

Retirement Breakthrough Learning Center

RETIREMENT INCOME PLANNING, LONG TERM CARE, EDUCATIONAL
PROGRAMS
APPLICATION FOR REVIEW OF BARR

April 4, 2014

✓ Office of Secretary
U.S. Securities and Exchange Commission
100 F Street
Mail Stop 1090
Washington, DC 20549

3-15833

Alan Lawhead, Esq.
Office of General Counsel
FINRA
1735 K Street, NW
Washington, DC 20006

Gentlemen:

91576

My Appeal Letter refers to Matter No 2011029756-01, and is 19 months late.

I have been in phone communication several times with David Suddeth, Principal Examiner for FINRA in Atlanta. He suggested I send my appeal for the "Barr from associating with any FINRA member in any capacity, dated September 24, 2012.

My appeal at this date is not only for me, but for a movement that I am launching for seniors: **Grandparents Saving America...Turning Lemons into Lemonade!** The main thrust of Grand Parents Saving America is the use of **cash value life insurance policies on grandchildren, providing not only the compounding cash values for education, home down payments and retirement income, but shifting the mindset for our youngest generation to: The American Dream Is Still Possible!**

I have recently experienced a single neighbor dying of cancer, and with no family to assist, **refused to take responsibility for her affairs.** With my background of 37 years in the insurance world and teaching financial freedom classes, **I realize that my work is not finished!** This movement will provide *seminars*

CARYL T. LENAHAN, DIRECTOR

for seniors to address the aspects of making gifts to one's family or other deserving people via a **Living Legacy Plan**. The seminar and workbook guidelines will suggest the use of cash value life insurance and will feature the insurance policies best suited to implement this cash value accumulation.

HOWEVER, getting appointments to the insurance carriers that have the most suitable products are being slowed or denied due to my FINRA suspension and Barr. I am viewed as a "securities criminal" in the eyes of these carriers!

My Case Background:

In December, 2011, when I was contacted by FINRA about a former client's complaint, I contacted the financial advisor who I turned my clients' files over to in anticipation of retirement. I was told that he had cleaned out my extensive files; all my notes and client documentation were gone. I would be limited to memory of about 6 years prior investment activities and communication with the client.

I called FINRA Principal Examiner, David Suddeth, to discuss the loss of these detailed notes for every client meeting and conversation. I explained that I was in the 2 year "wait and see" period and my license was not active. I also explained that I was not emotionally able to go through a "she said", I said" process because I was still dealing with the total loss of my retirement real estate portfolio. Without the accuracy of my files, dealing with what would surely have been a contested complaint was more than I could handle. I discussed that the claims were unfounded, and then concurred with David when he told me he had reports in his investigation that the client was unstable. She had left me for a local Arizona advisor, with only a brief note. Then, wanted to come back just as I was placing my license on hold.

He asked if I planned to re-activate my license and I said I doubted I would. He said, "Then just don't answer the letter and your time will run out and you won't be licensed." (My notes show these as his exact words.)

I followed his advice and did not respond to the December 2, 2011 request. I then received a Notice of Suspension letter dated June 19, 2012 and the Suspension from Association dated July 13, 2012. I was given the opportunity to appeal within 30 days, but figured I was following the "no response needed" advice and did nothing.

The devastating ramifications of the Suspension and Barr were not evident to me until August of 2013, when I had the opportunity to take an active role in the Sarasota expansion of World Financial Group, a Transamerica company. Thinking I could put in five to eight years helping seniors with retirement and long term care planning....no securities...gave me new hope for having more than Social Security for my own "retirement years".

BUT, for each appointment I seek, I have to answer a bevy of background questions that put "YES" on my application and I must explain. While David Suddeth explains that I have "no violation of a

FINRA sales practice in any of my FINRA claims, I still must answer "YES" to "Do you have any suspensions from a regulatory agency?" I have been **denied appointments** by Pacific Life and Nationwide, which have specific contract benefits that I need to do a professional job with senior clients, as well as "**slowed appointments**" by Transamerica, Western Reserve Life and World Financial Group.

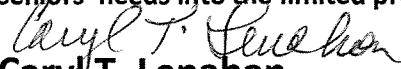
Mr. Suddeth's initial advice was **well intentioned and he has been very considerate** as I call him for advice for my appointment situation. Knowing the circumstances of my Suspension and Barr for Life, he felt my **only option to be able to pursue my career in a professional manner** was to appeal to you gentlemen.

If the rules and regulations of FINRA cannot take into account the certainly unintended misguidance of Mr. Suddeth, then I am asking for an **official letter stating the reason for my suspension** and Barr were due to **not answering your questions per the advice of your staff, not the violation of a sales practice**. The insurance carriers are requesting this as they tell me they do not investigate the FINRA files.

In Summary:

1. I don't know how many appeal letters you receive, but few that are 19 months late. When I start to complete carrier appointment forms, and even this appeal letter, I become emotionally stuck! I am ready to move forward to help seniors be more responsible with their End of Life Planning and to make Legacy Planning a true joy in one's lifetime.
2. I have a complaint-free record over 37 years of being insurance licensed.
3. At a later date, while cleaning the documents from an older computer, I found pertinent correspondence with claimant, and I sent this to my former Broker Dealer to assist them in the complaint.
4. My request today is that the "MISDIRECTION" in December, 2011 be turned into a "RIGHT DIRECTION" through your authority to clear this.

Thank you for your consideration and empathy in this matter. I believe you can read and feel how important this is to my career ending on a high note of service to clients vs one of struggle trying to fit seniors' needs into the limited product selection I now have.


Caryl T. Lenahan

Enclosures:

Letters from FINRA

Profession Training, Leadership and Contributions of Caryl Lenahan

Cc: David Suddeth, FINRA Principal Examiner, Atlanta, GA



Financial Industry Regulatory Authority

December 2, 2011

Certified Mail/Return Receipt Requested
Receipt # 7011 1150 0000 0549 0512
Copy via First Class Mail

Caryl Lenahan
[REDACTED]

RE: 20110297576 CC / Customer Complaint by Dominique Beynel

Dear Ms. Lenahan:

This office is conducting an inquiry with respect to a complaint filed against you by customer Dominique Beynel (Beynel) which alleged that you caused her to purchase unsuitable investments by misrepresenting their merits. A copy of the complaint is enclosed for your reference.

To facilitate our inquiry, it is requested that you provide this office with the following information:

1. How did you come to have Beynel as a customer and what were her investment objectives and risk tolerance at that time?
2. Did you provide Beynel with a copy of a video presentation that promoted the concept of an investor mortgaging his or her home and investing the resulting proceeds? If so, did you submit the video to the compliance department of Investors Capital Corp. for review and approval? If so, who by name did you submit it to and by what means? If not, why not?
3. Were you aware that Beynel mortgaged her home and then invested those funds in real estate investment trusts that you sold to her? If so, how did you determine that Beynel had the financial means to do so?
4. During January 2005 you sold Beynel an investment in the Commonwealth Income & Growth Private Fund I, LLC. Since Beynel was not an accredited investor how did you determine that she was suitable for this investment?
5. In what way did you disclose to Beynel the illiquid nature and risks associated with the real estate investment trusts that you sold to her?
6. From December 2004 through September 2006 Beynel invested a total of \$420,000 into real estate investment trusts at your direction. According to new account documentation that you completed, during that time period Beynel had an annual income of some \$50,000, a net worth excluding residence of some \$530,000, and a moderate risk tolerance. As such, the investments in real estate

Ms. Lenahan
December 2, 2011
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investment trusts that you sold to Beynel eventually represented almost 80% of her net worth. Please explain how you determined that Beynel was suitable for these investments.

The information requested in this letter must be received in this office on or before December 16, 2011.

If you are not currently associated with a FINRA firm, please be advised that you are responsible for notifying this office in writing of any home or mailing address change. Your correspondence should also be directed to: FINRA Central Registration Depository, Public Disclosure Department, Attn: Research, 3090 Key West Avenue, Rockville, MD 20850.

It is imperative that the requested information arrives in this office on or before December 16, 2011. This request is made pursuant to FINRA Rule 8210. That rule requires a member firm and persons associated (or formerly associated) with a member firm to provide information with respect to any matter involved in an investigation, complaint, or proceeding. Please be advised that the failure to comply with this request may subject you to disciplinary action.

If you have any questions, please contact the undersigned at (404) 239-6163.

Very truly yours,



David Suddeth
Principal Examiner

Enclosure

FINRA



Financial Industry Regulatory Authority

VIA FEDEX OVERNIGHT DELIVERY AND FIRST CLASS MAIL

September 24, 2012

Caryl Trewyn Lenahan

[REDACTED]
[REDACTED]

Re: Bar from Association with any FINRA member (FINRA Rule 9552)
Caryl Trewyn Lenahan, CRD No. 857808
Matter No. 20110297576-01

Dear Ms. Lenahan:

Please be advised that, pursuant to FINRA Rule 9552(h) and, in accordance with FINRA's Notice of Suspension letter dated June 19, 2012 and the Suspension from Association letter dated July 13, 2012, you were barred from associating with any FINRA member in any capacity on September 24, 2012.

If you seek to appeal this regulatory action to the U.S. Securities and Exchange Commission (SEC), you must file an application with the SEC at the address listed below. To comply with the SEC's rule regarding timeliness, you must file the application for review within thirty days of your receipt of this letter. Also, a copy of the application, as well as copies of all documents you file with the SEC in connection with this matter, must be sent to FINRA. The SEC and FINRA addresses are as follows:

Office of the Secretary
U.S. Securities and Exchange Commission
100 F Street, NE
Mail Stop 1090
Washington, DC 20549

Alan Lawhead, Esq.
Office of General Counsel
FINRA
1735 K Street, NW
Washington, DC 20006

Any documents provided to the SEC via facsimile or overnight mail should also be provided to FINRA by similar means.

CARYL T. LENAHAN

2014

FINANCIAL ADVISOR SERVICES & FINANCIAL SUCCESS COACH

WORLD FINANCIAL GROUP / TRANSAMERICA – Retirement Planning Specialist

1976—present: President, **Caryl T. Lenahan & Associates;**
Financial and Personal Success Planners
Sarasota, FL 21 years; Denver, CO 16 years.

2010 Founder and Director, Retirement Breakthrough Plus Coaching & Learning Center
Phase II of best selling, **Retirement Breakthrough**, by Dick Duff, JD, CLU. Taking readers and clients from the book's retirement income concepts to building their customized plan for security and peace of mind that will last a lifetime.

PROFESSIONAL CERTIFICATIONS

Licensed Life & Health
Licensed for Long Term Care & Partnership Program Advising & Sales
Masters Degree in Counseling, University of Georgia
Bachelor of Science Degree, Florida State University
Chartered Life Underwriting Courses, American College

PROFESSIONAL EDUCATOR & COACH

Founder of “**Take Responsibility Now... Don't Leave Your Kids or Friends A Mess!!!**”
Presenter of : **54 Point Checklist for Planning Before Health Changes or Death Occur**

Creator and teacher of new class: How To Take Control of Your Finances & Set Up Lifetime Streams of Income – 4 weeks, plus individual coaching session.

Coach, Author & Treasurer of *I Am a Miracle* Books I, II, III and I Am A Miracle Foundation.

Creator of Empowering Strategies for Financial Fitness Courses taught in Sarasota and Chautauqua Institute, New York Summer 2004, 2005.

Creator of classes and 116-page discovery workbook entitled *RX for Divine Discontent - A Remedy to Heal the Career / Self-Expression Blahs.*

Creator of classes, workbooks for Seniors and Boomers: *You Can't Predict, But You Can Prepare*

Creator of *21 Days to Financial Freedom* Classes, over 900 students in six years.
115-page workbook, *The Hero's Journey to Financial and Personal Freedom;*

Creator and Director of *Magnificent Millionaires – Women 50+ Saving \$5 A Day for Retirement & Having a Good Time on the Way* – An On-going Class For Learning the Magnificence of Oneself, Cash Management, and Investing.

Creator of *Create Your Money Miracle Map*, ½ day workshop to create your plan for achieving your financial dreams and controlling money.

PROFESSIONAL RECOGNITION

Speaker at Women's Resource Center's Annual Luncheon: Tomorrow's Woman 2004
Special Studies Faculty – Chautauqua Institution, NY – 2004, 2005 - **Financial Fitness & Empowering Strategies; 2012 - Retirement Income Planning**

Nominated as **Woman Entrepreneur for 1999 in Sarasota.**

PAST ACHIEVEMENTS

Qualifying or Life Member of the Million Dollar Round Table – 19 years – top 6% of life insurance agents in the world.

Board of Directors, Million Dollar Round Table Foundation – 3-Year Term.
The MDRT Foundation raised pledges of over \$1,000,000 a year and made various sized grants totaling nearly \$400,000 per year.

First woman Chairperson, Ethics Committee, and Chair of Membership and Insignia Committee – Million Dollar Round Table.

First woman to achieve Minnesota Mutual Life's President's Club in 100 years.

**EARLY CAREER
RECOGNITION
& LEADERSHIP**

Twice Nominated for **Outstanding Young Women of America**

Owner and President, OPERATION GREEK, INC., Denver, a national consulting firm for college sororities and fraternities. Gave over 500 speeches and workshops to collegians and alumni, promoting the values of Greek membership in the 70's.

Guest on the **TODAY SHOW**, interviewed by Barbara Walters regarding the values of college sororities and fraternities.

Assistant Dean of Women and Pan-Hellenic Advisor, Univ. of Georgia. Winner of National Pan-Hellenic Conference Award for Best Campus and Community Public Relations.

Counselor for Girls and Director of Public Relations – The Lovett School, Atlanta, GA; AND Tennis Coach for Men's and Women's Teams – 50 team members and no school courts, so "borrowed" private courts in the fashionable Atlanta suburbs!

**SARASOTA
LEADERSHIP**

Institute for the Ages: Circle on Technology and Aging; Steering Committee for Positive Aging Conf.

Facilitator – Work Matters/Money Matters for Scope's Continuing the Conversation

Pi Beta Phi Alumnae Club – President 2 Terms, Vice President, Treasurer, Founders' Day

Unity of Sarasota – Class Presenter, Chairperson for Adult Education, Membership and Vision Committees,

The Center for Positive Living - Prayer Practitioner, Board of Regents, and Organizer / Director of an 8-week all-church program, *Commitment to Community*.

Organizer / Director of Monthly "Singles" Mixed Doubles Tennis & Party, for 8 - 40 players, running monthly for 17 years.

**PERSONAL
INTERESTS**

4.0 USTA Women's Double League Tennis Player, State of Florida Tournament / League Winner
Member of USTA Seniors 8.5 Mixed State Tennis Champions – 2 years
Founder of the Caryl T. Lenahan Mixed-Up Doubles Tennis Weekend, held annually for 24 years in Vail, CO.

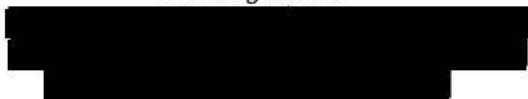
Living in a household run by TWO VERY DYNAMIC CATS, Gatsby and Hemingway.

**WHAT YOU
CAN EXPECT**

A meeting with Caryl is a warm, exciting, and empowering experience!
Limitations and overwhelming financial situations suddenly seem solvable.
Each client begins to believe in "bigger possibilities". The "dark cloud" lifts.
On the practical side, Caryl helps each client develop an easy-to-follow, **SELF-CHOSEN PLAN** for improving financial success and increasing confidence for making financial decisions.

In reality, money becomes the tool, not the key, to peace and happiness. Clients have the comfort of knowing they have a caring, innovative, and professional partner to assist them in reaching their goals ... and improving their **QUALITY OF LIFE!**

Additional Information about Caryl Lenahan's Financial Advisory Services and Retirement Breakthrough Learning Center



ENCLOSURE for letter
of Appeal

Matter No 2011029756-01

CARYL T. LENAHAN

