

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 96032 / October 11, 2022

INVESTMENT ADVISERS ACT OF 1940
Release No. 6167 / October 11, 2022

ADMINISTRATIVE PROCEEDING
File No. 3-21207

In the Matter of

ANDREW R. DOUGHERTY,

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 (“Advisers Act”) against Andrew R. Dougherty (“Respondent”).

II.

In anticipation of the institution of these proceedings, Respondent 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 paragraph III.2 below, which are admitted, Respondent 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 of 1940, Making Findings, and Imposing Remedial Sanctions (“Order”), as set forth below.

III.

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

1. From March 2015 through February 2016, and from July 2016 through December 2019, Dougherty was associated with Northwestern Mutual Investment Services, LLC ("Northwestern") as a registered representative. From June to September 2020, Dougherty was associated with Voya Financial Advisors, Inc. ("Voya") as a registered representative. Both Northwestern and Voya are broker-dealers and investment advisers registered with the Commission. Dougherty, age 32, is a resident of Waukee, Iowa.

2. On March 9, 2021, the Iowa Insurance Commissioner entered a final order against Dougherty (the "Iowa Order") barring him from applying for registration in Iowa as an investment adviser, investment adviser representative or as a securities agent; permanently revoking his Iowa resident insurance producer license; ordering him to immediately cease-and-desist from engaging in the insurance business in Iowa; imposing a \$1,000 penalty; and ordering him to pay \$250 in costs for the investigation and prosecution.¹

3. According to the Iowa Order, Dougherty was barred for engaging in fraudulent, dishonest, deceptive and unethical practices, including placing a customer's initials on a financial disclosure form without authorization, altering a customer email to conceal the forgery, and providing inconsistent and materially false statements to the Iowa Insurance Division ("Division") about his resulting for-cause termination from Northwestern. The Iowa Order also found that Dougherty had failed to notify the Division that his Nebraska non-resident producer license had been revoked due to his fraudulent conduct and, at the time that he originally applied for his Iowa insurance producer license, had lied about the existence of three prior misdemeanor convictions.

IV.

In view of the foregoing, the Commission deems it appropriate and in the public interest to impose the sanctions agreed to in Respondent Dougherty'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 Respondent Dougherty be, and hereby is barred from association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization; and

Pursuant to Section 15(b)(6) of the Exchange Act, Respondent Dougherty be, and hereby is barred from participating in any offering of a penny stock, including: acting as a promoter, finder, consultant, agent or other person who engages in activities with a broker, dealer or issuer for

¹ See *Andrew R. Dougherty*, Div. Case No. 107097 (Iowa Ins. Comm'r March 9, 2021).

purposes of the issuance or trading in any penny stock, or inducing or attempting to induce the purchase or sale of any penny stock.

Any reapplication for association by the Respondent 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, compliance with the Commission's order and payment of any or all of the following: (a) any disgorgement or civil penalties ordered by a Court against the Respondent in any action brought by the Commission; (b) any disgorgement amounts ordered against the Respondent for which the Commission waived payment; (c) any arbitration award related to the conduct that served as the basis for the Commission order; (d) 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 (e) any restitution order by a self-regulatory organization, whether or not related to the conduct that served as the basis for the Commission order.

By the Commission.

Vanessa A. Countryman
Secretary