

Investment Related: No

Position, Title, Association: Power of Attorney

Employee Start Date: 07/02/2026

Number of Hours: 1, Yearly

Number of Hours during trading: 0, Yearly

Duties: Self, Parents



Registration & Employment History



OTHER BUSINESS ACTIVITIES

I*4787270

Entity Type: N/A

Name of OBA: MLPF& S CUST FPO S C M RRA FBO S C M

Address: Lewiston, New York, 14092

Investment Related: No

Position, Title, Association: Power of Attorney

Employee Start Date: 07/02/2026

Number of Hours: 1, Yearly

Number of Hours during trading: 0, Yearly

Duties: Self, Parents



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:	04/25/2013
Docket/Case Number:	2011027747401
Employing firm when activity occurred which led to the regulatory action:	MERRILL LYNCH, PIERCE, FENNER & SMITH
Product Type:	No Product
Allegations:	FINRA RULE 2010, NASD RULE 2510(B): MACKEY EXERCISED DISCRETION IN CONNECTION WITH 17 TRANSACTIONS HE EFFECTED IN THE ACCOUNT OF ONE CUSTOMER. MACKEY, HOWEVER, DID NOT HAVE WRITTEN AUTHORIZATION FROM THE CUSTOMER TO PLACE DISCRETIONARY TRADES, AND HE FAILED TO OBTAIN WRITTEN ACCEPTANCE OF THE ACCOUNT AS DISCRETIONARY FROM HIS MEMBER FIRM.
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: 04/25/2013

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

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?

Sanction 1 of 1

Sanction Type: Suspension

Capacities Affected: ANY AND ALL CAPACITIES

Duration: 15 BUSINESS DAYS

Start Date: 05/20/2013

End Date: 06/10/2013

Monetary Sanction 1 of 1

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: 05/31/2013

Was any portion of penalty waived? No

Amount Waived:

Regulator Statement WITHOUT ADMITTING OR DENYING THE FINDINGS, MACKEY CONSENTED TO THE DESCRIBED SANCTIONS AND TO THE ENTRY OF FINDINGS; THEREFORE, HE IS FINED \$5,000 AND SUSPENDED FROM ASSOCIATION WITH ANY FINRA MEMBER IN ANY AND ALL CAPACITIES FOR 15 BUSINESS DAYS. THE SUSPENSION IS IN EFFECT FROM MAY 20, 2013, THROUGH JUNE 10, 2013. FINE PAID MAY 31, 2013.

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Reporting Source: Individual

Regulatory Action Initiated By: FINRA

Sanction(s) Sought: Civil and Administrative Penalty(ies)/Fine(s)
Suspension



Date Initiated:	04/25/2013
Docket/Case Number:	2011027747401
Employing firm when activity occurred which led to the regulatory action:	MERRILL LYNCH, PIERCE, FENNER & SMITH, INC.
Product Type:	No Product
Allegations:	FINRA RULE 2010, NASD RULE 2510(B): MACKEY EXERCISED DISCRETION IN CONNECTION WITH 17 TRANSACTIONS HE EFFECTED IN THE ACCOUNT OF ONE CUSTOMER. MACKEY, HOWEVER, DID NOT HAVE WRITTEN AUTHORIZATION FROM THE CUSTOMER TO PLACE DISCRETIONARY TRADES, AND HE FAILED TO OBTAIN WRITTEN ACCEPTANCE OF THE ACCOUNT AS DISCRETIONARY FROM HIS MEMBER FIRM
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:	04/25/2013
Sanctions Ordered:	Civil and Administrative Penalty(ies)/Fine(s) Other: SUSPENSION
Sanction 1 of 1	
Sanction Type:	Suspension
Capacities Affected:	ANY AND ALL CAPACITIES
Duration:	15 BUSINESS DAYS
Start Date:	05/20/2013
End Date:	06/10/2013
Monetary Sanction 1 of 1	
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	WITHOUT ADMITTING OR DENYING THE FINDINGS, MACKEY CONSENTED TO THE DESCRIBED SANCTIONS AND TO THE ENTRY OF FINDINGS; THEREFORE, HE IS FINED \$5,000 AND SUSPENDED FROM ASSOCIATION



WITH ANY FINRA MEMBER IN ANY AND ALL CAPACITIES FOR 15 BUSINESS DAYS. THE SUSPENSION IS IN EFFECT FROM MAY 20, 2013, THROUGH JUNE 10, 2013.



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:	MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED
Allegations:	THE CLIENT ALLEGED UNAUTHORIZED TRADING ON SEPTEMBER 28, 2010.
Product Type:	Mutual Fund
Alleged Damages:	\$40,000.00
Is this an oral complaint?	Yes
Is this a written complaint?	No
Is this an arbitration/CFTC reparation or civil litigation?	No

Customer Complaint Information

Date Complaint Received:	01/11/2011
Complaint Pending?	No
Status:	Settled
Status Date:	03/25/2011
Settlement Amount:	\$51,814.88
Individual Contribution Amount:	\$0.00
Broker Statement	'TO RESOLVE THIS MATTER THE PURCHASES AT ISSUE WERE CANCELED AND THE CUSTOMER WAS CREDITED BACK THE FULL PURCHASE AMOUNT. CLIENT DID NOT RECEIVE ANY ADDITIONAL AMOUNT BEYOND THE PURCHASE AMOUNT'



End of Report

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