

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 73322 / October 8, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-15014

In the Matter of

**JP TURNER & COMPANY,
LLC, and WILLIAM L. MELLO**

Respondents.

**NOTICE OF PROPOSED
PLAN OF DISTRIBUTION
AND OPPORTUNITY
FOR COMMENT**

Notice is hereby given, pursuant to Rule 1103 of the Rules on Fair Fund and Disgorgement Plans, 17 C.F.R. § 201.1103, of the United States Securities and Exchange Commission (“Commission”), that the Division of Enforcement has submitted to the Commission a proposed plan (“Plan”) for the distribution of monies collected by the Commission in the above-captioned matter.

On September 10, 2012, the Commission entered an Order Instituting Administrative Proceedings Pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Section 203(f) of the Investment Advisers Act of 1940, Making Findings, and Imposing Remedial Sanctions (“Order”) against JP Turner & Company, LLC (“JP Turner”) and its former president, William L. Mello (collectively, “Respondents”), for Respondents’ failures reasonably to supervise three registered representatives who churned customer accounts for the purpose of generating commission business by engaging in excessive trading in disregard of customers’ investment objectives and financial needs.¹ Pursuant to the Order, JP Turner paid disgorgement of \$200,000, prejudgment interest of \$16,051, and a civil money penalty in the amount of \$200,000, and William L. Mello paid a civil money penalty in the amount of \$45,000 for a combined payment of \$461,051.

OPPORTUNITY FOR COMMENT

Pursuant to this Notice of Proposed Plan of Distribution and Opportunity for Comment (“Notice”), interested parties are advised that they may print a copy of the Plan from the Commission’s public website at <http://www.sec.gov/litigation/fairfundlist.htm>. Interested parties

¹ Exchange Act Rel. No. 67808 (Sept. 10, 2012).

also may obtain a written copy of the Plan by submitting a written request to Nichola L. Timmons, United States Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-5631. All persons who desire to comment on the Plan must submit their comments, in writing, no later than thirty (30) days from the publication date of this Notice:

1. To the Office of the Secretary, United States Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-1090;
2. By using the Commission's Internet comment form (<http://www.sec.gov/litigation/admin.shtml>); or
3. By sending an email to rule-comments@sec.gov.

Comments submitted by email or via the Commission's website should include "Administrative Proceeding File No. 3-15014" in the subject line. Comments received will be publicly available. Thus, persons should only submit information that they wish to make publicly available.

THE DISTRIBUTION PLAN

The Distribution Fund is comprised of the \$216,051 in disgorgement and prejudgment interest paid by Respondents, less any federal, state, or local taxes and fees and expenses of administering the distribution. The Plan proposes to distribute the Distribution Fund to affected customers of JP Turner who suffered a net harm by virtue of the conduct described in the Order and as calculated per the methodology set forth in the Plan (collectively, "Eligible Customers").

The Plan provides for Eligible Customers to receive monies from the Distribution Fund that represents the affected customer's Net Harm Amount, plus the time value of money, as calculated pursuant to the Plan. Eligible Customers will not need to go through a claims process; rather, they will be determined from available records. The Eligible Customers will not be required to make claims or submit documentation to establish their eligibility. The Plan provides that on the basis of information obtained by the Commission staff through review and analysis of applicable records, the Fund Administrator will identify the Eligible Customers. Within sixty (60) days of the Commission's approval of the Plan, the Fund Administrator will send each Eligible Customer a notice by United States Postal Service regarding the Commission's approval of the Plan, a distribution check, and, as appropriate, a statement characterizing the distribution, a link to the Plan on the Commission's website and instructions for requesting a copy of the Plan, a net harm amount calculation, a present value net harm amount calculation, and a preliminary gross distribution amount, a description of the tax information reporting and other related tax matters, the procedure for the distribution as set forth in the Plan, and the name of the Fund Administrator to contact with questions regarding the distribution. The Fund Administrator will coordinate with the appointed Tax Administrator to request information from each Eligible Customer that is needed to accomplish the distribution in accordance with applicable tax requirements relating to the Distribution Fund.

The Plan also provides procedures for Eligible Customers to dispute the amounts received. Disputes will be limited to calculations of disbursement amounts to Eligible Customers. Should an

Eligible Customer wish to dispute the amount received, an Eligible Customer must submit a written communication to the Fund Administrator. The Fund Administrator must receive the written communication detailing the dispute along with any supporting documentation within thirty (30) days of the date that an Eligible Customer's disbursement is made. The Fund Administrator will investigate the dispute, and such investigation will include a review of the written dispute as well as any supporting documentation. Within thirty (30) days of receipt of the written dispute, the Fund Administrator will notify the Eligible Customer of her resolution of the dispute, which shall be final.

For the Commission, by its Secretary, pursuant to delegated authority.

Brent J. Fields
Secretary