STATE OF NEW JERSEY
BUREAU OF SECURITIES
P.O. Box 47029
Newark, New Jersey 07101
(973) 504-3600

IN THE MATTER OF:	:	
Frank J. Conte,	:	
CRD # 1305007	:	REVOCATION ORDER
	:	

Frank J. Conte
6 Hogrefe Way
Millstone Township, NJ 07726

Pursuant to the authority granted to the Chief of the New Jersey Bureau of Securities ("Bureau") by the Uniform Securities Law, as amended, L. 1997, c. 276, N.J.S.A. 49:3-47 et seq., ("Law"), more particularly, N.J.S.A. 49:3-58, and after careful review and due consideration of the Letter of Acceptance, Waiver and Consent, No. 2005001426601, accepted by the NASD on December 23, 2005, the Bureau Chief has determined that the agent registration of Frank J. Conte shall be **REVOKED** for the reasons that follow:

1. Frank J. Conte ("Conte") residing at 6 Hogrefe Way, Millstone Township, NJ 07726 had been registered with the Bureau as an agent of seven different firms between 1985 and 2005. Conte first registered with the Bureau in September, 1985 as an agent of The Advisors Group, Inc. Conte's registration was last effective prior to his termination from Hornor, Townsend, & Kent, Inc. on May 2, 2005.

2. From September 3, 1985 through March 24, 1986, Conte was registered in New Jersey as an agent of The Advisors Group, Inc. (CRD # 14035).

3. From March 25, 1986 through March 28, 1989, Conte was registered in New Jersey as an agent of Mony Securities Corp. (CRD # 4386).

4. From June 1, 1989 through January 20, 1992, Conte was registered in New Jersey as an agent of 1717 Capital Management Co. (CRD # 4082).

5. From April 9, 1992 through June 27, 1992, Conte was registered in New Jersey as an agent of Signature Investors, Inc. (CRD # 468).

6. From July 2, 1992 through September 16, 1996, Conte was registered in New Jersey as an agent of 1717 Capital Management Co. (CRD #4082).

7. From October 30, 1996 through July 8, 1997, Conte was registered in New Jersey as an agent of WS Griffith Securities, Inc. (CRD # 10410).

8. From August 12, 1997 through January 17, 2002, Conte was registered in New Jersey as an agent of 1717 Capital Management Co. (CRD # 4082).

9. From January 24, 2002 through May 2, 2005, Conte was registered in New Jersey as an agent of Hornor, Townsend, and Kent, Inc. (CRD # 4031). According to the CRD, Conte's employment was terminated on May 2, 2005 for violating company policy by improperly borrowing client funds, and providing false statements to the company regarding the borrowing.

10. On December 5, 2005, Conte signed an acceptance, waiver, and consent in response to disciplinary proceeding No. 2005001426601 by the NASD's National Adjudicatory Council ("NAC") Review Subcommittee. Conte consented, without admitting or denying, to NASD findings that he improperly borrowed money from a customer in the amount of $140,000 without notifying the customer, or maintaining proper written procedures. Conte also consented to findings that he failed to respond to a NASD request for documents and subsequently failed to appear for testimony as part of an NASD investigation. Conte finally consented to be barred

from any association in any capacity with any member of NASD.

CONTE IS THE SUBJECT OF AN ORDER BY A SELF-REGULATORY ORGANIZATION SUSPENDING HIM FROM A NATIONAL SECURITIES ASSOCIATION REGISTERED UNDER THE SECURITIES EXCHANGE ACT OF 1934.

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

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

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

> The 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 ...registered under the "Securities Exchange Act of 1934..."

13. The Bureau, pursuant to N.J.S.A. 49:3-58 (a)(2)(vi), has proper grounds to revoke Conte's registration as a result of the NASD's bar on Conte's association in any capacity with any member of NASD.

14. Based upon the foregoing and pursuant to N.J.S.A. 49:3-58 (a)(1) the revocation of Conte's registration is in the public interest.

CONTE HAS WILLFULLY VIOLATED OR WILLFULLY FAILED TO COMPLY WITH ANY PROVISION OF THE UNIFORM SECURITIES LAW (1997) OR ANY RULE OR ORDER AUTHORIZED BY THE UNIFORM SECURITIES LAW (1997)

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

15. The preceding paragraphs are incorporated by reference as though set forth

verbatim herein.

16. Pursuant to N.J.S.A. 49:3-58(e):

"The bureau chief may nevertheless institute a revocation or suspension proceeding under subparagraph (ii) of paragraph (2) of subsection (a) of this section within two years after withdrawal becomes effective and enter a revocation or suspension order as of the last date on which registration was effective."

17. Pursuant to N.J.S.A. 49:3-58(a)(2)(ii):

"The bureau chief may by order deny, suspend, or revoke any registration if he finds: (2) that the applicant or registrant… (ii) has willfully violated or willfully failed to comply with any provisions of this act or any rule or order authorized by this act or has willfully, materially aided others in such conduct"

18. Conte's registration with the Bureau was terminated on May 2, 2005. The Bureau Chief, under N.J.S.A. 49:3-58(e), may retroactively revoke Conte's agent revocation as of May 2, 2005 in New Jersey for willfully violating provisions of the New Jersey Uniform Securities Law.

CONCLUSION

For the reasons stated above, it is on this 5th DAY of May 2006 **ORDERED** that the agent registration of Frank J. Conte be **REVOKED** pursuant to N.J.S.A. 49:3-58(a)(1) and N.J.S.A. 49:3-58(a)(2)(vi).

Franklin L. Widmann

Franklin L. Widmann
Chief, Bureau of Securities

Dated: May 5, 2006

NOTICE OF RIGHT TO HEARING

Pursuant to the Uniform Securities Law (1997), N.J.S.A. 49:3-47 et seq., specifically, N.J.S.A. 49:3-58(c), the bureau chief shall entertain on no less than three days notice, a written application to lift the summary revocation on written application of the applicant or registrant and in connection therewith may, but need not, hold a hearing and hear testimony, but shall provide to the applicant or registrant a written statement of the reasons for the summary revocation.

This matter will be set down for a hearing if a written request for such a hearing is filed with the Bureau within 15 days after the respondent receives this Order. A request for a hearing must be accompanied by a written response, which addresses specifically each of the allegations set forth in the Order. A general denial is unacceptable. At any hearing involving this matter, an individual respondent may appear on his/her own behalf or be represented by an attorney.

Orders issued pursuant to this subsection to suspend or revoke any registration shall be subject to an application to vacate upon 10 days' notice, and a preliminary hearing on the order to suspend or revoke any registration shall be held in any event within 20 days after it is requested, and the filing of a motion to vacate the order shall toll the time for filing an answer and written request for a hearing.

If no hearing is requested, the Order shall be entered as a Final Order and will remain in effect until modified or vacated. If a hearing is held, the Bureau Chief shall affirm, vacate or modify the order in accord with the findings made at the hearing.

NOTICE OF OTHER ENFORCEMENT REMEDIES

You are advised that the Uniform Securities Law 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 revoking your 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 the relief requested 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.