

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

IN THE MATTER OF: FABIAN CESAR SEYLLER

) File No. 1000036
)

NOTICE OF HEARING

TO THE RESPONDENT: Fabian Cesar Seyller
(CRD#: 1760788)
11486 Cross Creek Estates Lane
Belvidere, Illinois 61008

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 15th day of June, 2010 at the hour of 10:00 a.m. or as soon as possible thereafter, before Soula Spyropoulos 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 revoking Fabian Cesar Seyller's (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 8.E(1)(j) 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 at all relevant times, the Respondent was registered with the Illinois Secretary of State as a salesperson in the State of Illinois pursuant to Section 8 of the Act until January 15, 2009.
2. That on May 11, 2009 FINRA entered a Letter Of Acceptance, Waiver And Consent (AWC) submitted by the Respondent regarding File No. 2007009359601 which sanctioned the Respondent as follows:
 - a. A six month suspension from association with any member of FINRA in any and all capacity; and
 - b. Fined \$5,000.
3. That the AWC found:

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a. OVERVIEW

I engaged in outside business activities without providing prompt written notice to my employing member firm. I falsely asserted that I was not involved in any undisclosed outside business activities on an annual compliance form. Furthermore, I falsely denied any involvement in outside business activities to my supervisor, even when directly questioned on two different occasions.

b. FACTS AND VIOLATIVE CONDUCT

Between 1992 and 2007, I was employed by MetLife as a registered representative.

Between May 2006 and January 2007, I referred four MetLife customers to another individual who sold them equity indexed annuities. I received compensation in the form of referral fees for my actions. I received approximately \$11,925.66 in compensation in referral fees without providing prompt written notice to MetLife in any way.

MetLife required that outside business activities be disclosed on an Annual Certification Statement on which each representative was required to state whether he or she had previously reported all outside business activities. This form also required me to affirmatively state that I was not engaged in any undisclosed outside business activities. This form also specifically asked me if I received any referral fees.

On September 29, 2006, I falsely asserted on an Annual Certification Statement that I was not engaged in any undisclosed outside business activities and that I did not receive any referral fees.

Furthermore, during this time period, I falsely denied any involvement with EIA sales to my supervisor when directly questioned me, on two different occasions.

c. The aforesaid conduct constitutes violation by Fabian Seyller of NASD Conduct Rules 3030 and 2110.

4. That Section 8.E(1)(j) of the Act provides, inter alia, that the registration of a salesperson and investment advisor representative may be revoked if the Secretary of State finds that such salesperson and investment advisor

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representative 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.
6. That Section 8.E (3) of the Act provides inter alia, withdrawal of an application for registration or withdrawal from registration as a salesperson or investment advisor representative, becomes effective thirty (30) days after receipt of an application to withdraw or within such shorter period of time as the Secretary of State may determine. If no proceeding is pending or instituted and withdrawal automatically becomes effective, the Secretary of State may nevertheless **institute a revocation or suspension proceeding** within 2 years after withdrawal become effective and enter a revocation or suspension order as of the last date on which registration was effective.
7. That by virtue of the foregoing, the Respondent's registration as a salesperson and as an investment advisor representative in the State of Illinois is subject to revocation pursuant to Sections 8.E(1)(j) and 8.E (3) 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.

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 link of the Rules, promulgated under the Act and pertaining to hearings held by the Office of the Secretary of State, Securities Department, is included with this Notice. <http://www.cyberdriveillinois.com/departments/securities/lawrules.html>

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

Dated: This 26th day of April 2010.

A handwritten signature in black ink, appearing to read "Jesse White". The signature is written in a cursive style with a large, stylized initial "J".

JESSE WHITE
Secretary of State
State of Illinois

Attorneys for the Secretary of State:

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Hearing Officer:
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