

Award
FINRA Office of Dispute Resolution

In the Matter of the Arbitration Between:

Claimant

Case Number: [REDACTED]

vs.

Respondent

Hearing Site: Chicago, Illinois

Mesirow Financial, Inc.

Nature of the Dispute: Associated Person vs. Member

REPRESENTATION OF PARTIES

For Claimant [REDACTED] ("Claimant"): Dochter Kennedy, Esq.,
AdvisorLaw, LLC, Westminster, Colorado.

For Respondent Mesirow Financial, Inc. ("Respondent"): James L. Kopecky, Esq.,
Kopecky Schumacher Rosenberg PC, Chicago, Illinois.

CASE INFORMATION

Statement of Claim filed on or about: February 26, 2018.
Claimant signed the Submission Agreement: February 26, 2018.

Statement of Answer filed on or about: April 23, 2018.
Respondent signed the Submission Agreement: April 13, 2018.

CASE SUMMARY

In the Statement of Claim, Claimant asserted a claim seeking expungement of a customer complaint from his registration records maintained by the Central Registration Depository ("CRD").

In the Statement of Answer, Respondent objected to Claimant's request for expungement, stating that it investigated the customer complaint and that Claimant signed an Acceptance, Waiver & Consent with FINRA's Department of Enforcement in August 2011, in which he admitted to signing a customer's signature to a letter of authorization and admitted that he lied to Respondent.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested expungement of Occurrence Number [REDACTED] from his CRD records, an award of compensatory damages in the amount of \$1.00, and any and all other relief that the Arbitrator deems just and equitable.

In the Statement of Answer, Respondent requested that the Panel deny Claimant's request for expungement and award Respondent its attorneys' fees incurred in defending this claim.

OTHER ISSUES CONSIDERED AND DECIDED

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

The Arbitrator conducted a recorded, telephonic hearing on December 11, 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.

The customer related to Occurrence Number [REDACTED] did not participate in the expungement hearing.

AWARD

After considering the pleadings, the testimony, and the 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 records is denied.
2. Claimant's request for compensatory damages is denied.
3. Any and all claims for relief not specifically addressed herein, including attorneys' fees, 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 events giving rise to the dispute. Accordingly, as a party, Respondent is assessed the following:

Member Surcharge	= \$ 150.00
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ARBITRATOR

William M. Koziol

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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



William M. Koziol
Sole Public Arbitrator

2/28/19

Signature Date

February 28, 2019

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