

**From:** Bill Fisher  
**To:** 'Help'  
**Cc:**  
**Bcc:** Chossan@aol.com  
**Subject:** **RE: Past Misconduct**

4/5/2004 8:03 PM

**Attachments:**

Bob,

Would the SEC consider this individual to have been sanctioned, as you described in this e-mail below, under "state or federal securities regulations"??? I assume the answer is yes but I would like a confirmation from you.

The individual is arguing he has not been sanctioned or subject to enforcement action under federal securities law or regulations because the NASD is an SRO and a debarment action and or enforcement action by the NASD is not pursuant to federal securities regulation or law. This argument seems specious but is getting some consideration.

Thank you,

Bill Fisher  
5400 LBJ Freeway  
One Lincoln Center #975  
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972-239-8500 X-120  
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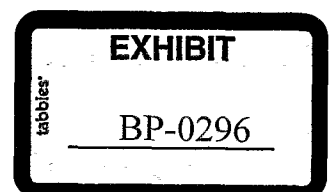
From: Help [<mailto:Help@sec.gov>]  
Sent: Monday, April 05, 2004 11:04 AM  
To: Bill Fisher  
Subject: FW: Past Misconduct

Dear Mr. Fisher:

It appears from the CRD that the NASD did sanction Mr. Potashnik. In particular, I gather he was suspended (for six months), ordered to pay a fine, and ordered to requalify as a general securities principal. For more information, you should contact the NASD. See our Fast Answer on the CRD at <http://www.sec.gov/answers/crd.htm>.

Sincerely,

Bob Greene  
Investor Counsel  
US Securities and Exchange Commission  
Office of Investor Education & Assistance



202-942-7221

-----Original Message-----

From: Bill Fisher [<mailto:bfisher@providentrealty.net>]

Sent: Wednesday, March 31, 2004 3:34 PM

To: enforcement@sec.gov

Subject: Past Misconduct

A licensed NASD broker dealer was sanctioned by NASD, subject to NASD enforcement action and gave up his license and forfeit his BD in 1992. The persons name is:

Brian L. Potashnik  
#570-27-8339

Does this gentlemen appear in the SEC database and is he considered debarred or otherwise prohibited from further work in the securities industry?? Mr. Potashnik has been signing certifications and making representations for the last seven years that he is not and has not been subject to enforcement action or debarment under state and/or federal securities laws to a Texas State agency to obtain federal funding. Would these representations be considered accurate in light of your records??

Thank You,

Bill Fisher

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