

**Award**  
**FINRA Office of Dispute Resolution**

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In the Matter of the Arbitration Between:

Claimant

Case Number [REDACTED]

vs.

Respondent

Hearing Site: Chicago, Illinois

World Equity Group, Inc.

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Nature of the Dispute: Associated Person vs. Member

**REPRESENTATION OF PARTIES**

For Claimant [REDACTED] (“Claimant”):  
Dochtor Kennedy, Esq. and Harris Freedman, Esq., AdvisorLaw, LLC, Westminster,  
Colorado.

For Respondent World Equity Group, Inc. (“Respondent”): Christopher A. Cokinis,  
World Equity Group, Inc., Arlington Heights, Illinois.

**CASE INFORMATION**

Statement of Claim filed on or about: June 18, 2018.  
Claimant signed the Submission Agreement: June 18, 2018.

Statement of Answer filed on or about: July 25, 2018.  
Respondent signed the Submission Agreement: August 1, 2018.

**CASE SUMMARY**

Claimant asserted a claim seeking expungement of a customer complaint (“Customer Complaint”) from his registration records maintained by the Central Registration Depository (“CRD”).

In the Statement of Answer, Respondent stated that it concurred with the material allegations contained within the Statement of Claim and that it had no opposition to Claimant’s request for expungement.

**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 consented to the relief sought by Claimant.

On the record at the hearing, Claimant withdrew his request for \$1.00 in compensatory damages.

### **OTHER ISSUES CONSIDERED AND DECIDED**

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

Claimant submitted a copy of the Statement of Claim and notice of the expungement hearing to the customer in the Customer Complaint ("Customer"), advising the Customer of the opportunity to participate in the expungement hearing, on or about November 27, 2018.

Claimant submitted an Affidavit of Service of the Statement of Claim to the Customer, dated November 28, 2018.

The Arbitrator conducted a recorded, telephonic hearing on December 27, 2018, so the parties could present oral argument and evidence on Claimant's request for expungement.

Neither Respondent nor the Customer participated in the expungement hearing.

The Arbitrator reviewed Claimant's BrokerCheck® Report and the settlement document, considered the amount of payments made to any party, and considered other relevant terms and conditions of the settlement. The Arbitrator found that the settlement was not conditioned on the Customer not opposing the request for expungement. The Arbitrator also found that Claimant did not contribute to the settlement amount and that the settlement was consistent with a business decision to save litigation costs.

The Arbitrator found that Claimant previously requested expungement of the same disclosure in the CRD in the Answer to the Customer Complaint and that the expungement request was not pursued after the settlement of the underlying arbitration case involving the Customer Complaint.

In recommending expungement, the Arbitrator relied upon the following documentary or other evidence: the Customer Complaint and the response thereto, the documents for the opening of the Customer's account with Respondent, Claimant's risk assessment for the Customer, the account opening form for the annuity in question, and Claimant's testimony about the full discussions he had with the Customer when these documents were generated.

### **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. The Arbitrator recommends the expungement of all references to Occurrence Number [REDACTED] from registration records maintained by the CRD for Claimant

[REDACTED] (CRD# [REDACTED]) with the understanding that, pursuant to Notice to Members 04-16, Claimant [REDACTED] must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.

Unless specifically waived in writing by FINRA, parties seeking judicial confirmation of an arbitration award containing expungement relief must name FINRA as an additional party and serve FINRA with all appropriate documents.

Pursuant to Rule 13805 of the Code of Arbitration Procedure (“Code”), the Arbitrator has made the following Rule 2080 affirmative finding of fact:

The claim, allegation, or information is false.

The Arbitrator has made the above Rule 2080 finding based on the following reasons:

The Customer complained about the suitability of a Jackson National Life Insurance Company annuity (“Annuity”), claiming he did not know it was an annuity he was buying. However, all of the paperwork reflected that it was. The Annuity was but a limited percentage of the Customer’s assets, and the Customer raised no questions about the investment and its fees for over two years after making the investment. During that time, the Customer directed changes in the portfolios in which the Annuity was invested twice. Claimant provided customer account opening documents, Annuity opening documents, and a risk analysis done for the Customer that supported his expungement request.

2. Any and all claims for relief not specifically addressed herein are denied.

### **FEES**

Pursuant to the Code, 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 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



**ARBITRATOR**

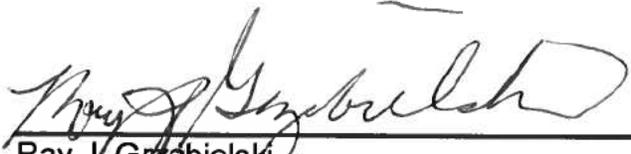
Ray J. Grzebielski

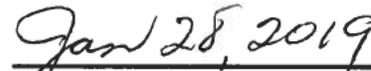
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Sole Public Arbitrator

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**

  
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Ray J. Grzebielski  
Sole Public Arbitrator

  
\_\_\_\_\_  
Signature Date

January 31, 2019

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