

1 degree for allegedly running his wife over with his car. On February 18, 2011, Settle pled guilty to the lesser charge of
2 felony harassment. On April 11, 2011, Settle informed his employer, LPL, that he pled guilty to a felony. Upon
3 learning of Settle's felony conviction, LPL discharged Settle.

4 3. A Form U4, the Uniform Application for Securities Industry Registration or Transfer form, must be
5 completed in order to register as a securities salesperson. The Form U4 contains history and background information
6 of registered representatives, including, but not limited to, criminal history, financial compromises, and liens. Any
7 person registered as a broker-dealer with the Washington State Securities Division (the Division) has a duty to keep
8 current his/her Form U4 with the Division. If anything changes, the registered representative must file with the
9 Division an amended Form U4 within 30 days. This amended Form U4 requires the applicant to explain the details of
10 each change on a separate document called a Disclosure Reporting Page (DRP). Settle failed to file an amended Form
11 U4 within 30 days of each of his financial compromises, his 2010 federal tax lien, his two felony charges, and his
12 felony conviction.

13 4. The Form U4 asks whether the applicant, within the past ten years, has made any financial compromises with
14 creditors. From November 13, 2009 through September 27, 2010, Settle filed five separate Form U4 disclosure
15 amendments with the Division on which he falsely answered "no" to that question each time.

16 5. The Form U4 asks whether the applicant has any unsatisfied liens against him/her. From July 9, 2010 through
17 March 12, 2011, Settle filed three separate Form U4 disclosure amendments with the Division. Although Settle
18 answered "yes" to this question, he only disclosed on a DRP that, on September 17, 2008, he became subject to a
19 federal tax lien. Settle did not disclose on a separate DRP that, on June 3, 2010, he became subject to another federal
20 tax lien.

21 6. The Form U4 asks whether the applicant has ever been (a) charged with a felony or (b) convicted of a felony.
22 On March 12, 2011, Settle filed a Form U4 disclosure amendment with the Division on which he falsely answered
23 "no" to both of these questions.

FINRA Action

1 7. From September 24, 2007 to April 13, 2011, Settle was registered with LPL, a FINRA member firm. Because
2 Settle was associated with a FINRA member firm, he was required to comply with FINRA rules.

3
4 8. On or about August 22, 2012, Settle submitted to FINRA a Letter of Acceptance, Waiver, and Consent
5 (AWC). FINRA accepted Settle's AWC on September 24, 2012. In Settle's AWC he consented, without admitting or
6 denying the findings, to the entry of FINRA's findings that he willfully violated FINRA Rules 1122 and 2010, and
7 Article V, Section 2 of the FINRA By-Laws when he failed to amend his Form U4, within 30 days, with each of his
8 financial compromises, his federal tax lien, his two felony charges, and, within 10 days, his felony conviction.
9 Further, Settle consented to the imposition of an eighteen month suspension from associating with any FINRA
10 member firm.

11 **CONCLUSIONS OF LAW**

12 Based upon the above Findings of Fact, the following Conclusions of Law are made:

13 **I.**

14 Dustin Lee Settle violated RCW 21.20.350 by filing six Form U4 disclosure amendments with the Division
15 that falsely answered and/or failed to disclose his financial compromises, federal tax lien, felony charges, and/or
16 felony conviction. These six Form U4 amendments were false or misleading in a material respect. Such conduct is
17 grounds for suspension of his salesperson registration and grounds for imposition of a fine pursuant to RCW
18 21.20.110(1)(a) and RCW 21.20.110(1)(b).

19 **II.**

20 Dustin Lee Settle violated WAC 460-22B-060 by failing to file a Form U4 disclosure amendment with the
21 Division to report his financial compromises, federal tax lien, felony charges, and felony conviction within 30 days of
22 the occurrence of the event. Such conduct is grounds for suspension of his salesperson registration and grounds for
23 imposition of a fine pursuant to RCW 21.20.110(1)(a) and RCW 21.20.110(1)(b).

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III.

Dustin Lee Settle was convicted of felony harassment. This felony involved moral turpitude and is grounds for suspension of his salesperson registration and grounds for imposition of a fine pursuant to RCW 21.20.110(1)(c).

IV.

Dustin Lee Settle violated FINRA rule 1122, FINRA Rule 2010, and Article V, Section 2 of the FINRA By-Laws by failing to disclose to his employer or FINRA, within 30 days, that he entered into at least five financial compromises with creditors, that he was subject to a federal tax lien, that he was charged with two felonies, and, within 10 days, that he was convicted of a felony. Such conduct is a dishonest or unethical practice as defined by WAC 460-22B-090(19), and is grounds for suspension of his salesperson registration and grounds for imposition of a fine pursuant to RCW 21.20.110(1)(g).

V.

Dustin Lee Settle's eighteen month suspension by FINRA, a self-regulatory organization, from associating with any FINRA member firm is grounds for suspension of his salesperson registration and grounds for imposition of a fine pursuant to RCW 21.20.110(e)(iii).

CONSENT ORDER

Based upon the foregoing and finding it in the public interest:

IT IS AGREED AND ORDERED that Respondent Dustin Lee Settle shall cease and desist from violating RCW 21.20.350, the false filing section of the Securities Act of Washington.

IT IS FURTHER AGREED AND ORDERED that Respondent Dustin Lee Settle's securities salesperson license shall be, and hereby is, suspended for eighteen months beginning retroactively on October 1, 2012 and ending on March 31, 2014.

IT IS FURTHER AGREED AND ORDERED that, pursuant to RCW 21.20.110, Respondent Dustin Lee Settle shall be liable for and pay a fine in the amount of \$10,000.

IT IS FURTHER AGREED AND ORDERED that Respondent Dustin Lee Settle shall pay investigative costs of \$2500.

1 IT IS FURTHER AGREED AND ORDERED that the payment of the fine and costs described above shall be
2 made as follows: Respondent Dustin Lee Settle shall pay \$500.00 towards the investigative costs on or before the
3 entry of this Consent Order. Respondent Dustin Lee Settle shall then pay the remaining investigative costs and fines
4 in monthly payments for the following twenty-four consecutive months, with each monthly payment in the amount of
5 \$500.00. The first \$2,000 in payments will pay the investigative costs balance and the remaining \$10,000 in payments
6 will pay the fine. Each payment shall be due on the first day of the month, unless the first day of the month falls on a
7 weekend or holiday, in which case payment shall be due on the first business day following the first day of the month.

8 IT IS FURTHER AGREED that the Securities Division has jurisdiction to enter this Consent Order.

9 IT IS FURTHER AGREED that Respondent Dustin Lee Settle entered into this Consent Order freely and
10 voluntarily and with a full understanding of its terms and significance.

11 IT IS FURTHER AGREED that in consideration of the foregoing, Respondent Dustin Lee Settle waives his
12 right to a hearing and to judicial review of this matter pursuant to RCW 21.20.440 and Chapter 34.05 RCW.

13 WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

14
15 Signed this 23rd day of October, 2013.

16
17 Signed by:

18 _____
19 /s/ Dustin Settle
20 Dustin Lee Settle, Individually

SIGNED and ENTERED this 30th day of October, 2013.

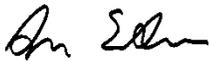
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William M. Beatty
Securities Administrator

Approved by:

Presented by:



Suzanne Sarason
Chief of Enforcement



Brian J. Guerard
Financial Legal Examiner



Jack McClellan
Financial Legal Examiner Supervisor