

Award
FINRA Office of Dispute Resolution

In the Matter of the Arbitration Between:

Claimant

██████████

Case Number: ██████████

vs.

Respondent

Wells Fargo Advisors Financial Network

Hearing Site: Wilmington, Delaware

Nature of the Dispute: Associated Person vs. Member

REPRESENTATION OF PARTIES

For Claimant ██████████: Doctor Kennedy, MBA, J.D., AdvisorLaw LLC, Westminster, Colorado.

For Respondent Wells Fargo Advisors Financial Network: Demian J. Betz, Esq., Wells Fargo Law Department, Charlotte, North Carolina.

CASE INFORMATION

Statement of Claim filed on or about: March 8, 2018.

██████████ signed the Submission Agreement: March 8, 2018.

Statement of Answer filed by Respondents on or about: March 27, 2018.

Wells Fargo Advisors Financial Network signed the Submission Agreement: March 27, 2018.

CASE SUMMARY

Claimant asserted the following causes of action: expungement.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested the following:

1. expungement of occurrence number ██████████ from Claimant's CRD records pursuant to FINRA Rule 2080(b)(1)(A) as the claim, allegations, or information is factually impossible or clearly erroneous;
2. expungement of occurrence number ██████████ from Claimant's CRD records pursuant to FINRA Rule 2080(b)(1)(C) as the claim, allegations, or information is false;
3. an award of compensatory damages in the amount of \$1.00; and
4. any and all other relief that the Arbitrator deems just and equitable.

In the Statement of Answer, Respondent took no position regarding Claimant's expungement request, but denied any overt or implicit allegations made by Claimant against any of its current or former employees in the claim. Respondent reserved its rights, based on discovery and further analysis, to contest, as necessary, the merits of the expungement relief sought by Claimant at the final hearing.

At the close of the hearing, Claimant withdrew her request for \$1.00 in compensatory damages.

OTHER ISSUES CONSIDERED AND DECIDED

The Arbitrator acknowledges that they have each read the pleadings and other materials filed by the parties.

The Arbitrator conducted a recorded telephonic hearing on December 5, 2018 so the parties could present oral argument and evidence on Claimant's request for expungement.

Respondent participated in the expungement hearing and contested the request for expungement at the hearing.

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

The parties present at the hearing have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

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

1. Claimant's request for expungement of her CRD records 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 that employed the associated person at the time of the event(s) giving rise to the dispute. Accordingly, as a party, Wells Fargo Advisors Financial Network is assessed the following:

Member Surcharge = \$ 150.00

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, including a pre-hearing conference with the arbitrator, that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) hearing session on expungement request @ \$50.00/session = \$ 50.00

Hearing Date: December 5, 2018 1 session

Total Hearing Session Fees = \$ 50.00

The Arbitrator has assessed the \$50.00 hearing session fees to Claimant.

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

ARBITRATOR

Diane Ciccone

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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



Diane Ciccone
Sole Public Arbitrator

1.16.19

Signature Date

January 16, 2019

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