

# Reading 3-II: Standards of Professional Conduct & Guidance: Integrity of Capital Markets

## Question #1 of 35

Question ID: 412398

All of the following are violations of Standard II(B) Market Manipulation EXCEPT:

- ✓ **A)** exploiting differences in market inefficiencies.
- X **B)** securing a controlling interest in an equity security in order to influence the price of a related derivative instrument.
- X **C)** disseminating misleading information about the development of new products and technologies.

### Explanation

Standard II(B) Market Manipulation prohibits practices that distort prices or artificially inflate trading volumes with the intent to mislead market participants. The Standard is not intended to prohibit legitimate trading strategies that exploit differences in market inefficiencies.

### References

**Question From:** Session 1 > Reading 3-II > LOS (B)

### **Related Material:**

- Key Concepts by LOS
- 

## Question #2 of 35

Question ID: 472404

Nancy McCoy, CFA, is preparing a report on Gourmet Food Mart. As part of her research, she contacts the company's contractors, suppliers, and competitors. McCoy is told by the CEO of a major produce vendor that he is about to file a lawsuit against Gourmet Food Mart, seeking significant damages. McCoy incorporates this information into her research report, which projects a decline in profitability for Gourmet Food Mart due to the impending litigation. According to the CFA Institute Standards of Professional Conduct, McCoy:

- X **A)** has violated the Standards by disseminating confidential information.
- ✓ **B)** has violated the Standards by utilizing material nonpublic information.
- X **C)** has not violated any Standard.

### Explanation

According to Standard II(A) Material Nonpublic Information, an analyst must not act or cause others to act on material nonpublic information. The information is material to the company's future profitability, and is nonpublic because the lawsuit has not yet been filed and is not yet a matter of public record.

### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

### **Related Material:**

- Key Concepts by LOS

---

### Question #3 of 35

Question ID: 551097

Ron Taylor, a Level I CFA candidate, trades cotton contracts for a small commodity broker. Taylor convinces a government cotton inspector to issue a warning that the Texas cotton crop is in danger from insect infestation. The price of cotton soars. Taylor immediately shorts cotton futures. Once the position is created, the government inspector issues a second report reversing his original opinion and cotton prices plummet.

Cedric Sims, a Level III CFA candidate, would like to generate a tax loss on a security held in his personal portfolio; however, he believes the security has significant upside potential. To avoid the wash sale provisions of the income tax code, Sims sells the security and simultaneously creates a synthetic long position using derivatives.

With regard to Standard II(B) Market Manipulation, which of the following statements concerning Taylor's and Sims's conduct is CORRECT?

- ☐ A) Both Taylor and Sims are in violation of Standard II(B).
- ☒ B) Taylor is in violation of Standard II(B), but Sims is not in violation.
- ☐ C) Neither Taylor nor Sims is in violation of Standard II(B).

#### Explanation

Taylor is in violation of Standard II(B) Market Manipulation by creating a scheme that caused others to trade on false information. Sims is not in violation of Standard II(B). The Standard does not prohibit transactions conducted for tax purposes.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (B)

#### **Related Material:**

- Key Concepts by LOS

---

### Question #4 of 35

Question ID: 412397

Which of the following is a violation of Standard II(B), Market Manipulation?

- ☐ A) Engaging in a block trade to limit the effect on the price of a thinly traded security.
- ☐ B) Implementing a trading strategy to exploit differences in market power and information.
- ☒ C) Overstating an earnings projection in order to increase the price of a stock.

#### Explanation

Standard II(B), Market Manipulation, is not intended to prohibit transactions that are done in order to minimize income taxes or trading strategies that are not intended to distort prices or artificially inflate trading volume. Overstating earnings projections in order to increase the price of a stock is a direct violation.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (B)

#### **Related Material:**

- Key Concepts by LOS
-

## Question #5 of 35

Question ID: 412379

Regarding non-public information, which one of the following statements is NOT correct?

- ✓ **A)** A member can be summarily suspended for having received material non-public information.
- ✗ **B)** An analyst may use some types of non-public information.
- ✗ **C)** Disclosing material non-public information would have an impact on the price of a security or be of interest to a reasonable investor.

### Explanation

All of these are true except that a member can be suspended for having received material non-public information. The member can receive such information as part of their regular duties or by accident. Neither is punishable in and of itself, and penalties only apply if the member trades or causes others to trade on the information. The member may have certain duties, such as trying to disseminate the information after receiving it. An analyst may use *nonmaterial* non-public information.

### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

#### **Related Material:**

- Key Concepts by LOS
- 

## Question #6 of 35

Question ID: 460632

Darlene Hess, CFA, manages a pension fund that has a sizeable position in Knoll Corporation common stock. Hess also holds Knoll common stock in her personal account. Hess participates in an analyst conference call in which Knoll's chief financial officer advises that the company's current-quarter earnings will slip below consensus forecast. Knoll has not disclosed this to the public. Hess believes news of the poor earnings will reduce the stock's value significantly. Hess may:

- ✗ **A)** sell Knoll stock from her personal account but may not sell it from the pension fund.
- ✗ **B)** sell Knoll stock from the pension fund but may not sell it from her personal account.
- ✓ **C)** not sell Knoll stock from either the pension fund or her personal account.

### Explanation

Selling Knoll stock from either the pension fund or Hess's personal account would be trading on material nonpublic information, in violation of Standard II(A) Material Nonpublic Information.

### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

#### **Related Material:**

- Key Concepts by LOS
- 

## Question #7 of 35

Question ID: 551096

Steve Waters, a Level I CFA candidate, has decided to enter into a long position of Farmco stock. Since Farmco is thinly traded, Waters is concerned the order will overwhelm the liquidity of Farmco and the price will surge. Waters engages in a series of block

trades in order to accomplish the purchase. According to Standard II(B), Market Manipulation, Waters has engaged in:

- ✓ **A)** neither transaction-based manipulation nor information-based manipulation.
- X **B)** both transaction-based manipulation and information-based manipulation.
- X **C)** transaction-based manipulation, but not information-based manipulation.

#### Explanation

Waters is not in violation of Standard II(B), Market Manipulation. Transaction-based manipulation includes, but is not limited to, transactions that artificially distort prices or volume. Information-based manipulation includes, but is not limited to, spreading false rumors about a firm in order to induce others to trade.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (B)

#### **Related Material:**

- Key Concepts by LOS
- 

### **Question #8 of 35**

Question ID: 412385

Don Benjamin, CFA, is the compliance officer for a large brokerage firm. He wants to prevent the communication of material nonpublic information and other sensitive information from his firm's investment banking and corporate finance departments to its sales and research departments. The most common and widespread approach that Benjamin can use to prevent insider trading by employees is the:

- X **A)** Wall Street Rule.
- ✓ **B)** fire wall.
- X **C)** legal list.

#### Explanation

To comply with Standard II(A), a fire wall provides an information barrier that prevents communication of material nonpublic information and other sensitive information from one department to another within a firm.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

#### **Related Material:**

- Key Concepts by LOS
- 

### **Question #9 of 35**

Question ID: 412376

A brokerage firm has a trading department and an investment-banking department. Often the investment-banking department receives material non-public information that would be valuable in advising the firm's brokerage clients. In order to comply with the Standards, the firm:

- X **A)** should record the exchange of information between the investment-banking department and the brokerage department.

- ☐ **B)** must divest one of the departments.
- ☒ **C)** should restrict employee trading in securities for which the firm is in possession of material non-public information.

#### Explanation

Restricting employee trading in stocks for which the firm has material non-public information is the best answer. Recording the exchange of information between the two departments is not the best option because there should be no exchange of information between these two departments. Divesting a department is not a suitable method for addressing this potential problem.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

#### **Related Material:**

- Key Concepts by LOS
- 

### **Question #10 of 35**

Question ID: 412381

Which one of the following constitutes the illegal use of material nonpublic information?

- ☒ **A)** Trading on information your sister, the firm's attorney, told you over dinner.
- ☐ **B)** Trading immediately after attending the firm's annual shareholders' meeting.
- ☐ **C)** Trading based on your analytical review of the firm's future prospects.

#### Explanation

Members may not trade on material nonpublic information; therefore, the information conveyed by the firm's attorney may not be used by a member for trading purposes.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

#### **Related Material:**

- Key Concepts by LOS
- 

### **Question #11 of 35**

Question ID: 460630

Mark Guenin, CFA, covers the textile industry for a brokerage firm. While at his golf club on Saturday, he notices several executives from two of his covered companies entering a private dining room and sees a pro forma balance sheet combining the two companies projected onto a screen. The executives greet Guenin and confirm that their companies intend to merge. Guenin's *most appropriate* course of action should be to:

- ☐ **A)** divest his personal holdings of both companies.
- ☒ **B)** encourage the companies to announce the merger.
- ☐ **C)** write a research report updating the outlook for both companies.

#### Explanation

Guenin should make reasonable efforts to have the two companies announce the merger in order to achieve public dissemination of the news. Either of the other two choices would be acting or causing others to act on material nonpublic information.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

**Related Material:**

- Key Concepts by LOS
- 

### Question #12 of 35

Question ID: 412395

Trude Front, CFA, is a portfolio manager. While in the normal course of her duties, she happens to overhear material non-public information concerning the stock of VTT Bowser. She purchases several exchange traded funds which contain VTT Bowser, while shorting similar exchange traded funds which do not contain VTT Bowser. This is *most likely*:

- ☐ A) not a violation of Standard II(A) "Material Non-Public Information."
- ☒ B) a violation of Standard II(A) "Material Non-Public Information."
- ☐ C) only a violation of Standard II(A) "Material Non-Public Information" because Front is simultaneously shorting the funds which do not contain VTT Bowser.

#### Explanation

This is a violation of Standard II(A) "Material Non-Public Information" irrespective of whether Front is simultaneously shorting the funds which do not contain VTT Bowser. Her trades are motivated by material non-public information.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

**Related Material:**

- Key Concepts by LOS
- 

### Question #13 of 35

Question ID: 460633

Which of the following is an example of information-based market manipulation?

- ☐ A) Entering large offsetting buy and sell orders to inflate trading volume.
- ☒ B) Spreading false rumors about a stock on social media to influence its price.
- ☐ C) Influencing futures prices by obtaining a dominant position in the underlying commodity.

#### Explanation

Spreading false rumors about a stock is an example of information-based market manipulation. The other choices are examples of transaction-based market manipulation.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (B)

**Related Material:**

- Key Concepts by LOS
- 

### Question #14 of 35

Question ID: 412374

The term "material" in the phrase "material nonpublic information" refers to information that is likely to affect significantly the market price of the issuing company's securities or that:

- X **A)** is derived by the financial analyst from direct communication with an issuing company's management.
- X **B)** is acquired by the financial analyst from a special or confidential relationship with the issuing company.
- ✓ **C)** is likely to be considered important by reasonable investors in determining whether to trade a particular security.

#### Explanation

An item of information is material if its disclosure would be likely to have an impact on the price of a security, or if reasonable investors would want to know the information before investing.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

#### **Related Material:**

- Key Concepts by LOS
- 

### Question #15 of 35

Question ID: 412386

A stockbroker who is a CFA Institute member is called on the telephone by the CEO of a large company. The CEO asks to buy shares of the CEO's company for the accounts of the CEO's children. In the course of the conversation, the CEO says this will really pay off when the upcoming takeover goes through. The stockbroker checks her sources and finds no information about the takeover. In this case the broker should:

- X **A)** only execute the order in compliance with Standard III(A), Loyalty, Prudence, and Care.  
Since the client is buying the stock for the children, there is not a problem.
- X **B)** execute the order for all clients as required by Standard III(B), Fair Dealing.
- ✓ **C)** do neither of the actions listed here.

#### Explanation

Doing any of these actions would be a violation of Standard II(A), Material Nonpublic Information. Members and Candidates must not act or induce others to act on material nonpublic information.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

#### **Related Material:**

- Key Concepts by LOS
-

## Question #16 of 35

Question ID: 412382

An analyst provides services for a charitable organization and in return gets free membership in the organization. Part of her job is to manage the liquid assets of the organization, and those assets include stocks. Her supervisor in the organization calls her and tells her to buy a certain stock for the portfolio based upon insider information from a board member in the organization. The analyst objects, but the supervisor says this is what they have always done and sees no reason for changing now. The analyst complies with the request. With respect to Standards IV(A), Loyalty to Employer, and II(A), Material Nonpublic Information, the analyst violated:

- ✓ **A)** only Standard II(A) that prohibits insider trading.
- X **B)** both Standards IV(A) and II(A).
- X **C)** only Standard IV(A) requiring duty of loyalty.

### Explanation

An employee/employer relationship does not necessarily mean monetary compensation for services. Complying with the request is a violation of II(A) which prohibits trading on insider information. Standard IV(A) Loyalty deals with going into business for yourself, leaving an employer and continuing to act in the employer's best interest until their resignation becomes effective, and whistleblowing which means that the member's interests and their firm's interests are secondary to protecting the integrity of capital markets and the interests of the clients.

### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

### **Related Material:**

- Key Concepts by LOS
- 

## Question #17 of 35

Question ID: 412372

Which of the following statements regarding Standard II(A), Material, Nonpublic Information, is *least* accurate?

- X **A)** Material, non-public information regarding a tender offer may not be traded on.
- X **B)** If you receive the information in a public forum, it has been disseminated, and you can trade on it.
- ✓ **C)** Information received from an insider who is not breaching his fiduciary responsibility may be traded on.

### Explanation

If the information is material and nonpublic, the Member or Candidate cannot trade or cause others to trade. It does not matter if the insider did not breach his fiduciary responsibility. The inside information is still material and nonpublic.

### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

### **Related Material:**

- Key Concepts by LOS
-



## Question #18 of 35

Question ID: 412389

An analyst is allowed to trade on information that he has predicted, such as a corporate action or event, using perceptive assembly and analysis of material public information or nonmaterial, non-public information. This is called the:

- ☐ A) deduction theory.
- ☐ B) assessment theory.
- ☒ C) mosaic theory.

### Explanation

This deductive reasoning is legal (does not constitute trading with inside information) and is called the mosaic theory.

### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

### **Related Material:**

- Key Concepts by LOS
- 

## Question #19 of 35

Question ID: 412380

Marion Klatt, CFA, is a representative for Thiel Financial Network. Klatt received a phone call at home from William Kind, a junior executive at Westtown Development Company, asking whether Klatt had heard that Westtown had just reached an agreement to acquire a major shopping mall chain at a very favorable price. (Klatt had not heard this news, and Klatt was able to confirm that the information had not yet been made public.) Kind requested that Klatt acquire 10,000 shares of Westtown for Kind's personal account.

Klatt should:

- ☒ A) not acquire the shares until the information is made public.
- ☐ B) not acquire the shares.
- ☐ C) not acquire the shares until he has contacted Westtown's management and encouraged them to publicly announce the merger discussion.

### Explanation

Standard II(A) prohibits members from taking investment action if they possess material nonpublic information. Kind has a duty to keep information confidential that he acquired in the course of his duties at Westtown. The information is clearly material, so Klatt is not permitted to trade on it. Klatt should make reasonable efforts to achieve public dissemination of the information by contacting management and encouraging them to make the information public. Klatt may not trade on the information until it is made public.

### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

### **Related Material:**

- Key Concepts by LOS
-

## Question #20 of 35

Question ID: 412399

Mark Williamson is "bearish" on ABC Manufacturing Company. Williamson is so convinced that ABC is overpriced, two weeks ago, he shorted 100,000 shares. Today, Williamson is "surfing" several popular investment bulletin boards on the internet and posting false derogatory comments about company management. According to Standard II(B), Market Manipulation, Williamson has engaged in:

- ☐ A) transaction-based manipulation, but not information-based manipulation.
- ☐ B) both transaction-based manipulation and information-based manipulation.
- ☒ C) information-based manipulation, but not transaction-based manipulation.

### Explanation

Williamson is in violation of Standard II(B), Market Manipulation, by engaging in information-based manipulation. Information-based manipulation includes, but is not limited to, spreading false rumors about a firm in order to induce others to trade.

### References

**Question From:** Session 1 > Reading 3-II > LOS (B)

### **Related Material:**

- Key Concepts by LOS
- 

## Question #21 of 35

Question ID: 412388

Which of the following statements concerning Standard II(A), Material Nonpublic Information, is CORRECT? A member:

- ☒ A) cannot trade on material non-public information.
- ☐ B) can trade on material non-public information if the information has not been misappropriated.
- ☐ C) can trade on material non-public information if the information was not obtained through a breach of duty.

### Explanation

Members cannot trade on material nonpublic information until that same information is made public. It does not matter if the information was not misappropriated or not obtained through a breach of duty

### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

### **Related Material:**

- Key Concepts by LOS
- 

## Question #22 of 35

Question ID: 412391

The *mosaic theory* is the idea that an analyst can:

- ✓ **A)** make recommendations or trade based on several pieces of public or nonpublic information, each piece by itself being nonmaterial, but when compiled the information becomes material.
- X **B)** make investment recommendations on the basis of several pieces of nonpublic information as long as the aggregate information remains nonmaterial.
- X **C)** base his recommendations on nonpublic material information only for the clients of the company, but not for the general public.

#### Explanation

The mosaic theory permits an analyst to make recommendations based upon several pieces of public or nonmaterial information, even though the compiled result is both material and nonpublic.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

#### **Related Material:**

- Key Concepts by LOS
- 

### **Question #23 of 35**

Question ID: 412387

A CFO who is a CFA Institute member is careful to make his press releases-some of them containing material and previously undisclosed information-clear and understandable to his readers. While writing a new release, he often has his current intern proofread rough drafts. He also sends electronic copies to his brother, an English teacher, to get suggestions concerning style and grammar. With respect to Standard II(A), Material Nonpublic Information, the CFO is:

- X **A)** not in violation of the Standard.
- X **B)** only in violation by e-mailing the pre-release version to his brother but not the intern, because the intern is in essence an employee of the firm.
- ✓ **C)** violating the standard by either showing the pre-release version to his intern or sending it to his brother.

#### Explanation

Standard II(A), Material Nonpublic Information, says that a member must be careful about handling material non-public information. As a member of CFA Institute, the CFO must limit the people who see important information before it is released. It would not be appropriate to involve an intern or a relative in the process.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

#### **Related Material:**

- Key Concepts by LOS
- 

### **Question #24 of 35**

Question ID: 412384

Which one of the following *least* accurately describes the CFA Institute Standard about using material nonpublic information?

- X **A)** An analyst may use nonmaterial nonpublic information as long as it has been developed under the Mosaic Theory.
- X **B)** An analyst may violate this Standard by passing information to others even when it has been obtained from outside the company.
- ✓ **C)** An analyst using material nonpublic information may be fined by CFA Institute.

#### Explanation

There is no provision for CFA Institute to issue fines to members. Members may not use material nonpublic information for trading purposes. Nonmaterial, nonpublic information may be used together with analysis of public information under the Mosaic Theory.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

#### **Related Material:**

- Key Concepts by LOS
- 

### **Question #25 of 35**

Question ID: 412378

The investment-banking department of the XYZ Brokerage House often has information that would be of significant use to the firm's brokerage clients. In order to conform to CFA Institute Standards of Professional Conduct, which of the following policies should XYZ adopt?

According to Standard:

- ✓ **A)** II(A), Material Nonpublic Information, XYZ should establish physical and informational barriers within the firm to prevent the exchange of information between the investment banking and the brokerage operations.
- X **B)** II(A), Material Nonpublic Information, XYZ should encourage their investment banking clients to publicly disseminate this information.
- X **C)** III(B), Fair Dealing, all clients should be informed of the information at the same time.

#### Explanation

The physical and information barrier erected between departments to prevent communication of material nonpublic information from one department to another is called a "firewall." Departments should be separated. For example, the investment banking and corporate finance departments of a brokerage firm should be segregated from the sales and research departments. Family member accounts who are also clients should be treated like any other client accounts and should not be given special treatment or disadvantaged.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

#### **Related Material:**

- Key Concepts by LOS
-

## Question #26 of 35

Question ID: 412394

Lisa Pierce, CFA, has been researching Lander Manufacturing for the past three weeks. She likes the company's history of fulfilling its contracts on time and within budget. She learns from the uncle of a maintenance worker at Lander's headquarters that a group of well-dressed individuals arrived at headquarters in a lime green-colored limousine. Pierce knows from publicly available information that Gilbert Controls needs a large supply of specialized motors in its domestic division. She also knows that the executive officers of Gilbert usually travel in a lime green limousine. Pierce concludes that it is very likely that Gilbert will offer a large contract to Lander. Based on this development and her prior research Pierce would like to acquire Lander Manufacturing shares for her client accounts.

Pierce should:

- ☐ **A)** not acquire the shares until after she has contacted Lander's management and encouraged them to publicly announce information about the Gilbert Controls contract. She should also wait until Lander has made the announcement and the public has had time to react to it and then make the acquisition.
- ☒ **B)** proceed to acquire the shares.
- ☐ **C)** not acquire the shares because she possesses material nonpublic information.

### Explanation

Standard II(A) prohibits members from taking investment action if they possess material nonpublic information. Pierce combined information that was not misappropriated, with her knowledge of the company, to reach a conclusion under the mosaic theory, which is permissible under the standards. She can proceed to buy the shares.

### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

### **Related Material:**

- Key Concepts by LOS

## Question #27 of 35

Question ID: 460631

Wallace Manaugh, CFA, is analyzing the stock of a manufacturer of fishing boats. By analyzing public information, speaking with the firm's suppliers and customers, and counting the new boats in the company's boat yard, Manaugh concludes that the company's new fishing boat is not meeting sales expectations. Anticipating that this will cause the stock price to decline, Manaugh takes a short position in the stock. Manaugh has:

- ☐ **A)** violated the Standards by acting on nonpublic information.
- ☒ **B)** not violated CFA Institute Standards.
- ☐ **C)** an obligation under the Standards to make reasonable efforts to achieve public dissemination of the nonpublic information.

### Explanation

Under the mosaic theory, financial analysts are free to combine public information with nonmaterial nonpublic information and act based on their conclusions. Standard II(A) prohibits members and candidates from acting or causing others to act on material nonpublic information. The obligation to make the reasonable efforts to achieve public dissemination of nonpublic information applies to situations in which the company discloses information to the analyst that has not yet been made public.

### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

**Related Material:**

- Key Concepts by LOS
- 

### Question #28 of 35

Question ID: 460629

During a conference call with 30 analysts, a company's management discloses that its quarterly earnings, which will be announced at the end of the week, are equal to the consensus forecast. The analysts participating in the conference call should consider this information:

- ☐ A) material, but public.
- ☒ B) material and nonpublic.
- ☐ C) nonpublic, but not material.

#### Explanation

Earnings releases are material because reasonable investors would want to know the information before making an investment decision. The information is nonpublic until it has been disseminated to the marketplace. Disclosure to analysts is not public dissemination.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

**Related Material:**

- Key Concepts by LOS
- 

### Question #29 of 35

Question ID: 412373

Andrea Waters is an investment analyst who has accumulated and analyzed several pieces of nonpublic information through her contacts with drug firms. Although no one piece of the information she collected is "material," Waters correctly concluded that the earnings of one of the drug companies would be unexpectedly high in the coming year. According to CFA Institute Standards of Professional Conduct, Waters:

- ☐ A) may use the information, but only after approval from a compliance officer or supervisor.
- ☐ B) cannot legally invest or make recommendations based on this information.
- ☒ C) can use the information to make investment recommendations and decisions.

#### Explanation

Members who can piece together items of nonmaterial nonpublic information with public information can, based upon the mosaic theory, use such information for trading purposes.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

**Related Material:**

- Key Concepts by LOS

---

## Question #30 of 35

Question ID: 412392

While working on her report, Jean Paul, CFA, learns from her friend in the investment banking department that the company she is analyzing can expect a tender offer very soon. Concerning this conclusion, Paul can:

- ☐ A) trade on it, because it is public information.
- ☒ B) not trade on it because it is material nonpublic information.
- ☐ C) trade on it, because she figured it out by herself.

### Explanation

According to Standard II(A), Material Nonpublic Information, an analyst is prohibited from trading on information that is both material and nonpublic.

### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

### **Related Material:**

- Key Concepts by LOS

---

## Question #31 of 35

Question ID: 412390

Insider trading can be defined as information that is:

- ☐ A) material and public.
- ☒ B) material and nonpublic.
- ☐ C) nonmaterial and nonpublic.

### Explanation

Information is material if it would be important to the investor in their investment making decision. Information is nonpublic if it is not yet available to the public.

### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

### **Related Material:**

- Key Concepts by LOS

---

## Question #32 of 35

Question ID: 697251

A CFA Institute member is a citizen of Abdhari and lives and works in Balwalla for a company based in Abdhari. Balwalla has no laws against the use of material non-public information. Based on this information, the CFA Institute member may:

- ☐ A) trade using material non-public information in Balwalla but not in Abdhari.
- ☐ B) trade using material non-public information.
- ☒ C) not trade using material non-public information.

### Explanation

CFA Institute Standard II(A) prohibits trading using material non-public information. A member may not trade using such information regardless of the laws of Abdhari and Balwalla.

### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

#### **Related Material:**

- Key Concepts by LOS
- 

## **Question #33 of 35**

Question ID: 412375

According to CFA Institute Standards of Professional Conduct, which of the following statements about material nonpublic information is NOT correct? Information is:

- ☐ **A)** material if reasonable investors would want to know the information before making an investment decision.
- ☒ **B)** nonpublic until it has been disseminated to a select group of investors.
- ☐ **C)** nonpublic until it has been disseminated to the marketplace in general.

### Explanation

Standard II(A), Material Nonpublic Information, states that information is "nonpublic" until it has been disseminated to the marketplace in general as opposed to a select group of investors.

### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

#### **Related Material:**

- Key Concepts by LOS
- 

## **Question #34 of 35**

Question ID: 412393

Klaus Gerber, CFA, is a regular contributor to the Internet site WizeGuy. This past week Gerber has been incorrectly quoted as recommending that investors buy shares in Bradford, Inc. He is unaware that this message has been placed on the site as the quote was placed as a prank by an unknown source. This is the third time this has happened over the past month and each time the stock being mentioned moved in price according to the buy or sell recommendation.

Fritz Fox, CFA, maintains and updates the WizeGuy site and has learned how to determine if the quotes being attributed to Gerber are actually valid. Several days later, he observes an investment recommendation, posted on the site, to buy Gresham, Inc. The investment recommendation is purported to be from Gerber, but Fox actually knows it to be bogus. He immediately sells 1,000 Gresham short and e-mails Gerber to inform him of the bogus recommendation. Gerber immediately issues a rebuttal, and Gresham falls by 14%. Fox's action is:

- ☐ **A)** not in violation of the Code and Standards.
- ☒ **B)** a violation of the Standard concerning use of material nonpublic information.



X **C)** a violation of the Standard concerning fiduciary duties.

#### Explanation

Even though the information is false, this fact is known only to Fox and is thus nonpublic information. Since such recommendations have in the past had a significant affect on the price of the security in question, the information is clearly material. Fox is in violation of Standard II(A) Material Nonpublic Information.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

#### **Related Material:**

- Key Concepts by LOS
- 

### **Question #35 of 35**

Question ID: 412377

A stockbroker who is a member of CFA Institute has a part-time housekeeper who also works for the CEO of Festival, Inc. One day the housekeeper mentions to the broker that she saw the CEO of Festival having a conversation at his home with John Tater, who is a nationally known corporate lawyer and consultant. The stockbroker is restricted from trading on this information:

- X **A)** only if the broker knows that the meeting is non-public information.
- X **B)** for both of the reasons listed here.
- ✓ **C)** if the housekeeper says the meeting concerned a tender offer and the broker knows that it is non-public information.

#### Explanation

Standard II(A), Material Nonpublic Information, states "a member cannot trade or cause others to trade in a security while the member possesses material nonpublic information" A tender offer would certainly be material nonpublic information. Knowing that the meeting took place, and nothing else, does not restrict the broker. A reasonable investor would need to know more to determine if the information was material.

#### References

**Question From:** Session 1 > Reading 3-II > LOS (A)

#### **Related Material:**

- Key Concepts by LOS