

Award
FINRA Office of Dispute Resolution

In the Matter of the Arbitration Between:

Claimant

████████████████████

Case Number: ██████████

vs.

Respondent

Ameriprise Financial Services, Inc.

Hearing Site: Denver, Colorado

Nature of the Dispute: Associated Person vs. Member

REPRESENTATION OF PARTIES

For Claimant ██████████ ("Claimant"): Michael Bessette, Esq., HLBS Law, Westminster, Colorado.

For Respondent Ameriprise Financial Services, Inc. ("Respondent"): Howard Klausmeier, Esq., Ameriprise Financial Services, Inc., Minneapolis, Minnesota.

CASE INFORMATION

Statement of Claim filed on or about: December 25, 2018.
Amended Statement of Claim filed on or about: February 8, 2019.
Claimant signed the Submission Agreement: December 21, 2018.

Statement of Answer filed by Respondent on or about: February 19, 2019.
Respondent signed the Submission Agreement: February 19, 2019.

CASE SUMMARY

Claimant asserted a claim seeking expungement of a customer complaint, occurrence number ██████████ ("Underlying Complaint") from his Central Registration Depository ("CRD") records.

In the Amended Statement of Claim. Claimant included additional factual allegations.

In the Statement of Answer, Respondent advised that it concurred with the request for expungement.

RELIEF REQUESTED

In the Statement of Claim and Amended Statement of Claim, Claimant requested:

1. Expungement of the Underlying Complaint from his CRD records 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 Complaint from his CRD records pursuant to FINRA Rule 2080(b)(1)(C) as the claim, allegation, or information is false;
3. 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. Expungement of the Underlying Complaint from Claimant's CRD records; and
2. Denial of any and all relief requested against Respondent.

At the hearing, Claimant withdrew his request for compensatory damages in the amount of \$1.00 from Respondent.

OTHER ISSUES CONSIDERED AND DECIDED

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

On July 2, 2019, Claimant provided notice that a copy of the Amended Statement of Claim and notice of the expungement hearing were served on the customer in the Underlying Complaint ("Customer").

On July 15, 2019, Claimant filed an affidavit of service advising that a copy of the Statement of Claim had been served on the Customer.

The Arbitrator conducted a recorded telephonic hearing on August 7, 2019 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. The Customer also participated in the expungement hearing and testified as to her allegations concerning the Underlying Complaint. The Arbitrator found that the Customer opposed the request for expungement.

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 the Underlying Complaint, occurrence number [REDACTED] from his 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

**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

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: May 10, 2019 1 session

One (1) hearing session on expungement request @ \$50.00/session =\$50.00
Hearing Date: August 7, 2019 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

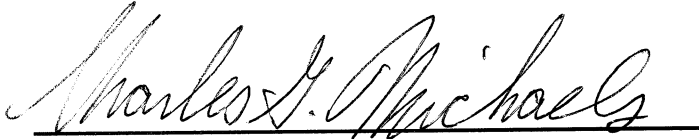
Charles G. Michaels

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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



Charles G. Michaels
Sole Public Arbitrator

8/13/2019
Signature Date

August 13, 2019
Date of Service (For FINRA Office of Dispute Resolution office use only)