

## Item 1 Cover Page

Part 2A of Form ADV

Firm Brochure

Sterling Financial Advisors, LLC

3838 Davenport, Omaha, NE 68131

Phone: (402) 970-9300

Date: May 15, 2012

This brochure provides information about the qualifications and business practices of Sterling Financial Advisors, LLC. If you have any questions about the contents of this brochure; please contact us at (402) 970-9300. The information in this brochure has not been approved or verified by the United States Securities and Exchange Commission or by any state securities authority.

Additional information about Sterling Financial Advisors, LLC is available on the SEC's website at [www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov)

Please note that registration as an investment advisory firm does not imply a certain level of skill or training.

## **Item 2      Material Changes**

We are now filing for registration with the state of Nebraska rather than with the Securities and Exchange Commission. We have updated our ADV to include responses required for state registrants. As such, there is information listed about Mary Jochim in Item 7 of Part 2 B relating to three customer actions and a review taken by the state of Nebraska in 1999.

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## Item 4      **Advisory Business**

### **About the Firm**

Sterling Financial Advisors, LLC, (the “Adviser”) is a Registered Investment Advisory Firm offering Asset Management Services and Financial Planning Services. More information about each of these services is included below.

We commenced business in 1999. Mary Jochim is the owner of our firm. We manage client assets. As of December 31, 2011 total assets were \$30,000,000. Discretionary assets under management were \$24,000,000. As of December 31, 2011, our non-discretionary assets under management were \$6,000,000.

### **Asset Management Services**

We provide Asset Management Services through the following programs which are described in greater detail below. The decision as to which type account or program to be used will be based on each client account based on which account is most economical for that account.

#### ***Independent Clearing Account***

Through the Independent Clearing Account, custodied at Raymond James Financial Services, Inc. (“RJFS”) we can offer you a myriad of investment choices, including mutual funds, stocks, bonds, UITs, options and REITS. You receive ongoing investment advice according to your objectives. Mutual funds incur expenses for portfolio management services and fund administrative services. Sterling Financial does not charge commissions or receive any servicing or administrative fees from any mutual funds or similar investments. These expenses charged by the mutual fund are disclosed in the mutual fund prospectus. Sterling Financial’s management fees for the Independent Clearing Account are deducted directly from the client’s account.

#### ***Investment Management Program for Advisory Clients (IMPAC)***

IMPAC is a fee based account, offered and administered through RJFS, in which the client is provided with ongoing investment advice and monitoring of securities holdings. Sterling Financial will manage the account on a non-discretionary basis (or discretionary, provided certain qualifications are met), according to the client’s objectives. Sterling Financial does not charge commissions or receive any servicing or administrative fees from any mutual fund funds or similar investments. Mutual funds incur expenses for portfolio management services and fund administrative services. These expenses are disclosed in the mutual fund prospectus. Sterling Financial’s management fees for the IMPAC program are deducted directly from the client’s account.

### **Financial Planning Services**

We offer financial planning services, which are independent of any asset management services. When offering our financial planning services we work to develop financial strategies tailored to fit your needs. These areas may include your assets and liabilities, cash-flow, insurance coverage, retirement planning, education planning, estate planning, and investment planning. We discuss these topics and others with you to develop an assessment of your current and long-term financial needs. Major emphasis is placed on identifying goals, assessing progress toward reaching those goals, and developing measures for achieving those objectives.

Continuing services include, but are not limited to, reviewing and updating your written plan on a periodic basis to update the analysis and to determine if additional or alternative strategies need to be employed by you.

Sterling Financial has a various times been under contract with the State of Nebraska Retirement System for employee education and financial planning services. These services are available to both public and private entities.

## Item 5 Fees and Compensation

### *Fees for the Independent Clearing Account*

We typically deduct fees directly from your account. This is only after we receive your written authorization.

For accounts charged in advance, the initial fees for asset management services will be based upon the value of the securities to be managed or monitored by us at the time the Agreement is executed and will be pro-rated for the number of days remaining in the current calendar quarter. Thereafter, the annual fee will be billed quarterly in advance of the calendar quarter and calculated based upon the value of the account on the last business day of the previous calendar quarter. The fee is negotiable and is not based on a share of capital gains or upon capital appreciation of the funds or any portion of the funds. On an extremely rare occasion and only after all other alternatives are exhausted would you paid any commissions charges. Sterling Financial would not receive any compensation from those commissions. There are transaction charges, custodial fees, or other account maintenance fees charged by the custodian. These charges are in addition to the fees we charge. Additionally, you may pay commissions or fees to broker/dealer of any stocks, bonds or mutual funds purchased by broker/dealer. We do not share in any portion of the additional fees and/or charges

No fee adjustments will be made for partial withdrawals, account additions, appreciation or depreciation.

Deleted: or for account

For accounts charged in arrears, your asset management fee is based upon the balance of the account as of the end of the previous quarter or year. Additional deposits or withdrawals to the account are subject to the same fee procedures.

There are nominal transaction charges for the execution of trades in the Independent Clearing account, listed below, which are paid to RJFS above and beyond our Investment Advisory Fee. Sterling Financial does not receive any portion of the transaction fees.

<u>SECURITY TYPE</u>	<u>PROCESSING FEE</u>
Equity Transaction Fees	\$19.95 +.02/share over 1,000
Closed End Funds	\$24.95
Exchange Traded Funds	\$24.95
Mutual Funds *	\$24.95
Real Estate Investment Trusts/Unit Investment Trusts	\$19.95
Options Contracts	\$19.95 + \$1 per contract
Bonds	\$10.00
Prime Brokerage	\$25.00
Fixed Income Trades will include a markup based on the length-to-maturity on the bond and will be capped at \$200 per trade.	

\*Select Mutual Funds are available for no transaction fee

Our Advisory Fees for the Independent Clearing Account are listed below:

Fee Schedule for Independent Clearing Account:

First \$200,000	1.75%
Next \$300,000	1.5%
Next \$4,500,000	1.0%
Over \$5,000,000	1.0% and Negotiable

On an extremely rare occasion and only after all other alternatives are exhausted would you paid any commissions charges. Sterling Financial would not receive any compensation from those commissions. There are transaction charges, custodial fees, or other account maintenance fees charged by the custodian. These charges are in addition to the fees we charge. Additionally, you may pay commissions or fees to broker/dealer of any stocks, bonds or mutual funds purchased by broker/dealer. We do not share in any portion of the additional fees and/or charges. (Ann, isn't this the same thing as the foregoing?)

No fee adjustments will be made for partial withdrawals, account additions, appreciation or depreciation.

For accounts charged in arrears, your asset management fee is based upon the balance of the account as of the end of the previous quarter or year.

**Deleted:** Additional deposits or withdrawals to the account are subject to the same fee procedures.

There are nominal transaction charges for the execution of trades in the Independent Clearing account, listed below, which are paid to RJFS above and beyond our Investment Advisory Fee. Sterling Financial does not receive any portion of the transaction fees.

*Fees for the Investment Management Program for Advisory Clients (IMPAC)*

We typically deduct fees directly from your account. This is only after we receive your written authorization.

For accounts charged in advance, the initial fees for asset management services will be based upon the value of the securities to be managed or monitored by us at the time the Agreement is executed and will be pro-rated for the number of days remaining in the current calendar quarter. Thereafter, the annual fee will be billed quarterly in advance of the calendar quarter and calculated based upon the value of the account on the last business day of the previous calendar quarter. The fee is negotiable and is not based on a share of capital gains or upon capital appreciation of the funds or any portion of the funds. You will pay any commission charges, transaction charges, custodial fees, or other account maintenance fees. These charges are in addition to the fees we charge. Additionally, you may pay commissions or fees to broker/dealer of any stocks, bonds or mutual funds purchased by broker/dealer. We do not share in any portion of the additional fees and/or charges.

Additional assets deposited into the account after it is opened will be charged a pro-rata fee based upon the number of days remaining in the then current calendar quarter. No fee adjustments will be made for partial withdrawals or for account appreciation or depreciation.

For accounts charged in arrears, your asset management fee is based upon the balance of the account as of the end of the previous quarter or year. Additional deposits to the account are subject to the same fee procedures.

There are nominal transaction charges for the execution of trades in the IMPAC account, listed below, which are paid to RJFS above and beyond our Investment Advisory Fee.

<u>SECURITY TYPE</u>	<u>PROCESSING FEE</u>
Exchange Traded Equities: Listed and OTC	\$30
Closed End Mutual Funds	\$30
Exchange Traded Funds	\$30
Mutual Funds	\$30
Real Estate Investment Trusts/Unit Investment Trusts	\$30
Preferred Stocks	\$50
Options Contracts	\$50
Bonds	\$50

Our Advisory Fees for IMPAC accounts are listed below.

First \$200,000	1.75%
Next \$300,000	1.5%
Next \$4,500,000	1.0%
Over \$5,000,000	1.0% and Negotiable

#### THREE TIER ASSET CLASS FEE SCHEDULE

<u>Account Value</u>	<u>Total Fee</u>
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Investments Excluding Open-Ended Mutual Funds, Cash and Bonds:

First \$200,000	2.00%
Next \$300,000	1.50%
Next \$500,000	1.00%
Over \$1,000,000	1.00%

Investment Open-End Mutual Funds and Cash:

First \$100,000	1.75%
Next \$100,000	1.50%
Next \$300,000	1.25%
Next \$500,000	0.75%
Over \$1,000,000	0.75%

Investment Open-End Mutual Funds and Cash:

First \$100,000	1.75%
Next \$100,000	1.50%
Next \$300,000	1.25%
Next \$500,000	0.75%
Over \$1,000,000	0.75%

Investment Bonds:

First \$100,000	1.50%
Next \$100,000	1.25%
Next \$300,000	1.00%
Next \$500,000	0.75%
Over \$ 1,000,000	0.75%

Accounts greater than \$5,000,000 are negotiable.

In addition to the foregoing transaction charges, you will pay a nominal amount per transaction for handling and postage charges. You may also incur charges for other account services provided by RJA not directly related to the execution and clearing of transactions including, but not limited to, IRA custodial fees, safekeeping fees, interest charges on margin loans, and fees for legal or courtesy transfers of securities.

Either of us may terminate the advisory agreement by providing written notice. You may terminate the agreement within five days of the date of execution without penalty. There is no penalty for terminating your account. Upon termination, you will receive a refund of the portion of the prepaid asset-based fee which is not utilized for accounts billed in advance. For accounts billed in arrears, you may be charged a fee pursuant to the number of days the account was managed for the current quarter. We will not accept instructions to terminate the agreement unless you provide those instructions in writing.

***Fees for Financial Planning Services***

For our Financial Planning Services, we charge fees on an hourly or fixed fee basis. The hourly rate is \$250 per hour, and the fixed fee rate is dependent on the services requested and the complexity of the plan. It may range from a minimum of \$1,000 to a maximum of \$ 5,000 per plan. Fixed fees for advance estate planning run between \$10,000 and \$25,000 depending on the complexity and comprehensiveness of the plan.

We may employ the assistance of additional financial professionals in the creation of financial plans.

Financial planning fees are due and payable after services are rendered but no later than 30 days after you receive our analysis. You may terminate the financial planning agreement within five days of the date of execution without penalty. After the five-day period, either party may terminate the agreement by providing written notice to the other party. In the event you terminate the agreement after five days of execution, you will only be charged for the portion of work we have performed.

### *Information about Advisory Fees and other Expenses*

With respect to cash reserves of advisory your accounts, the custodian of the account assets (RJFS) will determine where cash reserves are held. The custodian may offer one or multiple options to different account types (such as non-taxable and managed accounts). In addition, the custodian may, among other things, consider terms and conditions, risks and features, conflicts of interest, current interest rates, the manner by which future interest rates will be determined, and the nature and extent of insurance coverage (such as deposit protection from the Federal Deposit Insurance Corporation and the Securities Investor Protection Corporation). The custodian may change an investment option at any time by providing you with thirty (30) days advance written notice of such change, modification or amendment. As of October 2008, Cash Sweep Options include the Raymond James Bank Deposit Program ("RJBDP"), the Credit Interest Program ("CIP") sponsored by RJA, and the Heritage Cash Trust, including the money-market and municipal money-market fund, or any combination thereof.

Raymond James Bank is an affiliate of RJFS, and offers a similar interest rate to the yield on Heritage Cash Trust and the CIP, but generally earns more than the interest it pays on such balances. The Heritage Cash Trust money-market and municipal money-market fund both pay Heritage Asset Management, Inc. (also an affiliate) a fee for investment management and administrative services. Raymond James & Associates generally earns a higher rate of interest on CIP balances than the interest rate it pays on such balances. The income earned by Heritage Asset Management and RJA is in addition to the asset-based fees that RJFS receives from these accounts.

Cash balances arising from the sale of securities, redemptions of debt securities, dividend and interest payments and funds received from customers are invested automatically on a daily basis. When securities are sold, funds are deposited on the day after settlement date. Funds placed in a Client's account by personal check usually will not be invested until the second business day following the day that the deposit is credited to the Client's account. Due to the foregoing practices, RJA may obtain federal funds prior to the date that deposits are credited to Client accounts and thus may realize some benefit because of the delay in investing such funds. For further information please refer to the Cash Sweep Options disclosure statement, a copy of which is available from your IAR, or is available on the Raymond James public website, [www.raymondjames.com](http://www.raymondjames.com).

You should also understand that the shares of certain mutual funds offered in these programs may impose short-term trading charges (typically 1%-2% of the amount originally invested) for redemptions generally made within short periods of time. These short-term charges are imposed by the funds to deter "market timers" who trade actively in fund shares. You should consider these short-term trading charges when selecting the program and/or mutual funds in which they invest. These charges, as well as operating expenses and management fees, which may increase the overall cost to the client by 1%-2% (or more), are available in each fund's prospectus.

Clients should also understand that certain no-load variable annuities may be offered in the IMPAC programs and may be charged an advisory fee. The annual advisory fees charged for these no-load variable annuities are in addition to the management fees and operating expenses charged by the insurance companies offering these products.

You should also understand that more sophisticated investments such as short sells and margins may be offered in the IMPAC programs. Fees for advice and execution on these securities are based on the total asset value of the account. While a negative amount may show on your statement for the margined security as the result of a lower net market value, the amount of the fee is based on the absolute market value. This could create a conflict of interest where we may have an incentive to encourage the use of margin to create a higher market value and therefore receive a higher fee. The use of margin may also result in interest charges in addition to all other fees and expenses associated with the security involved.

We believe the charges and fees offered within each fee-based program are competitive with alternative programs available through other firms and/or investment sources, yet makes no guarantee that the aggregate cost of a particular program is lower than that which may be available elsewhere.

All above quoted fees may be negotiated within the stated fee schedule; however certain circumstances may dictate an exception from the set range.

## **Item 6 Performance-Based Fees and Side-by-Side Management**

We do not accept performance-based fees.

## **Item 7 Types of Clients**

We typically work with individuals, high net worth individuals, trusts, pension and profit sharing plans, and small businesses. Our minimum account value for clients who work with us is \$250,000. This amount is negotiable at the discretion of Mary Jochim.

There is a minimum account size of \$250,000 for our asset management services. These account sizes are negotiable at the Adviser's discretion. We have a minimum quarterly account fee of \$250. This fee is negotiable at our discretion.

## **Item 8 Methods of Analysis, Investment Strategies and Risk of Loss**

We may use the following methods of security analysis:

- Fundamental - (analysis performed on historical and present data, with the goal of making financial forecasts)
- Technical – (analysis performed on historical and present data, focusing on price and trade volume, to forecast the direction of prices)

We may use the following investment strategies when implementing investment advice given to clients:

- Long Term Purchases (securities held at least a year)
- Short Term Purchases (securities sold within a year)
- Options (contract for the purchase or sale of a security at a predetermined price during a specific period of time)

**Please Note: Investment Risk**. Different types of investments involve varying degrees of risk, and it should not be assumed that future performance of any specific investment or investment strategy will be profitable or equal any specific performance level(s).

Our methods of analysis and investment strategies do not present any significant or unusual risks.

Our primary investment strategies - Long Term Purchases and Short Term Purchases are fundamental investment strategies. However, every investment strategy has its own inherent risks and limitations. For example, longer term investment strategies require a longer investment time period to allow for the strategy to potentially develop. Shorter term investment strategies require a shorter investment time period to potentially develop but, as a result of more frequent trading, may incur higher transactional costs when compared to a longer term investment strategy.

In addition to the fundamental investment strategies discussed above, we may also implement and/or recommend options transactions. Option transactions have a high level of inherent risk. (See discussion below).

The use of options transactions as an investment strategy may involve a high level of inherent risk. Option transactions establish a contract between two parties concerning the buying or selling of an asset at a predetermined price during a specific period of time. During the term of the option contract, the buyer of the option gains the right to demand fulfillment by the seller.

We primarily allocate client investment assets among various individual equity (stocks), debt (bonds) and fixed income securities and mutual funds, on a discretionary basis, consistent with the client's designated objectives. We may also engage in option strategies.

## **Item 9      Disciplinary Information**

Neither our management person nor we have any relevant disciplinary information to report in this section. Please see the Brochure Supplement (attached) for information about Mary Jochim, President.

## **Item 10      Other Financial Industry Activities and Affiliations**

We have no other financial industry activities or affiliations.

## **Item 11      Code of Ethics, Participation or Interest in Client Transactions and Personal Trading**

Associated persons may buy or sell for their own accounts the same securities recommended to you. They may do so at the same time as they, or a related person, buy or sell the same securities for their own account. Associated persons seek to ensure that they do not personally benefit from the short-term market effects of their recommendations to you. We request information about all of our associate's transactions and monitor them for any wrongdoing.

Associated persons are aware of the rules regarding material non-public information and insider trading. Associated persons may also buy or sell a specific security for their own account based on personal investment considerations, which the Advisor does not deem appropriate to buy or sell for clients.

We have adopted a Code of Ethics to instruct our personnel in their ethical obligations and to provide rules for their personal securities transactions. The Firm and our personnel owe a duty of loyalty, fairness and good faith to their clients, and the obligation to adhere not only to the specific provisions of the code but also to the general principles that guide the Code. The Code covers a range of topics including general ethical principles, reporting personal securities trading, exceptions to reporting securities trading, reportable securities, initial public offerings and private placements, reporting ethical violations, distribution of the Code, review and enforcement processes, amendments to Form ADV and supervisory procedures. We will provide a copy of the Code to any client or prospective Client upon request.

## **Item 12      Brokerage Practices**

We will recommend you establish brokerage accounts with Raymond James Financial Services, Inc. (RJFS), a FINRA member. RJFS provides the firm with access to its institutional trading and operations services, which typically are not available to RJFS retail customers. These services are generally available, without cost, to financial advisory firms who maintain a minimum threshold of client assets with RJFS.

Services provided by RJFS to financial advisory firms include research (including mutual fund research, third-party research, and Raymond James & Associates, Inc.'s (RIA) proprietary research), brokerage, custody, and access to mutual funds and other investments that are available only to institutional investors or would require a significantly higher minimum initial investment. RJFS makes available software and other technologies that provide access to client account data, facilitate trade execution, provide research, pricing information, quotation services and other market data, assist with contact management, facilitate payment of fees to the firm from client accounts, assist with performance reporting, facilitate trade allocation, and assist with back-office support, record-keeping, and client reporting. RJFS also provides access to financial planning software, practice management consulting support, best execution assistance,

consolidated statements assistance, educational and industry conferences, marketing and educational materials, technological and information technology support, and RJFS corporate discounts. Many of these services may be used to service all or a substantial number of our accounts, including accounts not maintained at RJFS.

RJFS may also provide the firm with other services intended to help the firm manage and further develop its business enterprise, including assistance in the following areas: consulting, publications and presentations, information technology, business succession, and marketing. In addition, RJFS may make available or arrange and/or pay for these types of services provided by independent third parties, including regulatory compliance.

RJFS is recognized as a full-service registered broker-dealer and registered investment adviser. The firm has no formal relationship with RJFS for client referrals and receives no compensation from RJFS (other than the services and arrangements described herein) for accounts opened by firm clients. On an informal basis, RJFS occasionally may make referrals to the firm as a courtesy or accommodation. Nothing of value, monetary or otherwise, is given, paid, or received in exchange for such referrals.

#### ***Clearing & Custodial Arrangements***

We use RJFS for custody of customer assets and execution of customer transactions. RJA, a corporate affiliate of RJFS and member of the New York Stock Exchange and the Securities Investor Protection Corporation, acts as the clearing agent in the execution of securities transactions placed through RJFS. We may, subject to our best execution obligations, may trade outside of RJFS.

In the selection of broker-dealers, we consider all relevant factors, including the commission rate, the value of research provided, execution capability, speed, efficiency, confidentiality, familiarity with potential purchasers and sellers, financial responsibility, responsiveness, and other relevant factors.

We have retained and will compensate RJFS and or RJA to provide various administrative services which include determining the fair market value of assets held in the account at least quarterly and producing a brokerage statement and performance reporting.

Except as otherwise provided, RJFS's responsibility is limited to executing transactions pursuant to the direction of the firm.

### **Item 13      Review of Accounts**

We review our clients' accounts periodically, not less than once a year, in order to determine if the positions held are consistent with the investment objectives. The reviews will be conducted by Mary Jochim, President.

You will receive a confirmation of each transaction and periodic statements from RJFS. We will issue updates or reports at the client's request.

### **Item 14      Client Referrals and Other Compensation**

We do not pay anyone for client referrals for our accounts.

### **Item 15      Custody**

We have custody of client funds in that we deduct fees from your accounts. RJFS sends monthly statements directly to you that includes important information on the performance of your account, transactions in your account and fees charged. You should carefully review those statements.

## **Item 16 Investment Discretion**

We request that you give us discretionary authority to manage your accounts by signing a written power of attorney. You may place reasonable restrictions on the types of securities or on specific securities that we may purchase or sell.

## **Item 17 Voting Client Securities**

We do not vote proxies on your behalf. You retain that right unless you make other arrangements with the custodian of your assets. You will receive proxies or other solicitations directly from the custodian of your assets. You may contact us with questions about proxies.

## **Item 18 Financial Information**

We have no financial condition that is reasonably likely to impair our ability to meet contractual commitments to you.

## **Item 19 Requirements for State-Registered Advisers**

Please see the attached Part 2B for Ms. Mary Jochim.

### **MISCELLANEOUS**

#### **Privacy Notice**

Our mission is to help customers meet their financial goals. We are committed to providing you the very best service, the highest quality products, and valuable information about new services and benefits. The Privacy Policy contained in this disclosure may be amended at any time. We will keep customers informed of any applicable changes at least annually, or as required by law. The policy described here replaces all previous notices or statements with respect to the same subject matter. We are providing you with this information as required by Regulation S-P adopted by the Securities and Exchange Commission.

#### **Our Privacy Policy**

In connection with providing client with investment products, financial advice, or other services, Adviser obtains non-public personal information about client including:

- Information Adviser receives from Client on applications
- Information about Client transactions with Adviser or others; and,
- Information from credit or service bureaus or third-parties.

#### **Information Adviser Discloses.**

Adviser will not disclose information regarding Client or Client's account with Adviser except under the following circumstances:

- To Client's Advisory Representative and his or her manager;
- To establish or maintain an account with an unaffiliated third party, such as a clearing broker providing services to Client;
- To government entities or other third parties in response to subpoenas or other legal process as required by law.

**Adviser's Security Policy.** Only those individuals who need it to perform their jobs are authorized to have access to confidential client information. Adviser maintains physical, electronic, and procedural security measures that comply with applicable state and federal regulations to safeguard confidential Client information.

**Closed or Inactive Accounts.** If Client decides to close account (s) or become an inactive customer, Adviser will adhere to the privacy policies and practices as described in this notice.

**Changes to this Privacy Policy.** If Adviser makes any substantial changes in the way Adviser uses or disseminate confidential information, Adviser will notify Client.

## Brochure Supplement

Part 2B of Form ADV

Mary Jochim

Sterling Financial Advisors, LLC

3838 Davenport, Omaha, NE 68131

Phone: (402) 970-9300

Date: May 15, 2012

### Item 1 Cover Page

This brochure supplement provides information about Mary Jochim that supplements our Wrap fee brochure. Please contact her at (402) 970-9300 if you did not receive Sterling Financial Advisors, LLC's brochure or if you have any questions about the contents of this supplement.

### Item 2 Educational Background and Business Experience

Mary Jochim

Year of Birth: 1950

Educational History: B.S. Business Administration, 1976

The Wharton School – University of Pennsylvania - Securities Industry Institute Certificate, 1990

Employment History:

03/1998 – Present	Sterling Financial Advisors, LLC, President/Owner
03/1998 – 11/2009	Raymond James Financial Services, Inc., Registered Representative
01/1979 – 03/1998	Kirkpatrick, Pettis, Smith, Polian Inc., Senior Vice President, Registered Representative
05/1972 – 03/1998	Omaha National Bank (now US Bank, NA) Vice President Loan Officer

### **Item 3      Disciplinary Information**

Neither our management person nor we have any relevant disciplinary information to report under this section. Please see the Brochure Supplement (attached) for more information about Mary Jochim, President.

### **Item 4      Other Business Activities**

Ms. Jochim has no other business activities.

### **Item 5      Additional Compensation**

There are no such issues to be disclosed.

### **Item 6      Supervision**

The sole advisory representative and the President, Mary Jochim, supervises herself. Should you have any concerns or questions, please contact her at 402-970-9300.

### **Item 7      Items for State Registered Advisers**

Ms. Jochim has received had three customer initiated actions and resolved in her thirty-four year career as a financial professional. Details about those actions are included below.

The first claim occurred 18 years ago The first claim that was resolved in favor of Ms. Jochim occurred 18 years ago. The claim was for \$1 million, the basis stated was that Kirkpatrick, Pettis, et al should have stopped a client, from dissipating the funds in his trust account. This client was the sole trustee. We were able to validate that the rate of return in the account was above the return in the S&P for the same time period. We documented that the client made withdrawals for his expenses, including a new swimming pool, mortgage payments and living expenses. The panel dismissed the claims in their entirety. Kirkpatrick Pettis was required to pay \$13,000 to the client for a unspecified reason.

A second complaint was filed during significant market decline in 2001 – 2003 was filed by a relative of Mary Jochim. at which time the market broad market had three years of negative performance and the NASDAQ market experienced a negative return of over 70%.

During this time, this client was asked by Mary Jochim to move his account because of his dis-satisfaction but he chose not to. This client holds an MBA and was a sophisticated investor. He had lost some of his profits but none of his principal investment. Mary Jochim was advised by counsel and an independent mediator that these claims would in all likelihood be resolved in her favor if she chose to proceed. Ms. Jochim voluntarily made a decision to pay her family member \$60,000 to settle his complaint for one reason, that being to preserve family relationships.

The third complaint came from a former spouse on behalf of an estate account of a former family member. It alleged suitability, negligence, breach of fiduciary duty, violations of the Securities Act of Nebraska, respondent superior liability, agency, control person liability and churning for the period from 1998 through 2003.

This claim was filed on behalf of his father's estate one week after the client's death. It was filed after a period of significant market declines in 2001 – 2003. Mary Jochim managed two accounts for this client. One account was a martial account invested conservatively to provide the client with income during his life. The remainder of that account was to be distributed to friends of the client's deceased wife upon his death. The second account was invested to

provide long-term growth to benefit the client's adult children upon his death. The complaint filed by the estate was specific to the latter account.

The panel found in favor of the estate in an award of \$315,691. Mary Jochim and Raymond James disagreed with the panel's finding as 1) this was a discretionary account 2) the client had only been complimentary of the results 3) only one of the client's two accounts was considered and that the accounts should have both been considered 4) this was a fee only account to which churning allegations should not apply and lastly 5) the investments would improve as the market recovers from the significant declines in 2001 - 2003

In 1999, Ms. Jochim accepted a consent order from the State of Nebraska Department of Banking and Finance related to an associate of Sterling Financial Advisor that the State thought was not properly registered as an investment adviser representative. Ms. Jochim was not subject to corrective actions or sanctions. The consent order required the profits be returned to the State of Nebraska for a financial planning seminar the associate was the presenter.