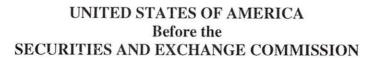
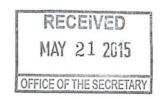
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In the Matter of the Application of:

BROOKSTONE SECURITIES, INC.

ANTONY LEE TURBEVILLE

CHRISTOPHER DEAN KLINE

DAVID WILLIAM LOCY

For Review of Action taken by

**FINRA** 

Appeal of FINRA No. 2007011413501

#### MOTION TO STAY

Pursuant to Rule 401 and 420(d) of the SEC Rules of Practice, Respondents Antony Lee Turbeville and Christopher Dean Kline ("Respondents") submit this Motion to Stay the effectiveness of the sanction entered by the National Adjudicatory Counsel ("NAC") barring Respondents from associating with any FINRA member firm. In support of this Motion, Respondents state as follows:

- On April 16, 2015, the NAC issued an order affirming the findings and sanctions imposed by the FINRA Hearing Panel, which included the imposition of a bar against Respondents Turbeville and Kline. Respondents filed a timely Application for Review of the NAC's Order on May 15, 2015.
- Respondents request that the bar imposed by the NAC on them be stayed pending the conclusion of this appellate proceeding.
- 3. With regard to Mr. Kline, as a result of the NAC's affirmation of the Hearing Panel's Order, he has been rendered statutorily disqualified. While he is not currently associated

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with any FINRA member Firm, he is a registered investment advisor representative ("RIAR") in the state of Wisconsin. Kline Aff. ¶2, attached hereto as Exhibit 1. Mr. Kline's investment advisory work represents his primary occupation and source of income. Kline Aff. ¶3. If the bar against him is not stayed, in order to continue operating as a RIAR, he is first required to apply for and obtain permission from the state of Wisconsin before he is permitted conduct any business. That process can be very time consuming.

- 4. Given that Mr. Kline has been operating as an RIAR during the entire period of time that the NAC has been considering the matter over two years without any customer complaints or regulatory incidents, there is little reason to believe that he represents any realistic threat to investors. Kline Aff. ¶5.
- 5. With regard to Mr. Turbeville, similar to Mr. Kline, the NAC's Order renders him statutorily disqualified and necessarily prohibits him from functioning in his role as a solicitor for an RIA. Turbeville Aff. ¶2, attached hereto as Exhibit 2. Similar to Mr. Kline, were this request for a stay denied, Mr. Turbeville would be required to apply for and obtain special permission from the states of Wisconsin and Florida before he is permitted to resume that business.
- 6. Mr. Turbeville has also not been the subject of any customer complaints or regulatory investigations or inquiries relating to his work as a solicitor for an RIA during the pendency of the NAC appeal, which took over two years. Turbeville Aff. ¶4. Accordingly, there is an ample evidentiary basis to support the conclusion that, if his bar is stayed, Mr. Turbeville will not present any threat to the investing public.
- 7. This application process is both time consuming and expensive. In light of the fact that Mr. Kline and Mr. Turbeville have appealed the NAC's finding and contend the

sanctions assessed against them were in error (including the bar), the Commission should stay the effect of that finding until it makes a decision as to its validity. Turbeville Aff. ¶5; Kline Aff. ¶6.

Wherefore, Respondents Kline and Turbeville respectfully request that the Commission enter an order staying the bar imposed by the NAC's Order until the pending appeal is resolved.

Respectfully submitted this 15th day of May, 2015.

Ulmer & Berne LLP

Alan M. Wolper awolper@ulmer.com

Nathan W. Lamb

nlamb@ulmer.com

500 West Madison Street, Suite 3600

Chicago, Illinois 60661

(312) 658-6500 - General

(312) 658-6565 - Fax

James D. Sallah, Esq.

jds@sallahlaw.com

Joshua A. Katz, Esq.

jak@sallahlaw.com

Sallah Astarita & Cox, LLC

2255 Glades Road, Suite 300E

Boca Raton, Florida 33431

P: (561) 989-9080

F: (561) 989-9020

Counsel for Respondents

#### **CERTIFICATE OF SERVICE**

I hereby certify that Respondents' MOTION TO STAY has been sent to the following parties entitled to notice as follows:

Securities and Exchange Commission
Office of the Secretary
ATTN: Secretary of the Commission
100 F. Street N.E.
Washington D.C. 20549
Mail Stop 1090-Room 10915
Fax: 202-772-9324
(One copy via fax; original and three copies via Federal Express)

Gary Dernelle, Esq., Associate General Counsel FINRA, Office of the General Counsel 1735 K Street, NW, Washington, DC, 20006-1506

Fax: (202) 728-8264

(One copy via fax and one copy via Federal Express)

This 15th day of May, 2015.

Nathan Lamb

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

No:

In the Matter of the Application of:	
BROOKSTONE SECURITIES,	INC
ANTHONY LEE TURBEVILLI	£
CHRISTOPHER DEAN KLINE	;
DAVID WILLIAM LOCY	

For Review of Action taken by

**FINRA** 

#### AFFIDAVIT OF CHRISTOPHER DEAN KLINE

- I, Christopher Dean Kline, being first duly sworn, testifies as follows:
- 1. I have personal knowledge of all facts in this Affidavit.
- 2. I am a registered investment advisor representative registered with the state of Wisconsin.
- 3. My investment advisory work represents my primary occupation and source of income.
- 4. Through my counsel, I appealed the FINRA Hearing Panel's decision to the NAC on October 12, 2012.
- 5. I have operating as an registered investment adviser representative since 2012 (throughout the entire period of time that the NAC has been considering the matter) without any customer complaints or regulatory incidents.
- 6. I believe the NAC's April 16, 2015 Order affirming the FINRA Hearing Panel's decision was in error and intend to appeal that Order.

#### FURTHER AFFIANT SAYETH NOT.

Christopher Dean Kline

Date:

Sworn to before me and subscribed in my presence this 5 day of May, 2015

Notary Public

# UNITED STATES OF AMERICA Before the SECURITIES AND EXCHANGE COMMISSION

No:

In the Matter of the Application of:

BROOKSTONE SECURITIES, INC.

ANTONY LEE TURBEVILLE

CHRISTOPHER DEAN KLINE

DAVID WILLIAM LOCY

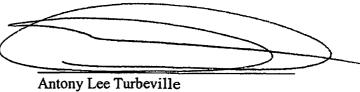
For Review of Action taken by

**FINRA** 

#### AFFIDAVIT OF ANTONY LEE TURBEVILLE

- I, Antony Lee Turbeville, being first duly sworn, testifies as follows:
- 1. I have personal knowledge of all facts in this Affidavit.
- 2. I am currently a solicitor for an investment advisor registered with the states of Wisconsin and Florida.
- 3. Through my counsel, I appealed the FINRA Hearing Panel's decision to the NAC on October 12, 2012.
- 4. Between October 2012 and the present (throughout the entire period of time that the NAC has been considering the matter) I have not been the subject of any customer complaints or regulatory incidents relating to my work as a solicitor for a registered investment advisor.
- 5. I believe the NAC's April 16, 2015 Order affirming the FINRA Hearing Panel's decision was in error and intend to appeal that Order.

#### FURTHER AFFIANT SAYETH NOT.



Sworn to before me and subscribed in my presence this 15 day of May, 2015

Notary Public

Notary Public State of Florida Jenna L Prosser My Commission EE 160047 Expires 01/17/2016