

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

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IN THE MATTER OF: DIANNE M. GOEDEL )  
\_\_\_\_\_)

FILE NO. 0900084

**NOTICE OF HEARING**

TO THE RESPONDENT: Dianne M. Goedel  
(CRD#: 4690759 )  
35 Stewart Circle North  
Centereach, New York 11720

Dianne M. Goedel  
(CRD#: 4690759 )  
c/o Oppenheimer & Co., Inc.  
125 Broad Street, 16<sup>th</sup> Floor  
New York, New York 10004

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 19<sup>th</sup> day of August, 2009 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 revoking Dianne M. Goedel'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 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 at all relevant times, the Respondent was registered with the Secretary of State as a salesperson in the State of Illinois pursuant to Section 8 of the Act.

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2. That on February 2, 2009 FINRA entered a Letter Of Acceptance, Waiver And Consent ( AWC) submitted by the Respondent regarding File No. 2007010813201.

Which sanctioned the Respondent as follows:

- a.. suspension from associating with any FINRA member in any capacity for thirty (30) business days; and
  - b. fined \$5,000.
3. That the AWC listed the following background information:

Respondent first became registered with FINRA (formerly known as NASD) as a General Securities Representative (GSR) on September 19, 2003 through a member firm. From February 3, 2006 through September 20, 2007, Respondent was registered as a GSR with Banc of America Investment Services, Inc. ("BAI"). Since November 2, 2007, Respondent has been registered as a GSR with another member firm.

4. That the AWC found:

### OVERVIEW

Respondent altered portions of a Mutual Fund Share Class Disclosure form to expedite the transfer of a customer's additional funds into the customer's mutual fund.

### FACTS AND VIOLATIVE CONDUCT

On two occasions, May 29, 2007 and September 18, 2007, while employed at BAI, Respondent improperly altered a Mutual Fund Share Class Disclosure form for purposes of facilitating married couple EB's and AB's Mutual fund transactions. Specifically, instead of having EB and AB execute new Mutual Fund Share Class Disclosure forms to effect certain authorized mutual funds transactions, Respondent "whited-out" the date and the amount of the investment on an earlier completed form, dated October 6, 2006, photocopied the form, and then filled in a new purchase amount and date. Respondent did not disclose to BAI or the customers that she had altered the disclosure form.

By reason of the foregoing, Respondent violation NASD Conduct Rule 2110.

5. That Section 8.(1)(j) of the Act provides, inter alia, that the registration of a 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 a practice in violation of any rule, regulation or standard duly promulgated by the self-regulatory Organization.

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6. That FINRA is a self-regulatory organization as specified in Section 8.E (1)(j) of the Act.
7. That by virtue of the foregoing, the Respondent's registration as a Salesperson in the State of Illinois is subject to revocation 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.

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.

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

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

Dated: This 3rd day of June 2009.

  
JESSE WHITE  
Secretary of State  
State of Illinois

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Hearing Officer: James L. Kopecky