

Award
FINRA Office of Dispute Resolution

In the Matter of the Arbitration Between:

Claimant

████████████████████

Case Number: ██████████

vs.

Respondent

Deutsche Bank Securities, Inc.

Hearing Site: Baltimore, Maryland

Nature of the Dispute: Associated Person vs. Member

REPRESENTATION OF PARTIES

For Claimant ██████████: Dochter Kennedy, Esq. and Owen Harnett, Esq., AdvisorLaw, LLC, Broomfield, Colorado.

For Respondent Deutsche Bank Securities, Inc.: Christopher Donati, Esq., Paduano & Weintraub, LLP, New York, New York.

CASE INFORMATION

Statement of Claim filed on or about: February 20, 2017.

████████████████████ signed the Submission Agreement: February 20, 2017.

Statement of Answer filed by Respondent on or about: April 14, 2017.

Deutsche Bank Securities, Inc. signed the Submission Agreement: April 14, 2017.

CASE SUMMARY

In the Statement of Claim, Claimant asserted the cause of action of inaccurate reporting on his Central Registration Depository ("CRD") record. The cause of action relates to a customer complaint, Occurrence No. ██████████, which was recorded by Respondent on Claimant's CRD record.

In the Statement of Answer, Respondent did not substantively respond to any of the allegations set forth in the Statement of Claim.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested \$1.00 in compensatory damages, expungement of all references to Occurrence No. ██████████ from his CRD record, and any and all other relief deemed just and equitable by the Arbitrator.

In the Statement of Answer, Respondent requested the Arbitrator deny any request for compensatory damages or any other relief against Respondent and did not take a position whether it would oppose Claimant's request for expungement.

OTHER ISSUES CONSIDERED AND DECIDED

The Arbitrator acknowledges he has read the pleadings and other materials filed by the parties.

In accordance with the Arbitrator's directive, Claimant filed with FINRA Office of Dispute Resolution proof of service of the Statement of Claim and notice of the expungement hearing upon the underlying customer in the complaint and advised him of his right to participate in the recorded telephonic expungement hearing scheduled for August 22, 2017.

The Arbitrator conducted a recorded telephonic hearing on August 22, 2017, so the parties could present oral argument and evidence on Claimant's request for expungement. Respondent appeared at the expungement hearing and did not contest the expungement request. Respondent reiterated its request that Claimant's relief request for \$1.00 in compensatory damages be withdrawn, as there was no wrongdoing by Respondent. In response to Respondent's request, Claimant withdrew his claim for \$1.00 in compensatory damages and stated that there was no wrongdoing by Respondent. The customer did not contest Claimant's request for expungement and did not appear at the hearing.

The Arbitrator reviewed the BrokerCheck® Report for Claimant and the settlement documents, considered the amount of payments made to any party, and considered other relevant terms and conditions of the settlement. The Arbitrator noted that the settlement was not conditioned on the underlying customer not opposing the request for expungement. The Arbitrator also noted that Claimant did not contribute to the settlement amount.

The Arbitrator noted that Claimant did not previously file a claim requesting expungement of the same disclosure in the CRD.

In recommending expungement, the Arbitrator relied upon the following documentary or other evidence: the pleadings; Part 1 Acceptances of Repurchase Offer, signed by customer-complainant on 3-10-09 and 5-13-09; and all relevant evidence.

The Arbitrator has provided an explanation of his decision in this award. The explanation is for the information of the parties only and is not precedential in nature.

AWARD

After considering the pleadings, the testimony and evidence presented at the hearing, the Arbitrator has decided in full and final resolution of the issues submitted for determination as follows:

1. The Arbitrator recommends the expungement of all references to Occurrence No. [REDACTED] from registration records maintained by the CRD, for Claimant (CRD#

[REDACTED], with the understanding that, pursuant to Notice to Members 04-16, Claimant must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.

Unless specifically waived in writing by FINRA, parties seeking judicial confirmation of an arbitration award containing expungement relief must name FINRA as an additional party and serve FINRA with all appropriate documents.

Pursuant to Rule 13805 of the Code of Arbitration Procedure (the "Code"), the Arbitrator has made the following Rule 2080 affirmative finding of fact:

The claim, allegation, or information is false.

The Arbitrator has made the above Rule 2080 finding based on the following reasons:

The Arbitrator concluded that Claimant did no wrong. Exhibits provided by Respondent, at the Arbitrator's request, thoroughly described the relevant transactions, which revealed no charge or existence of wrongdoing by Claimant. Further, Respondent testified that it was unaware of any wrongdoing by Claimant.

2. Any and all claims for relief not specifically addressed herein, are denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

FINRA Office of Dispute Resolution assessed a filing fee* for each claim:

Initial Claim Filing Fee	= \$ 50.00
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**The filing fee is made up of a non-refundable and a refundable portion.*

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. Accordingly, as a party, Respondent is assessed the following:

Member Surcharge	= \$ 150.00
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Hearing Session Fees and Assessments

The Arbitrator has assessed hearing session fees for each session conducted. A session is any meeting between the parties and the arbitrator(s), including a pre-hearing conference with the arbitrator(s) that lasts four (4) hours or less. Fees associated with these proceedings are:

Two (2) pre-hearing sessions with a single arbitrator @ \$50.00/session	= \$ 100.00
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ARBITRATOR

William J. Hirsch

Sole Public Arbitrator

I, the undersigned Arbitrator, do hereby affirm that I am the individual described herein and who executed this instrument which is my award.

Arbitrator's Signature

William J. Hirsch
William J. Hirsch
Sole Public Arbitrator

Sept. 9, 2007
Signature Date

September 14, 2017

Date of Service (For FINRA Office of Dispute Resolution office use only)

THEODORE COOKE WATERS, III vs DEUTSCHE BANK SECURITIES, INC.