

Award
FINRA Office of Dispute Resolution

In the Matter of the Arbitration Between:

Claimant

██████████

Case Number: ██████████

vs.

Respondent

Wells Fargo Advisors Financial Network, LLC

Hearing Site: Las Vegas, Nevada

Nature of the Dispute: Associated Person vs. Member

REPRESENTATION OF PARTIES

For Claimant ██████████ ("Claimant"): Michael Bessette, Esq., AdvisorLaw, LLC, Broomfield, Colorado.

For Respondent Wells Fargo Advisors Financial Network, LLC ("Respondent"): Judy Louie, Esq., Wells Fargo Law Department, Pasadena, California.

CASE INFORMATION

Statement of Claim filed on or about: September 22, 2017.

Claimant signed the Submission Agreement: September 22, 2017.

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

Respondent signed the Submission Agreement: November 14, 2017.

CASE SUMMARY

Claimant asserted a claim seeking expungement of a customer dispute, occurrence number ██████████ from his Central Registration Depository ("CRD") record.

In the Statement of Answer, Respondent advised that it has no objections or opposition to Claimant's request for expungement as long as it is not required to take any action and any FINRA fees associated with Claimant's request are assessed against Claimant.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested:

1. Expungement of occurrence number ██████████ from his CRD record pursuant to

- FINRA Rule 2080(b)(1)(A), as the claims, allegations, or information is factually impossible or clearly erroneous;
2. Expungement of occurrence number [REDACTED] from his CRD record pursuant to FINRA Rule 2080(b)(1)(C), as the claims, allegations, or information is false;
 3. Damages in the amount of \$1.00 from Respondent; and
 4. Any and all other relief that the Arbitrator deems just and equitable.

Respondent requested that any FINRA fees associated with Claimant's request be assessed against Claimant.

OTHER ISSUES CONSIDERED AND DECIDED

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

On January 8, 2018, the Arbitrator ordered Claimant to submit a memorandum of points and authorities by March 23, 2018 regarding the Arbitrator's authority to render a decision on the merits if the case filing does not meet FINRA Code of Arbitration Procedure ("Code") Rule 12206/13206 claim eligibility guidelines. On March 23, 2018, Claimant filed a Memorandum in Support of Chairperson's Authority to Recommend Expungement in this Matter.

The Arbitrator conducted a recorded in-person hearing on April 13, 2018 so the parties could present oral argument and evidence on Claimant's request for expungement.

Respondent participated in the expungement hearing and did not contest the request for expungement.

At the evidentiary hearing, Claimant withdrew his request for \$1.00 in damages.

The parties present at the hearing have agreed that a handwritten, signed Award may be entered.

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. Claimant's request for expungement of occurrence number [REDACTED] from his CRD records is denied due to Claimant failing to file action within the claim eligibility period listed in FINRA Rule 13206.
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

**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

Discovery-Related Motion Fee

Fees apply for each decision rendered on a discovery-related motion.

One (1) decision on a discovery-related motion on the papers with one (1) arbitrator @ \$200.00/decision = \$200.00

Claimant submitted 1 discovery-related motion

Total Discovery-Related Motion Fees = \$200.00

The Arbitrator has assessed \$200.00 of the discovery-related motion fees to Claimant.

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:

One (1) pre-hearing session with a single arbitrator @ \$50.00/session = \$50.00
Pre-hearing conference: January 8, 2018 1 session

One (1) hearing session on expungement request @ \$50.00/session = \$50.00
Hearing Date: April 13, 2018 1 session

Total Hearing Session Fees = \$100.00

The Arbitrator has assessed \$100.00 of the hearing session fees to Claimant.

All balances are payable to FINRA Office of Dispute Resolution and are due upon receipt.

ARBITRATOR

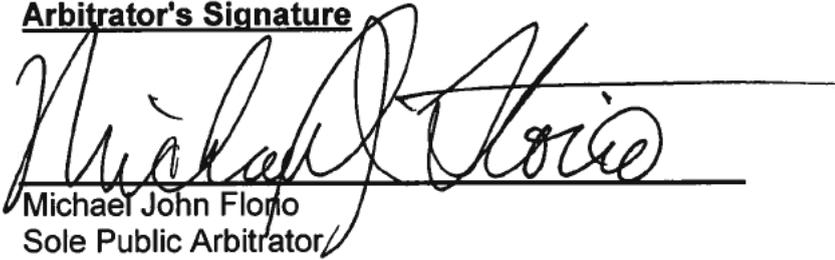
Michael John Florio

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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


Michael John Florio
Sole Public Arbitrator

4-18-18
Signature Date

April 19, 2018
Date of Service (For FINRA Office of Dispute Resolution office use only)