

**FINANCIAL INDUSTRY REGULATORY AUTHORITY
LETTER OF ACCEPTANCE, WAIVER AND CONSENT
NO. 2016049621301**

TO: Department of Enforcement
Financial Industry Regulatory Authority (“FINRA”)

RE: Douglas Simanski, Respondent
Investment Company and Variable Contracts Products Representative
CRD No. 2606998

Pursuant to FINRA Rule 9216 of FINRA’s Code of Procedure, I, Douglas Simanski (“Simanski”) submit this Letter of Acceptance, Waiver and Consent (“AWC”) for the purpose of proposing a settlement of the alleged rule violations described below. This AWC is submitted on the condition that, if accepted, FINRA will not bring any future actions against me alleging violations based on the same factual findings described herein.

I.

ACCEPTANCE AND CONSENT

- A. I hereby accept and consent, without admitting or denying the findings, and solely for the purposes of this proceeding and any other proceeding brought by or on behalf of FINRA, or to which FINRA is a party, prior to a hearing and without an adjudication of any issue of law or fact, to the entry of the following findings by FINRA:

BACKGROUND

Simanski entered the securities industry in March 1995. He acquired his Series 6 (Investment Company and Variable Contracts Products Representative) and Series 63 (Uniform Securities State Law Examination) securities licenses in May 1995 and June 1995, respectively. From March 1995 to August 1999, Simanski was associated with one FINRA member firm.

In August 1999, Simanski became registered with FINRA member firm NEXT Financial Group, Inc. (the “Firm”). In a Form U5 Uniform Termination Notice for Securities Industry Registration dated June 3, 2016, the Firm reported Simanski’s termination on May 17, 2016 for conversion of funds. Simanski is not currently associated with a FINRA member firm, but remains subject to FINRA’s jurisdiction pursuant to Article V, Section 4 of the FINRA By-Laws.

RELEVANT DISCIPLINARY HISTORY

Simanski has no prior relevant disciplinary history.

OVERVIEW

Simanski failed to provide documents and information requested by FINRA Enforcement staff pursuant to FINRA Rule 8210, in violation of FINRA Rules 8210 and 2010.

FACTS AND VIOLATIVE CONDUCT

On May 11, 2016, during the course of an investigation into allegations contained in the above-referenced Form U5, Enforcement staff sent Simanski a letter requesting that he provide documents and information, pursuant to FINRA Rule 8210, by May 18, 2016. Enforcement staff subsequently granted an extension to May 20, 2016 for Simanski to respond to the request letter. Simanski did not provide the requested documents and information by May 20, 2016.

On May 24, 2016, Enforcement staff sent Simanski another letter requesting that he provide the previously requested documents and information, pursuant to FINRA Rule 8210, by May 31, 2016. Simanski did not provide the requested documents and information by May 31, 2016.

FINRA Rule 8210 authorizes FINRA, for purposes of conducting an investigation, to require a person associated with a FINRA member to “provide information orally, in writing, or electronically...with respect to any matter involved in the investigation...”

FINRA Rule 2010 requires members, in the conduct of their business, to observe high standards of commercial honor and just and equitable principles of trade.

By failing to provide documents and information as requested by FINRA Enforcement staff pursuant to FINRA Rule 8210, Simanski violated FINRA Rules 8210 and 2010.

B. I also consent to the imposition of the following sanctions:

A bar from associating with any FINRA member firm in any capacity.

I understand that if I am barred or suspended from associating with any FINRA member, I become subject to a statutory disqualification as that term is defined in Article III, Section 4 of FINRA’s By-Laws, incorporating Section 3(a)(39) of the Securities Exchange Act of 1934. Accordingly, I may not be associated with any FINRA member in any capacity, including clerical or ministerial functions, during the period of the bar or suspension (see FINRA Rules 8310 and 8311).

The sanctions imposed herein shall be effective on a date set by FINRA staff. A bar or expulsion shall become effective upon approval or acceptance of this AWC.

II.

WAIVER OF PROCEDURAL RIGHTS

I specifically and voluntarily waive the following rights granted under FINRA's Code of Procedure:

- A. To have a Complaint issued specifying the allegations against me;
- B. To be notified of the Complaint and have the opportunity to answer the allegations in writing;
- C. To defend against the allegations in a disciplinary hearing before a hearing panel, to have a written record of the hearing made and to have a written decision issued; and
- D. To appeal any such decision to the National Adjudicatory Council ("NAC") and then to the U.S. Securities and Exchange Commission and a U.S. Court of Appeals.

Further, I specifically and voluntarily waive any right to claim bias or prejudice of the Chief Legal Officer, the NAC, or any member of the NAC, in connection with such person's or body's participation in discussions regarding the terms and conditions of this AWC, or other consideration of this AWC, including acceptance or rejection of this AWC.

I further specifically and voluntarily waive any right to claim that a person violated the ex parte prohibitions of FINRA Rule 9143 or the separation of functions prohibitions of FINRA Rule 9144, in connection with such person's or body's participation in discussions regarding the terms and conditions of this AWC, or other consideration of this AWC, including its acceptance or rejection.

III.

OTHER MATTERS

I understand that:

- A. Submission of this AWC is voluntary and will not resolve this matter unless and until it has been reviewed and accepted by the NAC, a Review Subcommittee of the NAC, or the Office of Disciplinary Affairs ("ODA"), pursuant to FINRA Rule 9216;
- B. If this AWC is not accepted, its submission will not be used as evidence to prove any of the allegations against me; and
- C. If accepted:

1. this AWC will become part of my permanent disciplinary record and may be considered in any future actions brought by FINRA or any other regulator against me;
2. this AWC will be made available through FINRA's public disclosure program in accordance with FINRA Rule 8313;
3. FINRA may make a public announcement concerning this agreement and the subject matter thereof in accordance with FINRA Rule 8313; and
4. I may not take any action or make or permit to be made any public statement, including in regulatory filings or otherwise, denying, directly or indirectly, any finding in this AWC or create the impression that the AWC is without factual basis. I may not take any position in any proceeding brought by or on behalf of FINRA, or to which FINRA is a party, that is inconsistent with any part of this AWC. Nothing in this provision affects my: (i) testimonial obligations; or (ii) right to take legal or factual positions in litigation or other legal proceedings in which FINRA is not a party.

I certify that I have read and understand all of the provisions of this AWC and have been given a full opportunity to ask questions about it; that I have agreed to its provisions voluntarily; and that no offer, threat, inducement, or promise of any kind, other than the terms set forth herein and the prospect of avoiding the issuance of a Complaint, has been made to induce me to submit it.

06-07-2016
Date (mm/dd/yyyy)

Douglas Simanski
Douglas Simanski, Respondent

Accepted by FINRA:

6/10/16
Date

Signed on behalf of the
Director of ODA, by delegated authority

[Signature]

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