

Award
FINRA Office of Dispute Resolution

In the Matter of the Arbitration Between:

Claimant

Case Number: [REDACTED]

vs.

Respondents

American General Securities, Incorporated
Sagepoint Financial, Inc.

Hearing Site: Washington, D.C.

Nature of the Dispute: Associated Person vs. Member

REPRESENTATION OF PARTIES

For Claimant [REDACTED]: Christopher Cummings, Esq.,
AdvisorLaw LLC, Westminster, Colorado.

For Respondent Sagepoint Financial, Inc., ("Sagepoint"): Bradley A. Fishman, Esq.,
Sagepoint Financial Incorporated, Jersey City, New Jersey.

CASE INFORMATION

Statement of Claim filed on or about: March 22, 2018.

[REDACTED] signed the Submission Agreement: March 22, 2018.

Statement of Answer filed by Respondent Sagepoint on or about: September 27, 2018.

Sagepoint Financial, Inc., signed the Submission Agreement: September 27, 2018.

CASE SUMMARY

Claimant asserted the following cause of action: expungement.

Unless specifically admitted in the Statement of Answer, Respondent Sagepoint denied the allegations made in the Statement of Claim and asserted various affirmative defenses. Respondent Sagepoint did not oppose Claimant's request for expungement.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested: expungement of Occurrence Number [REDACTED] from her CRD records; 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 Sagepoint requested attorneys' fees and arbitration costs, including the FINRA Member surcharges and fees.

OTHER ISSUES CONSIDERED AND DECIDED

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

On May 24, 2018, Claimant filed an Amended Statement of Claim and replaced Respondent American General Securities, Incorporated, with Respondent Sagepoint Financial, Inc.

The Arbitrator conducted a recorded telephonic hearing on March 12, 2019 so the parties could present oral argument and evidence on [REDACTED] request for expungement.

Sagepoint did not participate in the expungement hearing or oppose the request for expungement.

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 [REDACTED] request for expungement of Occurrence Number [REDACTED] from her CRD records is denied.
2. Claimant's request for compensatory damages of \$1.00 is denied.
3. 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 giving rise to the dispute. Accordingly, as parties, Respondent Sagepoint Financial, Inc., and American General Securities Incorporated are each 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:

Two (2) pre-hearing sessions with a single arbitrator @ \$50.00/session = \$ 100.00
Pre-hearing conferences: January 16, 2019 1 session
February 8, 2019 1 session

One (1) hearing session on expungement request @ \$50.00/session = \$ 50.00
Hearing Date: March 12, 2019 1 session

Total Hearing Session Fees = \$ 150.00

The Arbitrator has assessed the \$150.00 hearing session fees to Claimant.

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

ARBITRATOR

Douglas Earl McLaren

- 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

1/4 Douglas E. McLaren

Douglas Earl McLaren
Sole Public Arbitrator

03/29/2019
Signature Date

April 3, 2019

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