

NASD OFFICE OF HEARING OFFICERS

DEPARTMENT OF ENFORCEMENT,

Complainant,

v.

Respondent.

Disciplinary Proceeding
No. E8A2003084806

Hearing Officer—Andrew H. Perkins

ORDER GRANTING COMPLAINANT'S MOTION IN LIMINE

On November 21, 2006, the Department of Enforcement moved for entry of an order precluding the Respondent from introducing evidence of the sanctions imposed on other registered representatives at the Respondent's firm who engaged in similar outside business activities to those charged in this case. The Department asserted that such evidence is irrelevant to the determination of what sanctions, if any, should be imposed in this case if the Hearing Panel finds that the Respondent committed the alleged violations. The Respondent did not file an opposition to the motion.

The Department's motion is granted. The Respondent is precluded from introducing evidence of the sanctions imposed on other registered representatives at [the Respondent's firm] who were alleged to have referred customers to _____ to purchase fixed annuities or similar products.

IT IS SO ORDERED.

Andrew H. Perkins
Hearing Officer

December 28, 2006