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BULLETIN # 2589

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Discipline

Discipline Penalties Imposed on Debra Patricia Lynn Barnes – Violation of By-law 29.1

Person Disciplined	The Pacific District Council of the Investment Dealers Association of Canada has imposed discipline penalties on Debra Patricia Lynn Barnes , at the relevant time a registered representative in the Vancouver, British Columbia branch office of Marleau Lemire Securities Inc., a Member of the Association.
By-laws, Regulations, Policies Violated	On May 27, 1999 a panel of the District Council conducted a hearing into allegations that Ms. Barnes engaged in business conduct that is unbecoming or detrimental to the public interest by trading in client cash accounts without ensuring proper settlement, contrary to Association By-law 29.1.
Penalty Assessed	The discipline penalty imposed against Ms. Barnes is a fine in the amount of \$5,000.00, a condition that she rewrite the Conduct and Practices Handbook Examination, and a condition that she be subject to strict supervision for a period of twelve months. In addition, Ms. Barnes is required to pay \$2,000.00 towards the Association's costs of investigation of this matter.
Summary of Facts	<p>Between March 1, 1995 to October 23, 1995 Ms. Barnes was responsible for effecting a total of 408 transactions in 19 different client accounts that were not settled in accordance with industry standards or Marleau Lemire Securities Inc. internal policy. Ms. Barnes was terminated from her employment for these offences on October 23, 1995.</p> <p>The District Council hearing panel held that the discipline penalty to be imposed in this case should reflect the fact that the conduct of Ms. Barnes did not harm her clients. Also taken into consideration was the fact that the conduct in question occurred in 1995 and that she had not been employed in the securities industry since that time. The panel stated that had the discipline hearing been held more contemporaneously with the conduct</p>

complained of, a more severe penalty would have been imposed. The panel also cited as mitigating circumstances the relative inexperience of Ms. Barnes, and the failure of the Member firm to identify and remedy the misconduct in a more timely and diligent fashion.

Ms. Barnes has not been employed with a Member of the Association since the termination of her employment by Marleau Lemire Securities Inc. on October 23, 1995. Marleau Lemire Securities Inc, ceased to be a Member of the Association on December 22, 1998 (see Bulletin #2546).

Lyn M. Gilchrist
Association Secretary