

**UNITED STATES OF AMERICA**  
**Before the**  
**SECURITIES AND EXCHANGE COMMISSION**

**SECURITIES EXCHANGE ACT OF 1934**  
**Release No. 58675 / September 29, 2008**

**INVESTMENT ADVISERS ACT OF 1940**  
**Release No. 2791 / September 29, 2008**

**ADMINISTRATIVE PROCEEDING**  
**File No. 3-13250**

**In the Matter of**

**Kevin James Dunn, Jr.,**

**Respondent.**

**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**

**I.**

The Securities and Exchange Commission (“Commission”) deems it appropriate and in the public interest that public administrative proceedings be, and hereby are, instituted pursuant to Section 15(b) of the Securities Exchange Act of 1934 (“Exchange Act”) and Section 203(f) of the Investment Advisers Act of 1940 against Kevin James Dunn, Jr. (“Dunn”).

**II.**

In anticipation of the institution of these proceedings, Dunn has submitted an Offer of Settlement (the “Offer”) which the Commission has determined to accept. Solely for the purpose of these proceedings and any other proceedings brought by or on behalf of the Commission, or to which the Commission is a party, and without admitting or denying the findings herein, except as to the Commission’s jurisdiction over him and the subject matter of these proceedings, and the findings contained in Section III.2. below, which are admitted, Dunn consents to the entry of this 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, Making Findings, and Imposing Remedial Sanctions (“Order”), as set forth below.

### III.

On the basis of this Order and Dunn's Offer, the Commission finds that:

1. Dunn, age 29, resides in Staten Island, New York. From November 1998 to June 2003 and again from February 2004 to February 2007, Dunn was a registered representative with MetLife Securities, Inc. ("MetLife"), a broker-dealer and an investment adviser registered with the Commission.
2. On September 23, 2008, a partial final judgment was entered by consent against Dunn, permanently enjoining him from future violations of Section 17(a) of the Securities Act of 1933 and Section 10(b) of the Exchange Act and Rule 10b-5 thereunder in the civil action entitled *Securities and Exchange Commission v. Kevin James Dunn, Jr.*, Civil Action Number 07-cv-4144, in the United States District Court for the Eastern District of New York.
3. The Commission's complaint alleged that between September 2005 and April 2007, Dunn fraudulently misappropriated nearly \$250,000 from a former brokerage customer of his, the widow of a Port Authority police officer who died on September 11, 2001, by fraudulently creating a joint account in both of their names, forging the customer's signature on wire transfers from the joint account and telling the customer outrageous lies about the status of the customer's securities investments to deceive the customer into giving Dunn blank checks that he deposited into his own bank account. Although MetLife terminated Dunn in February 2007, Dunn continued to defraud the customer for two more months by acting as if he was still employed as a broker at MetLife and deceiving the customer into giving him additional blank checks.

### IV.

In view of the foregoing, the Commission deems it appropriate and in the public interest to impose the sanctions agreed to in Dunn's Offer.

Accordingly, it is hereby ORDERED:

Pursuant to Section 15(b)(6) of the Exchange Act and Section 203(f) of the Advisers Act, that Dunn be, and hereby is barred from association with any broker or dealer or investment adviser.

Any reapplication for association by Dunn will be subject to the applicable laws and regulations governing the reentry process, and reentry may be conditioned upon a number of factors, including, but not limited to, the satisfaction of any or all of the following: (a) any disgorgement ordered against Dunn, whether or not the Commission has fully or partially waived payment of such disgorgement; (b) any arbitration award related to the conduct that served as the

basis for the Commission order; (c) any self-regulatory organization arbitration award to a customer, whether or not related to the conduct that served as the basis for the Commission order; and (d) any restitution order by a self-regulatory organization, whether or not related to the conduct that served as the basis for the Commission order.

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

Florence E. Harmon  
Acting Secretary