



IAPD Report

SEAN MICHAEL FLEMING

CRD# 6516544

| <u>Section Title</u> | <u>Page(s)</u> |
|-------------------------------------|----------------|
| Report Summary | 1 |
| Qualifications | 2 - 3 |
| Registration and Employment History | 4 |
| Disclosure Information | 5 |



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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

SEAN MICHAEL FLEMING (CRD# 6516544)

The report summary provides an overview of the representative's professional background and conduct. The information contained in this report has been provided by the representative, investment adviser and/or securities firms, and/or securities regulators as part of the states' investment adviser registration and licensing process. The information contained in this report was last updated by the representative, a previous employing firm, or a securities regulator on **06/09/2023**.

CURRENT EMPLOYERS

| | Firm | CRD# | Registered Since |
|----|----------------------------|-------------|------------------|
| IA | FLEMING FINANCIAL SERVICES | CRD# 145717 | 02/14/2018 |

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 | FLEMING FINANCIAL SERVICES | 145717 | GILBERT, AZ | 02/29/2016 - 12/31/2016 |

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 |
|------------------|-------|
| Customer Dispute | 4 |



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: **FLEMING FINANCIAL SERVICES**
Main Address: 4702 E. SOUTHERN AV
MESA, AZ 85206
Firm ID#: 145717

| Regulator | Registration | Status | Date |
|-------------------|-----------------------------------|----------|------------|
| IA Arizona | Investment Adviser Representative | Approved | 02/14/2018 |

Branch Office Locations

FLEMING FINANCIAL SERVICES
4702 E. SOUTHERN AV
MESA, AZ 85206



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

Principal/Supervisory Exams

| Exam | Category | Date |
|------|----------|------|
|------|----------|------|

No information reported.

General Industry/Product Exams

| Exam | Category | Date |
|------|----------|------|
|------|----------|------|

No information reported.

State Securities Law Exams

| Exam | Category | Date |
|------|----------|------|
|------|----------|------|

| | | | |
|----|--|-----------|------------|
| IA | Uniform Investment Adviser Law Examination (S65) | Series 65 | 11/23/2015 |
|----|--|-----------|------------|

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 | 02/29/2016 - 12/31/2016 | FLEMING FINANCIAL SERVICES | CRD# 145717 | GILBERT, AZ |

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 |
|-------------------|----------------------------|----------------|--------------------|----------------------------|
| 06/2013 - Present | FLEMING FINANCIAL SERVICES | VICE PRESIDENT | Y | GILBERT, AZ, 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.

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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 |
|------------------|-------|
| Customer Dispute | 4 |

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 4

| | |
|--|--|
| Reporting Source: | Individual |
| Employing firm when activities occurred which led to the complaint: | FLEMING FINANCIAL SERVICES, INC. |
| Allegations: | In May 2021, Sean Fleming recommended an investment in a private placement that later failed. Mr. Fleming is an investment advisor representative with and owner of Fleming Financial Services, Inc. |
| Product Type: | Other: PRIVATE PLACEMENT |
| Alleged Damages: | \$200,000.00 |
| 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: | 01/07/2022 |
| Complaint Pending? | No |
| Status: | Settled |
| Status Date: | 08/16/2022 |
| Settlement Amount: | \$200,000.00 |
| Individual Contribution Amount: | \$200,000.00 |



Broker Statement The parties settled the dispute without any admission or wrongdoing or liability by Mr. Fleming, Ms. Fleming, and Fleming Financial Services.

Disclosure 2 of 4

Reporting Source: Individual
Employing firm when activities occurred which led to the complaint: FLEMING FINANCIAL SERVICES, INC.

Allegations: In December 2020, Sean Fleming recommended an investment in a private placement that later failed. Mr. Fleming is an investment advisor representative with and owner of Fleming Financial Services, Inc. Claimants claim the investment was unsuitable.

Product Type: Other: PRIVATE PLACEMENT

Alleged Damages: \$460,000.00

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: 03/30/2022

Complaint Pending? No

Status: Settled

Status Date: 07/26/2022

Settlement Amount: \$200,000.00

Individual Contribution Amount: \$200,000.00

Broker Statement The parties settled the dispute without any admission of wrongdoing or liability by Mr. Fleming, Ms. Fleming, and Fleming Financial Services.

Disclosure 3 of 4

Reporting Source: Individual
Employing firm when activities occurred which led to the complaint: FLEMING FINANCIAL SERVICES, INC.

Allegations: In May 2021, Sean Fleming recommended an investment in a private placement that later failed. Mr. Fleming is an owner of Fleming Financial Services, Inc. Claimants claimed the investment was unsuitable and asserted causes of action against Fleming Financial, Mr. Fleming, and Ms. Fleming for breach of fiduciary duty, negligence, breach of contract, and violation of Arizona securities law.

Product Type: Other: PRIVATE PLACEMENT

Alleged Damages: \$150,000.00

Alleged Damages Amount Explanation (if amount not exact): THE STATEMENT OF CLAIM SEEK DAMAGES OF NT LESS THAN \$150,000, YET THE ASSERTED CAUSES OF ACTION ARE BASED ON THE CLAIMANTS' INVESTMENT OF \$120,000



Is this an oral complaint? No
Is this a written complaint? Yes
Is this an arbitration/CFTC reparation or civil litigation? Yes
Arbitration/Reparation forum or court name and location: FINRA
Docket/Case #: 22-00188
Filing date of arbitration/CFTC reparation or civil litigation: 01/31/2022

Customer Complaint Information

Date Complaint Received: 01/31/2022
Complaint Pending? No
Status: Settled
Status Date: 07/26/2022
Settlement Amount: \$80,000.00
Individual Contribution Amount: \$80,000.00

Broker Statement The parties settled the dispute without any admission of wrongdoing or liability by Mr. Fleming, Ms. Fleming, and Fleming Financial Services.

Disclosure 4 of 4

Reporting Source: Individual
Employing firm when activities occurred which led to the complaint: Fleming Financial Services, Inc.

Allegations: In December 2020, Sean Fleming recommended an investment in a private placement that later failed. Mr. Fleming and Nancy Fleming are investment advisor representatives with and equal owners of Fleming Financial Services, Inc. Claimants claim the investment and two indexed annuities were unsuitable and assert causes of action against Fleming Financial, Mr. Fleming, and Ms. Fleming for breach of fiduciary duty, negligence, breach of contract and implied covenant of good faith and fair dealing, and violation of Arizona investment law.

Product Type: Annuity-Fixed
Other: Private Placement

Alleged Damages: \$1,330,281.53

Customer Complaint Information

Date Complaint Received:
Complaint Pending? No
Status: Arbitration Award/Monetary Judgment (for claimants/plaintiffs)
Status Date: 01/03/2023
Settlement Amount: \$483,333.33



Individual Contribution Amount: \$483,333.30

Arbitration Information

Arbitration/CFTC reparation claim filed with (FINRA, AAA, CFTC, etc.): Private Arbitration

Docket/Case #: Not applicable

Date Notice/Process Served: 01/07/2022

Arbitration Pending? No

Disposition: Award to Customer

Disposition Date: 01/03/2023

Monetary Compensation Amount: \$483,333.33

Individual Contribution Amount: \$483,333.33

Broker Statement

The arbitrator concluded that Mr. Fleming, Ms. Fleming, and Fleming Financial Services at all times acted in good faith, honestly, with full disclosure and loyalty, always trying to act, and believing that they were acting, for the benefit of the Claimants and placing the Claimants' interests above their own. Accordingly, the arbitrator determined Mr. Fleming, Ms. Fleming, and Fleming Financial Services did not breach any fiduciary duty, including the duty of loyalty, did not breach the underlying contract or the implied covenant of good faith and fair dealing, and did not violate Arizona's investment advisory statutes or rule. The arbitrator also concluded the two indexed annuities were completely suitable and the investment recommendation was reasonable and prudent.



End of Report

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