

NATIONAL FUTURES ASSOCIATION

FIRM APPLICATION

Disciplinary Information - Criminal Disclosures

For additional assistance and information on completing this page, refer to the Instructions and Definition of Terms at the beginning of this document.

ANSWER THE FOLLOWING QUESTIONS. THE APPLICANT MUST ANSWER "YES" TO THE QUESTIONS ON THIS PAGE EVEN IF:

- **ADJUDICATION OF GUILT WAS WITHHELD OR THERE WAS NO CONVICTION; OR**
- **THERE WAS A CONDITIONAL DISCHARGE OR POST-CONVICTION DISMISSAL AFTER SUCCESSFUL COMPLETION OF A SENTENCE; OR**
- **A STATE CERTIFICATE OF RELIEF FROM DISABILITIES OR SIMILAR DOCUMENT WAS ISSUED RELIEVING THE HOLDER OF FORFEITURES, DISABILITIES OR BARS RESULTING FROM A CONVICTION; OR**
- **THE RECORD WAS EXPUNGED OR SEALED; OR**
- **A PARDON WAS GRANTED.**

THE APPLICANT MAY ANSWER "NO" IF THE CASE WAS DECIDED IN A JUVENILE COURT OR UNDER A YOUTH OFFENDER LAW.

A.* Has the applicant ever pled guilty or nolo contendere ("no contest") to or been convicted or found guilty of any [felony](#) in any domestic, foreign or military court?

Yes No

B.* Has the applicant ever pled guilty to or been convicted or found guilty of any [misdemeanor](#) in any domestic, foreign or military court which involves:

- embezzlement, theft, extortion, fraud, fraudulent conversion, forgery, counterfeiting, false pretenses, bribery, gambling, racketeering or misappropriation of funds, securities or property; or
- violation of [sections 7203, 7204, 7205 or 7207 of the Internal Revenue Code of 1986](#); or
- violation of [sections 152, 1341, 1342, or 1343 or chapters 25, 47, 95 or 96 of the United States Criminal Code](#); or
- any transaction in or advice concerning futures, options, leverage transactions or securities?

Yes No

C.* Is the applicant a party to any action, or is there a [charge](#) pending, the resolution of which could result in a "Yes" answer to the above questions?

Yes No

Except applicants that are filing their first application for registration in the futures industry, all applicants must answer this question.

For any "Yes" answer to the questions above, has the applicant previously provided NFA or the CFTC all supplemental documentation for all matters requiring a "Yes" answer?*

Yes No

Would you like to provide details of any criminal matter?

Yes No

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Matter Information - Criminal Disclosures

For each matter for which the applicant has not provided all supporting documentation, provide a detailed explanation of the event or conduct. You can enter up to three (3) matters in this document. If you have more than three (3) matters which you must explain, please do so in another document such as Microsoft Word and attach it to this document.

If you must provide a detailed explanation for a matter, the explanation must be in writing and sent to NFA or entered below. The explanation must include:

Matter Name:

(e.g., 1999 Theft Arrest/Charge; 99-CM-105)

When and where the event occurred, parties involved, circumstances, case number and court jurisdiction, allegations/[charges](#), classification of the [charges](#), plea and sentencing information, and the final disposition.

AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING:

Copies of court documentation which show:

- the [charges](#);
- the classification of the offense, (i.e., [felony](#) or [misdemeanor](#));
- the plea, sentencing and probation information, as applicable; and
- the final disposition.

If the applicant is unable to obtain the documents for the criminal matter, it must provide a letter from the court verifying the documents' unavailability.

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Matter Information - Criminal Disclosures (additional matters, if needed)

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(e.g., 1999 Theft Arrest/Charge; 99-CM-105)

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FIRM APPLICATION

Disciplinary Information - Regulatory Disclosures

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Answer the following questions.

D.* In any case brought by a domestic or foreign governmental body (other than the CFTC), has the applicant ever been permanently or temporarily [enjoined](#) after a hearing or default or as the result of a settlement, consent decree or other agreement, from engaging in or continuing any activity involving:

- any transaction in or advice concerning futures, options, leverage transactions or securities; or
- embezzlement, theft, extortion, fraud, fraudulent conversion, forgery, counterfeiting, false pretenses, bribery, gambling, racketeering or misappropriation of funds, securities or property?

Yes No

E.* In any case brought by a domestic or foreign governmental body (other than the CFTC), has the applicant ever been [found](#), after a hearing or default or as the result of a settlement, consent decree or other agreement, to:

- have violated any provision of any [investment-related statute](#) or regulation; or
- have violated any statute, rule, regulation or order which involves embezzlement, theft, extortion, fraud, fraudulent conversion, forgery, counterfeiting, false pretenses, bribery, gambling, racketeering or misappropriation of funds, securities or property; or
- have willfully aided, abetted, counseled, commanded, induced or procured such violation by any other person?

Yes No

F.* Has the applicant ever been debarred by any agency of the United States from contracting with the United States?

Yes No

G.* Has the applicant ever been the subject of any order issued by or a party to any agreement with a domestic or foreign regulatory authority (other than the CFTC), including but not limited to a licensing authority, or [self-regulatory organization](#) (other than NFA or a domestic futures exchange) that prevented or restricted the applicant's ability to engage in any business in the [financial services industry](#)?

Yes No

-continued on next page-

*Required to file application

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Disciplinary Information - Regulatory Disclosures

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Answer the following questions.

H.* Are any of the orders or other agreements described in Question G currently in effect against the applicant?

Yes No

I.* Is the applicant a party to any action, or is there a [charge](#) pending, the resolution of which could result in a "Yes" answer to the above questions?

Yes No

Except applicants that are filing their first application for registration in the futures industry, all applicants must answer this question.

For any "Yes" answer to the questions above, has the applicant previously provided NFA or the CFTC all supplemental documentation for all matters requiring a "Yes" answer?*

Yes No

Would you like to provide details of any regulatory matter?

Yes No

*Required to file application

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Matter Name:

(e.g., March 1999 SEC case; FINRA Case No. CM10034)

When the event occurred, parties involved, case number, allegations/charges, and the final disposition.

AND IN ADDITION, THE APPLICANT MUST PROVIDE THE FOLLOWING:

Copies of documentation which show:

- the allegations;
- the final disposition.

If the applicant is unable to obtain the documents it must provide an explanation on a separate sheet stating why documents are not obtainable.

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Matter Information - Regulatory Disclosures (additional matters, if needed)

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