

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

IN THE MATTER OF: Enrique Guido Pflucker)
_____)

File: 1200340

NOTICE OF HEARING

TO THE RESPONDENT:

Enrique Guido Pflucker
(CRD# 4789342)
94 Oakley Ave
Elmont, NY 11003

C/o Legend Securities
45 Broadway, 32nd Fl
New York, NY 10006

You are hereby notified that pursuant to Section 11.F of the Illinois Securities law of 1953 [815 ILCS 5] (the "Act") and 14 Ill. Adm. Code 130, Subpart K, a public hearing will be held at 69 West Washington Street, Suite 1220, Chicago, Illinois 60602, on the 24th day of January 2013 at the hour of 10:00 a.m or as soon as possible thereafter, before James L. Kopecky Esq., or such other duly designated Hearing Officer of the Secretary of State.

Said hearing will be held to determine whether an Order shall be entered denying Enrique Guido Pflucker (the "Respondent") registration as a salesperson in the State of Illinois and/or granting such other relief as may be authorized under the Act including but not limited to the imposition of a monetary fine in the maximum amount pursuant to Section 11.E(4) of the Act, payable within ten (10) business days of the entry of the Order.

The grounds for such proposed action are as follows:

1. That on October 3, 2012, Legend Securities, Inc. 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.

Notice of Hearing

2

2. That on July 3, 2012 FINRA entered a Letter of Acceptance; Waiver and Consent (AWC) submitted by the Respondent regarding File No. 2010025736701 Which sanctioned the Respondent as follows:
 - a. fined \$2,500; and
 - b. suspension from associating with any FINRA member in any and all capacities for a period of ten business days (10).
3. That the AWC found:

FACTS AND VIOLATIVE CONDUCT

Between September 2009 and October 2009 for PHD customer JK and between September 2010 and March 2011 for Rockwell customer BP, Respondent utilized time and price discretion in their accounts beyond the end of the business days on which the customers granted such discretion. Neither customer had provided respondent with prior written authorization granting him such discretionary power in their accounts and the accounts had not been accepted by his employer firms PHD and Rockwell as discretionary accounts. By reason of the foregoing, Respondent violated NASD Conduct Rule 2510 and FINRA Rule 2010.

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 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.
6. That by virtue of the foregoing, the Respondent's registration as a Salesperson in the State of Illinois is subject to denial pursuant to Section 8.E(1)(j) of the Act.

You are further notified that you are required pursuant to Section 130.1104 of the Rules and Regulations (14 ILL. Adm. Code 130) (the "Rules"), to file an answer to the allegations outlined above within thirty (30) days of the receipt of this Notice. A failure to file an answer within the prescribed time shall be construed as an admission of the allegations contained in the Notice of Hearing.

Notice of Hearing

3

Furthermore, you may be represented by legal counsel; may present evidence; may cross-examine witnesses and otherwise participate. A failure to so appear shall constitute default; unless any Respondent has upon due notice moved for and obtained a continuance

A copy of the Rules, promulgated under the Act and pertaining to hearing held by the Office of the Secretary of State, Securities Department, can be found at www.cyberdriveillinois.com

Delivery of Notice to the designated representative of any Respondent constitutes service upon such Respondent.

Dated: This 30th day of NOVEMBER 2012



JESSE WHITE
Secretary of State
State of Illinois

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Hearing Officer.
James L. Kopecky