

BrokerCheck Report

PETER DALE KIRSCHNER

CRD# 2015054

Report #45315-30472, data current as of Tuesday, January 19, 2010.

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Dear Investor:

FINRA has generated the following BrokerCheck report for **PETER D. KIRSCHNER**. The information contained within this report has been provided by a FINRA member firm(s) and securities regulators as part of the securities industry's registration and licensing process and represents the most current information reported to the Central Registration Depository (CRD₂) system.

FINRA regulates the securities markets for the ultimate benefit and protection of the investor. FINRA believes the general public should have access to information that will help them determine whether to conduct, or continue to conduct, business with a FINRA member firm or any of the member's associated persons. To that end, FINRA has adopted a public disclosure policy to make certain types of information available to you. Examples of information FINRA provides on currently registered individuals and individuals who were registered during the past two years include: actions by regulators, investment-related civil suits, customer disputes that contain allegations of sales practice violations against brokers, all felony charges and convictions, misdemeanor charges and convictions relating to securities violations, and financial events such as bankruptcies, compromises with creditors, judgments, and liens. FINRA also provides certain information on individuals whose registrations terminated more than two years ago.

When evaluating this report, please keep in mind that it may include items that involve pending actions or allegations that may be contested and have not been resolved or proven. Such items may, in the end, be withdrawn or dismissed, or resolved in favor of the firm or broker, or concluded through a negotiated settlement with no admission or finding of wrongdoing.

The information in this report is not the only resource

you should consult. FINRA recommends that you learn as much as possible about the individual broker or brokerage firm from other sources, such as professional references, local consumer and investment groups, or friends and family members who already have established investment business relationships.

FINRA BrokerCheck is governed by federal law, Securities and Exchange Commission (SEC) regulations and FINRA rules approved by the SEC. State disclosure programs are governed by state law, and may provide additional information on brokers and firms licensed by the state. Therefore, you should also consider requesting information from your state securities regulator. Refer to www.nasaa.org for a complete list of state securities regulators.

Thank you for using FINRA BrokerCheck.



Using this site/information means that you accept the FINRA BrokerCheck Terms and Conditions. A complete list of Terms and Conditions can be found at

brokercheck.finra.org



For additional information about the contents of this report, please refer to the User Guidance or www.finra.org/brokercheck. It provides a glossary of terms and a list of frequently asked questions, as well as additional resources. [For more information about FINRA, visit www.finra.org.](http://www.finra.org)

PETER D. KIRSCHNER

CRD# 2015054

This broker is not currently registered with a FINRA firm.

Report Summary for this Broker



The report summary provides an overview of the broker's professional background and conduct. The individual broker, a FINRA-registered firm(s), and/or securities regulator(s) have provided the information contained in this report as part of the securities industry's registration and licensing process. The information contained in this report was last updated by the broker, a previous employing brokerage firm, or a securities regulator on 08/16/2006.

Broker Qualifications

This broker is not currently registered with a FINRA firm.

This broker has passed:

- 1 Principal/Supervisory Exam
- 1 General Industry/Product Exam
- 1 State Securities Law Exam

Registration and Employment History

This broker was previously registered with the following FINRA member firms:

FIRST UNION SECURITIES FINANCIAL NETWORK, INC.

CRD# 11025
ST. LOUIS, MO
06/1996 - 10/2001

JW CHARLES SECURITIES, INC.

CRD# 33832
BOCA RATON, FL
05/1995 - 07/1996

JOSEPH ROBERTS & CO., INC.

CRD# 15971
POMPANO BEACH, FL
12/1994 - 05/1995

For additional registration and employment history details as reported by the individual broker, refer to the Registration and Employment History section of this report.

Disclosure of Final Regulatory Events

This section includes details regarding final regulatory events reported by or about this broker to CRD as part of the securities industry registration and licensing process.

Are there Final Regulatory events disclosed about this broker? **Yes**

Broker Qualifications



Registrations

This section provides the self-regulatory organizations (SROs), states and U.S. territories the broker is currently registered and licensed with, the category of each registration, and the date on which the registration became effective. This section also provides the physical location of each branch that the individual broker is associated with for each listed employment.

This broker is not currently registered with a FINRA firm.



Broker Qualifications

Industry Exams this Broker has Passed

This section includes all current principal/supervisory, general product/industry, and/or state securities law exams that the broker has passed. Under certain, limited circumstances, a broker may receive a waiver of an exam requirement based on a combination of previous exams passed and qualifying work experience. Likewise, a new exam requirement may be grandfathered based on a broker's specific qualifying work experience. Information regarding instances of exam waivers or the grandfathering of an exam requirement are not included as part of the BrokerCheck report.

This individual has passed 1 principal/supervisory exam, 1 general industry/product exam, and 1 state securities law exam.

Principal/Supervisory Exams

Exam	Category	Date
General Securities Principal Examination	Series 24	03/20/1995

General Industry/Product Exams

Exam	Category	Date
General Securities Representative Examination	Series 7	12/16/1989

State Securities Law Exams

Exam	Category	Date
Uniform Securities Agent State Law Examination	Series 63	01/03/1990

Additional information about the securities industry's qualifications and continuing education requirements, as well as the examinations administered by FINRA to brokers and other securities professionals can be found at <http://www.finra.org/Industry/Compliance/Registration/QualificationsExams/index.htm>.



Registration and Employment History

Previously Registered with the Following FINRA Firms

FINRA records show this broker previously held FINRA registrations with the following firms:

Registration Dates	Firm Name	CRD#	Branch Location
06/1996 - 10/2001	FIRST UNION SECURITIES FINANCIAL NETWORK, INC.	11025	ST. LOUIS, MO
05/1995 - 07/1996	JW CHARLES SECURITIES, INC.	33832	BOCA RATON, FL
12/1994 - 05/1995	JOSEPH ROBERTS & CO., INC.	15971	POMPANO BEACH, FL
10/1994 - 12/1994	JW CHARLES SECURITIES, INC.	33832	BOCA RATON, FL
07/1993 - 10/1994	CORPORATE SECURITIES GROUP, INC.	11025	ST. LOUIS, MO
04/1992 - 07/1993	GKN SECURITIES CORP.	19415	NEW YORK, NY
01/1992 - 05/1992	BILTMORE SECURITIES, INC	25023	FT. LAUDERDALE, FL
10/1990 - 01/1992	STRATTON OAKMONT INC.	18692	LAKE SUCCESS, NY
03/1990 - 09/1990	OPPENHEIMER & CO., INC.	630	NEW YORK, NY
01/1990 - 04/1990	SHEARSON LEHMAN HUTTON INC.	7506	NEW YORK, NY

Employment History

This section provides up to 10 years of an individual broker's employment history as reported by the individual broker on the most recently filed Form U4.

Please note that the broker is required to provide this information only while registered with a FINRA firm and the information is not updated via Form U4 after the broker ceases to be registered. Therefore, an employment end date of "Present" may not reflect the broker's current employment status.

Employment Dates	Employer Name	Employer Location
05/2003 - 11/2003	ROYAL PALM CAPITAL	WEST PALM BEACH, FL
04/2002 - 05/2003	AMERICAN CAPITAL CORPORATION	JUPITER, FL
10/2001 - 04/2002	US DATA AUTHORITY	BOCA RATON, FL
01/2001 - 10/2001	FIRST UNION/WACHOVIA	BOCA RATON, FL
05/1996 - 01/2001	JWGENESIS FINANCIAL SERVICES INC.	BOCA RATON, FL



Disclosure of Final Regulatory Events

What you should know and/or consider regarding any reported disclosure events:

- Before reaching a conclusion regarding any of the reported disclosure information contained in your BrokerCheck report, you should ask the broker to clarify the specific event(s) listed, or to provide a response to any questions you may have.

Disclosures in BrokerCheck reports come from different sources:

- **Self-disclosure:** Brokers are required to answer a series of questions on their application requesting securities industry registration ("Form U4"). For example, brokers are asked whether they have been involved in certain regulatory matters.
- **Regulator/Employer postings:** In addition, regulators and firms that have employed a broker also may contribute relevant information about such matters. All of this information is maintained in CRD.



Possible multiple reporting sources -- please note:

Disclosure details may be reported by more than one source (i.e., regulator, firm, or broker). When this occurs, all versions of the event will appear in the BrokerCheck report. The different versions of the same disclosure event are separated by a solid line with the reporting source labeled.

	Final	On Appeal
Regulatory Event	1	0



Disclosure Event Details

This report provides the information exactly as it was reported to CRD by the individual broker, a member firm(s), and/or by securities industry regulators. Some of the specific data fields contained in the report may be blank if the information was not provided to CRD.

Regulatory - Final

This section provides information regarding a final, regulatory action that was reported to CRD by the individual broker, a member firm, and/or a securities regulator. The event may include a final, formal proceeding initiated by a regulatory authority (e.g., a state securities agency, a self-regulatory organization, a federal regulator such as the SEC or the Commodities Futures Trading Commission (CFTC), or a foreign financial regulatory body) for a violation of investment-related rules or regulations.

Disclosure 1 of 1

Reporting Source:	Regulator
Regulatory Action Initiated By:	UNITED STATES SECURITIES AND EXCHANGE COMMISSION
Sanction(s) Sought:	
Other Sanction(s) Sought:	
Date Initiated:	08/08/2006
Docket/Case Number:	SEC ADMIN FILE 3-12389/34-54281
Employing firm when activity occurred which led to the regulatory action:	
Product Type:	Other
Other Product Type(s):	STOCK
Allegations:	SEC RELEASE 34-54281, AUGUST 8, 2006: THE SECURITIES AND EXCHANGE COMMISSION ("COMMISSION") DEEMS IT APPROPRIATE AND IN THE PUBLIC INTEREST THAT PUBLIC ADMINISTRATIVE PROCEEDINGS BE, AND HEREBY ARE, INSTITUTED PURSUANT TO SECTION 15(B) OF THE SECURITIES EXCHANGE ACT OF 1934 ("EXCHANGE ACT") AGAINST PETER D. KIRSCHNER ("RESPONDENT"). IN ANTICIPATION OF THE INSTITUTION OF THESE PROCEEDINGS, RESPONDENT HAS SUBMITTED AN OFFER OF SETTLEMENT (THE "OFFER") WHICH THE COMMISSION HAS DETERMINED TO ACCEPT. ON AUGUST 8, 2006, A FINAL JUDGMENT WAS ENTERED BY CONSENT AGAINST KIRSCHNER, PERMANENTLY ENJOINING HIM FROM FUTURE VIOLATIONS OF SECTIONS 5(A), 5(C) AND 17(A) OF THE SECURITIES ACT OF 1933 ("SECURITIES ACT") AND SECTION 10(B) OF THE EXCHANGE ACT AND



RULE 10B-5 THEREUNDER, IN THE CIVIL ACTION ENTITLED SECURITIES AND EXCHANGE COMMISSION V. PETER D. KIRSCHNER AND MEDIA MAGIC, INC., CIVIL ACTION NUMBER 06-1403RMU, IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA.

Current Status: Final

Resolution: Order

Does the order constitute a final order based on violations of any laws or regulations that prohibit fraudulent, manipulative, or deceptive conduct? No

Resolution Date: 08/08/2006

Sanctions Ordered: Bar

Other Sanctions Ordered:

Sanction Details:

SOLELY FOR THE PURPOSE OF THESE PROCEEDINGS AND ANY OTHER PROCEEDINGS BROUGHT BY OR ON BEHALF OF THE COMMISSION, OR TO WHICH THE COMMISSION IS A PARTY, AND WITHOUT ADMITTING OR DENYING THE FINDINGS HEREIN, EXCEPT AS TO THE COMMISSION'S JURISDICTION OVER HIM AND THE SUBJECT MATTER OF THESE PROCEEDINGS, AND THE FINDINGS WHICH ARE ADMITTED, RESPONDENT CONSENTS TO THE ENTRY OF THIS ORDER INSTITUTING ADMINISTRATIVE PROCEEDINGS PURSUANT TO SECTION 15(B) OF THE SECURITIES EXCHANGE ACT OF 1934, MAKING FINDINGS, AND IMPOSING REMEDIAL SANCTIONS ("ORDER"). IT IS HEREBY ORDERED: PURSUANT TO SECTION 15(B)(6) OF THE EXCHANGE ACT, THAT RESPONDENT KIRSCHNER BE, AND HEREBY IS BARRED FROM ASSOCIATION WITH ANY BROKER OR DEALER, WITH THE RIGHT TO REAPPLY FOR ASSOCIATION AFTER FIVE YEARS TO THE APPROPRIATE SELF-REGULATORY ORGANIZATION, OR IF THERE IS NONE, TO THE COMMISSION. ANY REAPPLICATION FOR ASSOCIATION BY THE RESPONDENT WILL BE SUBJECT TO THE APPLICABLE LAWS AND REGULATIONS GOVERNING THE REENTRY PROCESS, AND REENTRY MAY BE CONDITIONED UPON A NUMBER OF FACTORS, INCLUDING, BUT NOT LIMITED TO, THE SATISFACTION OF ANY OR ALL OF THE FOLLOWING: (A) ANY DISGORGEMENT ORDERED AGAINST THE RESPONDENT, WHETHER OR NOT THE COMMISSION HAS FULLY OR PARTIALLY WAIVED PAYMENT OF SUCH DISGORGEMENT; (B) ANY ARBITRATION AWARD RELATED TO THE CONDUCT THAT SERVED AS THE BASIS FOR THE COMMISSION ORDER; (C) ANY SELF-REGULATORY ORGANIZATION ARBITRATION AWARD TO A CUSTOMER, WHETHER OR NOT RELATED TO THE CONDUCT THAT SERVED AS THE BASIS FOR THE COMMISSION ORDER; AND (D) ANY



RESTITUTION ORDER BY A SELF-REGULATORY ORGANIZATION, WHETHER OR NOT RELATED TO THE CONDUCT THAT SERVED AS THE BASIS FOR THE COMMISSION ORDER.

Summary:

IN THE CIVIL ACTION, KIRSCHNER WAS DIRECTED TO DISGORGE \$109,400 IN ILL-GOTTEN GAINS PLUS PRE-JUDGMENT INTEREST, AND ORDERED TO PAY A \$55,000 CIVIL MONEY PENALTY PURSUANT TO SECTION 20(D) OF THE SECURITIES ACT AND SECTION 21(D)(3) OF THE EXCHANGE ACT. THE COMMISSION'S COMPLAINT ALLEGED THAT KIRSCHNER, WHILE REPRESENTING A SMALL, PRIVATELY HELD COMPANY, WAS DIRECTLY INVOLVED IN PLANNING A SERIES OF TRANSACTIONS TO EFFECT A REVERSE MERGER OF THAT COMPANY INTO ANOTHER, AND, IN THE PROCESS, ACQUIRED CONTROL OF THE PUBLIC FLOAT OF THE NEWLY MERGED ENTITY. THE COMMISSION ALLEGED THAT DURING THE LATER STAGES OF THE REVERSE MERGER, KIRSCHNER ARRANGED FOR THE TRANSFER AGENT TO ISSUE HIM 3,000,000 DIVIDEND SHARES IN ADVANCE OF THE DATE UPON WHICH THE PUBLIC WAS INFORMED THAT THOSE SHARES WOULD BE ISSUED, AND THEN DEPOSITED A PORTION OF THE SHARES INTO A BROKERAGE ACCOUNT. THE COMPLAINT ALLEGED THAT THE FACT THAT THE POST-DIVIDEND SHARES HAD BEEN ISSUED AND DEPOSITED PREMATURELY INTO KIRSCHNER'S BROKERAGE ACCOUNT THEREBY MAKING THEM TRADABLE WAS A PIECE OF INFORMATION THAT WAS CRITICALLY IMPORTANT TO ANY MARKET PARTICIPANT ATTEMPTING TO ARRIVE AT AN APPROPRIATE VALUATION FOR THE COMPANY'S SHARES. THE COMPLAINT ALLEGED THAT THIS WAS ALSO INFORMATION THAT WAS ONLY KNOWN BY KIRSCHNER. THE COMPLAINT ALLEGED THAT JUST PRIOR TO THE TIME AT WHICH THE OFFICIAL DIVIDEND WAS TO OCCUR, KIRSCHNER SOLD 19,500 OF THESE PREMATURELY-RECEIVED, POST-DIVIDEND SHARES TO UNWITTING MARKET PARTICIPANTS AT PRICES RANGING FROM \$5.50 TO \$7.95 PER SHARE, REALIZING PROCEEDS OF \$139,400. ACCORDING TO THE COMPLAINT, HAD KIRSCHNER SOLD THE SAME QUANTITY OF SHARES HOURS LATER, HE WOULD HAVE REALIZED GROSS PROCEEDS OF LESS THAN \$20, AS THESE SHARES WERE THEN TRADING AT LESS THAN A PENNY, REFLECTING THE ADJUSTMENT BY THE MARKET TO THE ISSUANCE OF THE 2,999,999:1 DIVIDEND.



About this BrokerCheck Report

BrokerCheck reports are part of a FINRA initiative to disclose information about FINRA-registered firms and individual brokers to help investors determine whether to conduct, or continue to conduct, business with these firms and brokers. The information contained within these reports is collected through the securities industry's registration and licensing process.

Who provides the information in BrokerCheck?

Information made available through BrokerCheck is obtained from CRD as reported through the industry registration and licensing process.

The forms used by brokerage firms, to report information as part of the firms registration and licensing process, Forms BD and BDW, are established by the SEC and adopted by all state securities regulators and SROs. FINRA and the North American Securities Administrators Association (NASAA) establish the Forms U4 and U5, the forms that are used for the registration and licensing process for individual brokers. These forms are approved by the SEC. Regulators report disciplinary information for firms and individual brokers via Form U6.

How current is the information contained in BrokerCheck?

Brokerage firms and brokers are required to keep this information accurate and up-to-date (typically not later than 30 days after learning of an event). BrokerCheck data is updated when a firm, broker, or regulator submits new or revised information to CRD. Generally, updated information is available on BrokerCheck Monday through Friday.

What information is NOT disclosed through BrokerCheck?

Information that has not been reported to CRD or that is not required to be reported is not disclosed through BrokerCheck, such as vacated regulatory actions.

Additional information not disclosed through BrokerCheck includes Social Security Numbers, residential history information, and physical description information. On a case-by-case basis, FINRA reserves the right to exclude information that contains confidential customer information, offensive and potentially defamatory language or information that raises significant identity theft or privacy concerns that are not outweighed by investor protection concerns. FINRA Rule 8312 describes in detail what information is and is not disclosed through BrokerCheck.

Under FINRA's current public disclosure policy, in certain limited circumstances, most often pursuant to a court order, information is expunged from CRD. Further information about expungement from CRD is available in FINRA notices 99-09, 99-54, 01-65, and 04-16 at www.FINRA.org.

For further information regarding FINRA's BrokerCheck program, please visit FINRA's Web site at www.FINRA.org/brokercheck or call the FINRA BrokerCheck Hotline at (800) 289-9999. This hotline is open Monday through Friday from 8:00 a.m. to 8:00 p.m., Eastern Time (ET).

For more information about the following, select the associated link:

- About BrokerCheck Reports: http://www.finra.org/brokercheck_reports
- Glossary: http://www.finra.org/brokercheck_glossary
- Questions Frequently Asked about BrokerCheck Reports: http://www.finra.org/brokercheck_faq
- Terms and Conditions: <http://brokercheck.finra.org/terms.aspx>