

Award
FINRA Office of Dispute Resolution

In the Matter of the Arbitration Between:

Claimant

████████████████████

Case Number: ██████████

vs.

Respondent

First Allied Securities, Inc.

Hearing Site: Denver, Colorado

Nature of the Dispute: Associated Person vs. Member

REPRESENTATION OF PARTIES

For Claimant ██████████ ("Claimant"): Dochter Kennedy, MBA, J.D., AdvisorLaw LLC, Broomfield, Colorado and Eric Litow, Esq., HLBS Law, Westminster, Colorado.

For Respondent First Allied Securities, Inc. ("Respondent"): Jeremy Wooden, Esq., Cetera Financial Group, El Segundo, California.

CASE INFORMATION

Statement of Claim filed on: April 9, 2018.

Claimant signed the Submission Agreement: April 9, 2018.

Statement of Answer filed by Respondents on: May 30, 2018

Respondent signed the Submission Agreement: May 30, 2018.

CASE SUMMARY

Claimant requested expungement of reference to a FINRA arbitration case, occurrence number ██████████ ("Underlying Arbitration") from his Central Registration Depository ("CRD") record.

In the Statement of Answer, Respondent denied any allegations of wrongdoing in the Statement of Claim and advised that it would defer to the Arbitrator's findings in this matter with respect to Claimant's request for expungement.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested:

1. Expungement of the Underlying Arbitration from his CRD record pursuant to FINRA Rule 2080(b)(1)(A) as the claim, allegation or information is factually impossible or clearly erroneous;
2. Expungement of the Underlying Arbitration from his CRD record pursuant to FINRA Rule 2080(b)(1)(C) finding the claim, allegation or information is false;
3. An award of compensatory damages in the amount of \$1.00 from Respondent; and
4. Any and all other relief that the Arbitrator deems just and equitable.

In the Statement of Answer, Respondent requested:

1. A statement from the Arbitrator on expungement of the Underlying Arbitration from Claimant's CRD record in the form required by FINRA Rule 2080;
2. Denial of all other requests for relief; and
3. All forum costs be assessed to Claimant.

OTHER ISSUES CONSIDERED AND DECIDED

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

On August 6, 2018, Claimant provided a copy of his notice to the customer in the Underlying Arbitration ("Customer") regarding the Statement of Claim and notice of the expungement hearing. On August 7, 2018, Claimant provided an Affidavit of Service signed by Claimant's counsel advising that the Customer had been served with the Statement of Claim.

The Arbitrator conducted a recorded telephonic hearing on October 2, 2018 so the parties could present oral argument and evidence on Claimant's request for expungement. Respondent appeared at the expungement hearing and did not oppose Claimant's request for expungement. The Customer did not appear at the expungement hearing.

During the expungement hearing, Claimant withdrew the 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 his CRD record is denied.
2. Any and all claims for relief not specifically addressed herein are denied.

FEES

Pursuant to the Code of Arbitration Procedure, 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:

One (1) Pre-hearing session with a single arbitrator @ \$50.00/session	= \$ 50.00
Pre-hearing conference: July 25, 2018	1 session

One (1) Hearing session on expungement request @ \$50.00/session	= \$ 50.00
Hearing Date: October 2, 2018	1 session

Total Hearing Session Fees	= \$ 100.00
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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.

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ARBITRATOR

Donald N. Tolin

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Sole Public Arbitrator

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

Arbitrator's Signature

DN Tolin

Donald N. Tolin
Sole Public Arbitrator

10-16-18

Signature Date

October 17, 2018

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