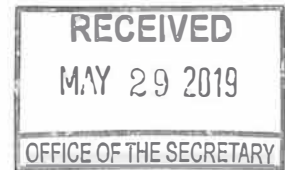


UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION



In the Matter of the Application of:

SOUTHEAST INVESTMENTS, N.C., INC.
AND FRANK HARMON BLACK

For Review of Action taken by

FINRA

Re: FINRA No. 2014039285401

3-19185

APPLICATION FOR REVIEW

Pursuant to Rule 9370(a) of the FINRA Code of Procedure, Section 19(d)(2) of the Securities Exchange Act of 1934, C.F.R. §201.420, and Rule 420 of the SEC Rules of Practice, Southeast Investments, N.C., Inc. (“SEI”) and Frank Harmon Black (“Mr. Black” or together the “Applicants”) submit this Application for Review of the disciplinary action taken against them by FINRA’s National Adjudicatory Council (“NAC”) in its Decision dated May 23, 2019. In support of this submission, and pursuant to Rule 420(c), Applicants state as follows:

1. On May 23, 2019, the NAC issued a Decision affirming in part and reversing in part the findings, and reversing in part and modifying in part the sanctions imposed on the Applicants by the FINRA Hearing Panel. Specifically, the NAC (1) affirmed findings that Applicants provided fabricated documents and false testimony; (2) reversed findings that Applicants failed to establish and maintain a system to ensure SEI offices were inspected; (3) affirmed findings that Respondents failed to establish and maintain a reasonable supervisory system and to establish, maintain and enforce reasonably designed WSPs to ensure retention and review of business related emails; (4) affirmed findings that SEI and Mr. Black failed to retain

16 business emails of Richard Sebastian; (5) reversed findings on willfulness; and (6) reversed findings that Applicants failed retain other business related electronic correspondence.

2. The NAC (1) affirmed the bar imposed on Mr. Black and the \$73,000 fine to SEI for providing false testimony and fabricated documents; (2) reduced the fine for failing to retain firm emails to \$500 (joint and several); and (3) reduced the fine for supervision failures to \$73,000 (joint and several).

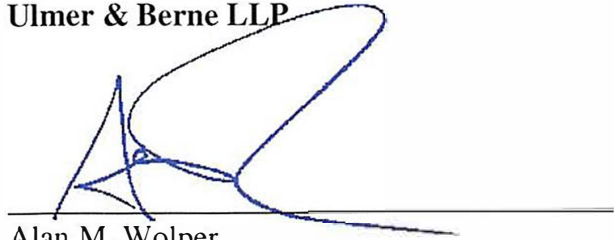
3. The NAC's determination was erroneous because, amongst other reasons (1) FINRA failed to prove that branch inspections did not take place and, therefore, that Applicants gave false testimony and fabricated documents; (2) the hearing was not in keeping with the purposes of the Securities Exchange Act because, amongst other reasons, FINRA presented evidence relating to alleged violations for which Applicants were not charged and Applicants were denied access to exculpatory materials; (3) Applicants were denied access to other materials because their Motion to Compel was denied; (4) Applicants did establish and maintain a reasonable supervisory system for retaining and reviewing SEI electronic correspondence and did establish, maintain and enforce reasonably designed WSPs to ensure retention and review of business related emails; (5) Applicants were not at fault, as they never received the 16 business related emails from Richard Sebastian; and (6) the sanctions imposed on both Applicants were excessive and failed to serve a remedial purpose.

4. Applicants can be served at the following address:

c/o Alan M. Wolper
Ulmer & Berne LLP
500 West Madison, Suite 3600
Chicago, IL 60661
(p)312-658-6564, (f): 312-658-6565
awolper@ulmer.com

Respectfully submitted this 28th day of May, 2019.

Ulmer & Berne LLP

A handwritten signature in blue ink, appearing to be 'Alan M. Wolper', is written over a horizontal line. The signature is stylized and somewhat abstract.

Alan M. Wolper

Blaine F. Doyle

awolper@ulmer.com

bdoyle@ulmer.com

500 West Madison Street, Suite 3600

Chicago, Illinois 60661

(312) 658-6500 – General

(312) 658-6565 – Fax

Counsel for Applicants

CERTIFICATE OF SERVICE

I hereby certify that Applicants' **APPLICATION FOR REVIEW OF DISCIPLINARY ACTION** has been sent to the following parties entitled to notice as follows:

Securities and Exchange Commission
Office of the Secretary
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 overnight mail)

Andrew Love, Esq.
FINRA, Office of the General Counsel
1735 K Street, NW,
Washington, DC, 20006-1506
Fax: (202) 728-8264
(One copy via email and one copy via overnight mail)

This 28th day of May, 2019.



Alan W. Wolper