

**FINANCIAL INDUSTRY REGULATORY AUTHORITY  
LETTER OF ACCEPTANCE, WAIVER AND CONSENT  
NO. 2017053266401**

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

RE: Paul Wescoe Smith, Respondent  
CRD No. 1070735

Pursuant to FINRA Rule 9216 of FINRA's Code of Procedure, I, Paul Wescoe Smith ("Smith"), 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**

Smith entered the securities industry in December 1982 when he became associated with a FINRA member firm and registered with FINRA as a General Securities Representative and Agent. From May 2007 until February 2017, Smith was registered with FINRA as a General Securities Representative and Agent through an association with Bolton Global Capital ("Bolton" or the "Firm"). On February 14, 2017, Bolton filed a Uniform Termination Notice for Securities Industry Registration (Form U5) terminating Respondent's association with the Firm.

Since leaving Bolton, Respondent has not been registered with FINRA or associated with a FINRA member firm. Pursuant to Article V, Section 4 of the By-Laws, however, FINRA retains jurisdiction over him.

**RELEVANT DISCIPLINARY HISTORY**

Smith has no disciplinary history with the Securities and Exchange Commission, FINRA, any other self-regulatory organization or any state securities regulator.

## **FACTS AND VIOLATIVE CONDUCT**

FINRA Rule 8210 authorizes FINRA, in the course of its investigations, to require persons associated with a FINRA member or subject to FINRA's jurisdiction to "provide information orally, in writing, or electronically...with respect to any matter involved in the investigation." Failure to comply with requests for information pursuant to FINRA Rule 8210 is also a violation of FINRA Rule 2010, which requires members and associated persons to "observe high standards of commercial honor and just and equitable principles of trade."

On February 14, 2017, Bolton filed a Uniform Termination Notice for Securities Industry Registration ("Form U5") with FINRA disclosing that Smith's employment was terminated on February 2, 2017 after the SEC informed the Firm that Smith had conducted a private securities transaction without notifying Bolton.

On March 8, 2017 and April 10, 2017, FINRA staff requested that Smith provide documents and information to FINRA by March 22, 2017 and April 17, 2017, respectively, pursuant to FINRA Rule 8210. Smith did not provide any documents or information. In an email to FINRA staff dated April 13, 2017, Smith, through his counsel, informed staff that he would not respond to the staff's requests. By failing to provide documents and information as requested pursuant to FINRA Rule 8210, Smith violated FINRA Rules 8210 and 2010.

- B.** I also consent to the imposition of a bar from association with any FINRA member in all capacities.

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 prejudgment 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.

5.17.17  
Date

Paul Wescoe Smith  
Paul Wescoe Smith - Respondent

Reviewed by:

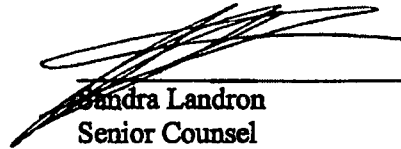
ATD 5.24.17

Arthur T. Donato  
Counsel for Respondent  
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216 W. Front Street, 2nd Floor  
Media, PA 19063  
Telephone: (484) 441-6318

Accepted by FINRA:

6/2/17  
Date

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

  
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