

**BEFORE THE UNITED STATES
SECURITIES AND EXCHANGE COMMISSION**

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In the Matter of	:	
	:	
FINRA DEPARTMENT OF ENFORCEMENT,	:	<u>NOTICE OF APPEAL</u>
	:	
Complainant,	:	(FINRA Disciplinary Case No.
	:	2012034719701)
	:	
vs.	:	SEC Docket No. 3-18138
	:	
PAUL E. TABOADA,	:	
	:	
Respondent.	:	
-----X		

TO: The Office of the Secretary
Securities and Exchange Commission
100 F Street, N.E., Room 10915
Washington, D.C. 20549

Attention: Colleen Durbin
Office of the General Counsel
FINRA
1735 K Street, N.W.
Washington, D.C. 20006

PLEASE TAKE NOTICE THAT pursuant to 15 U.S.C. §§ 78s(d)-(f) and Rule 420 of the SEC Rules of Practice, Respondent Paul E. Taboada (“Taboada”) hereby appeals from each and every part of a final decision by the National Adjudicatory Council (“NAC”) of the Financial Industry Regulatory Authority (“FINRA”) dated July 24, 2017 (the “Decision”), which affirmed an Extended Hearing Panel decision dated March 18, 2016. Grounds for appeal include, but are not limited to: (a) extensive erroneous conclusions of fact made by the Hearing Panel which are not supported by the facts presented at the trial, and/or which ignore facts that were presented directly contradicting the Panel’s factual conclusions; (b) erroneous legal conclusions made by the Panel; (c) the level and nature of the sanction imposed against Taboada, which were

excessive, not supported by legal or factual requirements, and not in conformity with FINRA's sanctions guideline; and (d) the erroneous exercise of jurisdiction over matters that occurred in the administration of a Hedge Fund that are not within the proper ambit of jurisdiction of FINRA's regulatory regime. Taboada further specifically contests findings made by the NAC that he violated: (1) FINRA Rule 2010 by misappropriating investor funds and securities; (2) FINRA Rules 2150 and 2010 by misusing customer funds and securities; (3) FINRA RULE 2010 by providing false and misleading information, and failing to disclose information to investors regarding expenses such as commissions and sales concessions; and (4) FINRA Rules 8210 and 2010 by providing false and misleading testimony and documents to FINRA. Taboada further contends that the sanctions imposed were excessive under the circumstances. Taboada may be served by delivery of papers to his counsel at the address set forth below.

Dated: August 22, 2017

MORITT HOCK & HAMROFF LLP
1407 Broadway, Suite 3900
New York, New York 10018
(212) 239-2000
dschrader@moritthock.com
bschoenberg@moritthock.com
Attorneys for Appellant Paul E. Taboada



By: David A. Schrader

**BEFORE THE UNITED STATES
SECURITIES AND EXCHANGE COMMISSION**

-----X	:	
In the Matter of	:	
	:	
FINRA DEPARTMENT OF ENFORCEMENT,	:	<u>Proof of Service</u>
	:	
Complainant,	:	(FINRA Disciplinary Case No.
	:	2012034719701)
	:	
vs.	:	SEC Docket No. 3-18138
	:	
PAUL E. TABOADA,	:	
	:	
Respondent.	:	
-----X	:	

BRUCE A. SCHOENBERG affirms under penalty of perjury pursuant to 28 U.S.C. § 1746:


I am a partner in Moritt Hock & Hamroff LLP, counsel for Respondent Paul E. Taboada in the above-captioned matter. On August 22, 2017, I caused copies of respondent Taboada's Notice of Appeal and this firm's Notice of Appearance to be served upon:

The Office of the Secretary
Securities and Exchange Commission
100 F Street, N.E., Room 10915
Washington, D.C. 20549

Attention: Colleen Durbin
Office of the General Counsel
FINRA
1735 K Street, N.W.
Washington, D.C. 20006

by Federal Express.

I declare under penalty of perjury that the foregoing is true and correct. Executed on
August 22, 2017.



Bruce A. Schoenberg



Bruce A. Schoenberg
Partner
NY & NJ Bars
Email: bschoenberg@moritthock.com

August 22, 2017

BY FEDERAL EXPRESS

3-18138

The Office of the Secretary
Securities and Exchange Commission
100 F Street, N.E., Room 10915
Washington, D.C. 20549

Attention: Colleen Durbin
FINRA Office of the General Counsel
1735 K Street, N.W.
Washington, D.C. 20006

Re: In re FINRA Dep't Enforcement v. Paul E. Taboada
FINRA Discip. Case No. 2012034719701
SEC Docket No.

Dear Sir or Madam:

This firm represents respondent Paul E. Taboada. Enclosed please find (1) a copy of a Notice of Appeal from a final decision of the National Adjudicatory Council dated July 24, 2017; (2) a Notice of Appearance; and (3) proof of service of the same.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Bruce A. Schoenberg'.

Bruce A. Schoenberg

BAS/s (encl.)