

STATE OF NEW JERSEY
BUREAU OF SECURITIES
P.O. Box 47029
Newark, New Jersey 07101

IN THE MATTER OF: :

DANIEL R. WROBLE :

CRD #1413861 :

ORDER OF DENIAL OF
AGENT REGISTRATION

To: Mr. Daniel R. Wroble
2435 Calais Place
Charlotte, NC 28211

Pursuant to the authority granted to the Chief of the New Jersey Bureau of Securities ("Bureau") by the Uniform Securities Law (1997) N.J.S.A 49:3-47 to 76 ("Law"), more particularly, N.J.S.A. 49:3-58 and after careful review and due consideration of:

1) Letter of Acceptance Waiver and Consent, signed by Daniel R. Wroble on April 27, 1998 and accepted by NASD on May 4, 1998 No.CAF980020;

2) Order Revoking Securities Sales Representative and Consent to Same, In the Matter of Daniel R. Wroble. Decision No. 61336, Administrative Proceeding Before The Arizona Corporation Commission, (January 7, 1999);

the Bureau Chief has determined that Daniel R. Wroble's application for agent registration with Evergreen Investment Services, Inc. (CRD# 487), will be DENIED for the reasons below.

BACKGROUND

1. Daniel R. Wroble ("Wroble"), CRD # 1413861, 2435 Calais Place Charlotte, NC 28211, has submitted a Uniform Application for Securities Industry Registration or Transfer ("Form U-4") to the Bureau through the Central Registration Depository System ("CRD") to register in New Jersey as an agent of Evergreen Investment Services, Inc., CRD# 487,

headquartered at 200 Berkeley Street Boston, MA 02116-5034. Wroble has applied for registration as an agent at the 401 S. Tryon Street, Charlotte, NC 28288 office.

2. From February 1996 through May 1999, Wroble was registered in New Jersey as an agent of NationsBanc Investments, Inc. ("NationsBanc"), CRD #16361.

3. On April 27, 1998, Wroble signed a NASD Letter of Acceptance Waiver and Consent ("AWC") No. CAF980020. The AWC was accepted by the NASD on May 4, 1998. The NASD sent a letter dated May 4, 1998 indicating that the AWC was approved by the National Adjudicatory Council.

4. Wroble consented without admitting or denying, to findings that while employed at NationsBanc:

(a) he gave false and materially misleading presentations to registered representatives and wholesalers concerning the characteristics and nature of certain products and failed to disclose the risks;

(b) he was involved in the use and distribution of materially misleading scripts; and

(c) he encouraged the registered representatives to use "blurring practices" which entailed utilizing bank terms in the place of brokerage terms in an attempt to make the customers think that they were purchasing bank products.

5. Wroble was censured, ordered to pay a fine of \$100,000, was suspended for six months from associating with a member firm, was suspended for six months from acting as a principal with an NASD member to commence after completion of the previous six month suspension, and was ordered to requalify for the Series 7 and Series 24.

6. By order of the State of Arizona Securities Commission, Decision No. 61336, dated

January 7, 1999, Wroble's registration as an agent of NationsBanc was revoked. Wroble consented to the entry of the order and waived a hearing on December 9, 1998. That order of revocation was based on the NASD suspension and the findings detailed in paragraph four.

7. A Consent Order of Suspension was issued on February 16, 1999 by the State of Illinois in which Wroble was suspended for one year and had to pay \$5,000 for costs of investigation.

8. Wroble has submitted an application to be register as an agent of Evergreen in the State of New Jersey. He is currently registered as an agent of Evergreen with the NASD, North Carolina, Georgia, and South Carolina.

9. On February 14, 2003, the Bureau entered a Order of Postponement postponing Wroble's application for a registration as a securities agent until March 1, 2003.

COUNTS

I

WROBLE IS THE SUBJECT OF AN ORDER OF A SELF-REGULATORY ORGANIZATION SUSPENDING HIM FROM A NATIONAL SECURITIES ASSOCIATION

N.J.S.A. 49:3-58(a)(1)
N.J.S.A. 49:3-58(a)(2)(vi)

10. The preceding paragraphs are incorporated by reference as though set forth verbatim herein.

11. Pursuant to N.J.S.A. 49:3-58(a):

[t]he bureau chief may by order deny, suspend, or revoke any registration if he finds: (1) that the order is in the public interest; and (2) that the applicant or registrant ...(vi)...is the subject of an order of ... a self-regulatory organization ... suspending or expelling him from a national securities or

commodities exchange or national securities or commodities association ...

12. Having consented to findings of fact and conclusions of law, by the AWC dated April 27, 1998, the NASD Office of Hearing Officers suspended Wroble for six months from associating with any NASD member in any capacity. This is cause, pursuant to N.J.S.A. 49:3-58(a)(2)(vi) to deny Wroble's registration.

WROBLE IS THE SUBJECT OF AN ORDER ENTERED
WITHIN THE PAST FIVE YEARS BY A STATE SECURITIES
ADMINISTRATOR DENYING HIS AGENT REGISTRATION
APPLICATION
N.J.S.A. 49:3-58(a)(1)
N.J.S.A. 49:3-58(a)(2)(vi)

13. The preceding paragraphs are incorporated by reference as though set forth verbatim herein.

14. By order dated January 7, 1999, the Arizona Securities Division revoked Wroble's agent registration with NationsBanc. This order was based on applicant's having engaged in dishonest or unethical practices in the securities business.

15. N.J.S.A. 49:3-58(a)(2)(vi) authorizes the bureau chief to deny, suspend, or revoke any registration if he finds that the applicant is the subject of an order entered within the past five years by any state securities administrator denying a securities registration if the denial is based on facts which would currently constitute grounds for an order under New Jersey law.

THEREFORE, IT IS ON THIS 27th DAY OF February 2003 ORDERED that Daniel R. Wroble's application for registration as an agent of Evergreen Investment Services, Inc. be DENIED.


Franklin L. Widmann
Chief, Bureau of Securities

NOTICE OF RIGHT TO HEARING

Pursuant to N.J.S.A. 49:3-58(c)(2), upon service or notice of the Denial Order issued by the bureau chief, the applicant shall have up to fifteen (15) days to respond to the Bureau in the form of a written answer and written request for a hearing. A request for a hearing must be accompanied by a written response in accordance with N.J.A.C. 13:47A-13.13 addressing specifically each of the reasons set forth in the Order which formed the basis for its entry. A general denial is unacceptable.

Pursuant to N.J.S.A. 49:3-58(c)(2), the bureau chief shall, within five (5) days of receiving the answer and a request for a hearing, either transmit the matter to the Office of Administrative Law for a hearing or schedule a hearing at the Bureau of Securities. At any hearing involving this matter, an individual respondent may appear on his/her own behalf or be represented by an attorney.

Pursuant to N.J.S.A. 49:3-58(c)(3), if an applicant fails to respond by filing a written answer and request for a hearing with the Bureau within the fifteen (15) day prescribed period, the Order shall remain in effect until modified or vacated.

NOTICE OF OTHER ENFORCEMENT REMEDIES

You are advised that the Uniform Securities Law (1997), N.J.S.A. 49:3-47 et seq., provides several enforcement remedies which are available to be exercised by the Bureau Chief,

either alone or in combination. These remedies include, in addition to this action denying your application for registration, the right to seek and obtain injunctive and ancillary relief in a civil enforcement action, N.J.S.A. 49:3-69, and the right to seek and obtain civil penalties in an administrative or civil action. N.J.S.A. 49:3-70.1.

You are further advised that the entry of this Order of Denial does not preclude the Bureau Chief from seeking and obtaining other enforcement remedies against you in connection with the claims made against you in this action.