

DENISE VOIGT CRAWFORD
SECURITIES COMMISSIONER



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MEMBER

IN THE MATTER OF
THE DEALER REGISTRATION OF
ADVANCED PLANNING SECURITIES, INC. §
§
§

Order No. IC07-CAF-20

TO: Christopher Charles Pollina, President
Advanced Planning Securities, Inc. (CRD No. 14382)
222 Middle Country Road, Suite 209
Smithtown, NY 11787

DISCIPLINARY ORDER

Be it remembered that Advanced Planning Securities, Inc. ("Respondent"), by and through Christopher Charles Pollina, its President, appeared before the Securities Commissioner of the State of Texas ("Securities Commissioner") and consented to the entry of this order ("Order") and the Findings of Fact and the Conclusions of Law contained herein.

FINDINGS OF FACT

1. Respondent has waived (a) Respondent's right to notice and hearing in this matter; (b) Respondent's right to appear and present evidence in this matter; (c) Respondent's right to appeal this Order; and (d) all other procedural rights granted to Respondent by The Securities Act, TEX. REV. CIV. STAT. ANN. art. 581-1 et seq. (Vernon 1964 & Supp. 2006) ("Texas Securities Act") and the Administrative Procedure Act, TEX. GOV'T CODE ANN. § 2001.001 et seq. (Vernon 2000 & Supp. 2006) ("Administrative Procedure Act").
2. On or about January 26, 2001, Respondent registered with the Securities Commissioner as a securities dealer, which is currently effective.
3. On or about August 22, 2005, Daniel Scott Fuchs ("Fuchs") registered with the Securities Commissioner as an agent for Respondent. This agent registration was terminated as of June 7, 2007.
4. On or about August 10, 2005, Respondent filed a statement of undertakings and agreements ("Undertaking") with the Securities Commissioner. Provision No. 5 of the Undertaking stated:

"Fuchs and APSI [Advanced Planning Securities, Inc.] further undertake and agree that, for a period of two (2) years from the

date Fuchs' registration is granted, Fuchs and APSI will, within ten (10) business days of receipt by Fuchs or APSI, deliver or cause to be delivered to the Director of the Inspections and Compliance Division of the Texas State Securities Board, any written or oral complaints in which Fuchs' name appears or in which Fuchs is otherwise involved."

5. On or about November 6, 2006, Respondent received a statement of claim ("N Claim") in as NASD arbitration for customers VN and CN ("N Complaint"). After inquiry by the staff of the Texas State Securities Board ("Staff"), the N Complaint was first delivered to the Staff on or about July 30, 2007.
6. On or about December 4, 2006, Respondent reported the N Complaint to the Securities Commissioner on a Uniform Application for Securities Industry Registration or Transfer ("Form U-4") for Mr. Fuchs, Item No. 4 of the December 4, 2006 Form U-4 customer complaint DRP for the N Complaint required reporting of "Allegation(s) and a brief summary of events related to the allegation(s) including dates when activities leading to the allegation(s) occurred:". Respondent reported only "misrepresentation, churning, unsuitable trading". No brief summary or dates were reported. The allegations of breach of fiduciary duty, fraud, negligence, and elder abuse or deceptive practices against senior citizens, as asserted in the theories of liability section of the N Claim, were also not reported.
7. On or about March 15, 2007, Respondent received written notification of a customer complaint by DC ("DC Complaint"). After inquiry by the Staff, the DC Complaint was first delivered to the Staff on or about July 30, 2007.
8. Pursuant to Sections 101.2(c) and 133.33(a)(3) of the Rules and Regulations of the State Securities Board ("Board Rules"), certain forms required to be filed with the Securities Commissioner, including the Form U-4, have been adopted as Board Rules and have the same force and effect.
9. Pursuant to Section 115.2(e)(2) of the Board Rules, uniform forms submitted through the Central Registration Depository System maintained by the NASD, including the Form **U-4**, that designate the State of Texas as a jurisdiction in which the filing is to be made, are deemed to be filed with the Securities Commissioner and constitute official records of the Texas State Securities Board.
10. The information required to be reported on the Form U-4 is deemed necessary by the Securities Commissioner to determine a person's business repute or qualifications.
11. Pursuant to Section 14.A(6) of the Texas Securities Act, the Securities Commissioner may reprimand a person registered under the Texas Securities Act if the person has violated any of the provisions of the Board Rules.

12. Pursuant to Section 14.A(11) of the Texas Securities Act, the Securities Commissioner may reprimand a person registered under Texas Securities Act if the person has violated any provision of any undertaking or agreement with the Securities Commissioner.
13. Pursuant to Section 23-1 of the Texas Securities Act, the Securities Commissioner may assess an administrative fine against any company found to have engaged in an act or practice that violates a Board Rule.

CONCLUSIONS OF LAW

1. Respondent failed to timely deliver the N Complaint and the DC Complaint to the Director of the Inspections and Compliance Division, in violation of provision No. 5 of the Undertaking.
2. The December 4, 2006 Form U-4 for Mr. Fuchs, as filed by Respondent, did not contain the information required for the N Complaint, in violation of a Board Rule.
3. Pursuant to Sections 14.A(6) and 14.A(11) of the Texas Securities Act, the foregoing violations constitute bases for the issuance of an order reprimanding a registered securities dealer.
4. Pursuant to Section 23-1 of the Texas Securities Act, the foregoing violation of a Board Rule constitutes basis for the issuance of an order assessing an administrative fine against a securities dealer.

ORDER

1. It is therefore ORDERED Advanced Planning Securities, Inc. is hereby REPRIMANDED.
2. It is further ORDERED that Advanced Planning Securities, Inc. is hereby ASSESSED AN ADMINISTRATIVE FINE in the amount of One Thousand Dollars (\$1,000.00). Payment shall be made by delivery of a cashier's check to the Securities Commissioner in the amount of One Thousand Dollars (\$1,000.00), payable to the State of Texas, contemporaneously with the delivery of this Order.

SIGNED AND ENTERED BY THE SECURITIES COMMISSIONER this 24th
day of August, 2007.


DENISE VOIGT CRAWFORD
Securities Commissioner

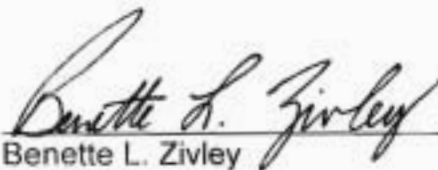
Respondent:

Advanced Planning Securities, Inc.

A handwritten signature in black ink, appearing to be "C. Pollina", written over a horizontal line.

Christopher Charles Pollina, President

Approved as to Form:

A handwritten signature in black ink, appearing to be "Benette L. Zivley", written over a horizontal line.

Benette L. Zivley

Director

Inspections and Compliance Division

ACKNOWLEDGMENT

On the 21 day of August, 2007, Advanced Planning Securities, Inc. ("Respondent"), by and through Christopher Charles Pollina, its President, appeared before me, executed the foregoing Order, and acknowledged that:

1. Christopher Charles Pollina is duly authorized to enter into the foregoing Order on behalf of Respondent;
2. Christopher Charles Pollina has read the foregoing Order;
3. Respondent has been fully advised of its rights under the Texas Securities Act and the Administrative Procedure Act;
4. Respondent knowingly and voluntarily consents to the entry of the foregoing Order and the Findings of Fact and Conclusions of Law contained herein; and
5. Respondent, by consenting to the entry of the foregoing Order, has knowingly and voluntarily waived its rights as set forth therein.

[affix notary seal here]

Patricia Gianino
Notary Public in and for
The State of New York

My commission expires on: 7/31/2010

PATRICIA GIANINO
NOTARY PUBLIC, State of New York
No. 4707934, Suffolk County
Term Expires July 31, 2010