

**STATE OF ILLINOIS
SECRETARY OF STATE
SECURITIES DEPARTMENT**

IN THE MATTER OF: Mark David Webb)
_____))

FILE NO. 1200291

CONSENT ORDER OF DISMISSAL

TO THE RESPONDENT:

Mark David Webb
342 Allison Way
Wyckoff, NJ 07481

Byron H. Lyons, CCO
Fator Securities LLC
500 Fifth Ave. Suite 1520
New York, NY 10110

WHEREAS, Respondent on the 16th day of October executed a certain Stipulation to Enter Consent Order of Dismissal (the "Stipulation"), which hereby is incorporated by reference herein.

WHEREAS, by means of the Stipulation, Respondent has admitted to the jurisdiction of the Secretary of State and service of the Corrected Notice of Hearing of the Secretary of State, Securities Department, dated September 4, 2012, in this proceeding (the "Notice") and Respondent has consented to the entry of this Consent Order of Dismissal "Consent Order").

WHEREAS, by means of the Stipulation, the Respondent acknowledged, without admitting or denying the truth thereof, that the following allegations contained in the Corrected Notice of Hearing shall be adopted as the Secretary of State's Findings of Fact:

1. That on August 17, 2012, Fator Securities LLC, a registered dealer, filed a Form U-4 application for registration of the Respondent as a salesperson in the State of Illinois pursuant to Section 8 of the Act.
2. That on August 19, 2008 FINRA entered Decision & Order of Offer of Settlement ("AWC" or "Order") submitted by the Respondent regarding Disciplinary Proceeding No. 20070094088 which sanctioned the Respondent as follows:

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- a) suspended from association with any FINRA member in any capacity for eighteen (18) months, and
 - b) fined \$12,500.
3. That the Order found: Rule 2110: Webb, A trader at a member firm, purchased stock for the firm facilitation account when he knew that a hedge fund customer, who had moments earlier withdrawn an order it had placed with Webb for the same stock, intended to purchase the stock elsewhere. When confronted, he made material misstatements to his member organization in stating that he executed a trade for a customer order when, in fact, he did not possess a customer order. In an effort to cover up his misconduct, Webb provided false information to his employer in stating that he executed a trade for a customer order when, in fact, he did not possess a customer order. And he requested one or more sales traders at an affiliate firm to locate a buyer for stocks he had already purchased for the firm facilitation account, and located an existing order ticket with a time stamp prior to his purchase of a stock for the firm's facilitation account, in order to make it appear that the purchase for the firm's facilitation account had been intended for a customer.
 4. That Section 8.E(1)(j) of the Act provides, inter alia, that the registration of a salesperson may be denied if the Secretary of State finds that such Salesperson has been suspended by any self-regulatory organization Registered under the Federal 1934 Act or the Federal 1974 Act arising from any fraudulent or deceptive act or a practice in violation of any rule, regulation or standard duly promulgated by the self-regulatory Organization.
 5. That FINRA is a self-regulatory organization as specified in Section 8.E(1)(j) of the Act.

WHEREAS, by means of the Stipulation Respondent has acknowledged, without admitting or denying the averments, that the following shall be adopted as the Secretary of State's Conclusion of Law:

The Respondent's application for registration as a salesperson **in the State** of Illinois is subject to Denial pursuant to Section 8.E(1)(j) of the Act.

WHEREAS, by means of the Stipulation Respondent has acknowledged and agreed that he has executed a certain Affidavit, which contains undertakings that he will adhere to upon entry of this Consent Order. Said Affidavit is incorporated herein and made a part hereof.

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WHEREAS, the Secretary of State, by and through his duly authorized representative, has determined that the matter related to the aforesaid formal hearing may be dismissed without further proceedings.

NOW THEREFORE IT SHALL BE AND IS HEREBY ORDERED THAT:

1. The Corrected Notice of Hearing dated September 4, 2012 is dismissed.
2. The Respondent shall comply with all of the terms and conditions contained in his accompanying Affidavit, which has been made a part of this Order.
3. The formal hearing scheduled on this matter is hereby dismissed without further proceedings.

ENTERED- This 18th day of October 2012.

A handwritten signature in black ink that reads "Jesse White" with a stylized flourish at the end.

JESSE WHITE
Secretary of State
State of Illinois