

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

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In the Matter of the Arbitration Between:

Claimant

██████████

Case Number: ██████████

vs.

Respondent

Windsor Street Capital, LP

Hearing Site: Boca Raton, Florida

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Nature of the Dispute: Associated Person vs. Member

**REPRESENTATION OF PARTIES**

For Claimant ██████████ Eric Litow, Esq., HLBS Law, LLC, Westminster, Colorado.

Respondent Windsor Street Capital, LP did not appear.

**CASE INFORMATION**

Statement of Claim filed on or about: August 29, 2018.

██████████ signed the Submission Agreement: August 29, 2018.

Respondent did not file a Statement of Answer or an executed Submission Agreement.

**CASE SUMMARY**

Claimant asserted the cause of action of defamatory reporting on his Central Registration Depository ("CRD") records regarding his termination of employment with Respondent.

**RELIEF REQUESTED**

In the Statement of Claim, Claimant requested: expungement of Occurrence No. ██████████ from his Form U5 records, and any relevant portions from his Form U4, including expungement of the "Yes" answers to Questions 7F(1) and 7F(2) on the Form U5 and amending those "Yes" responses to "No," and deletion of the accompanying Internal Review and Termination Disclosure Report Pages in their entirety; compensatory damages in the amount of \$1.00; and such other relief deemed just and equitable by the Arbitrator.

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

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

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

Respondent did not file with FINRA Office of Dispute Resolution a properly executed Submission Agreement but is required to submit to arbitration pursuant to the Code of Arbitration Procedure (“Code”) and is bound by the determination of the Arbitrator on all issues submitted.

Respondent did not appear at the expungement hearing. Upon review of the file and the representations made by/on behalf of Claimant, the Arbitrator determined that Respondent has been properly served with the Statement of Claim and received due notice of the hearing, and that arbitration of the matter would proceed without said Respondent present, in accordance with the Code.

### **AWARD**

After considering the pleadings, the testimony and evidence presented at the hearing, and the post-hearing submissions, if any, 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 Numbers [REDACTED] and [REDACTED] from Claimant [REDACTED] (CRD# [REDACTED]) registration records maintained by the CRD.

The above recommendations are based on the defamatory nature of the information and shall apply to all subsequent disclosures concerning this event.

The registration records are not automatically amended to include the changes indicated above. Claimant must forward a copy of this Award to FINRA’s Registration and Disclosure Department for review.

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
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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(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
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**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 the Arbitrator @ \$50.00/session	= \$ 50.00
Pre-hearing conference: December 28, 2018 1 session	

One (1) hearing session on expungement request @ \$50.00/session	= \$ 50.00
Hearing Date: February 25, 2019 1 session	

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Total Hearing Session Fees	= \$100.00
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The Arbitrator has assessed the total \$100.00 in hearing session fees to Respondent.

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

**ARBITRATOR**

Carl Shechter

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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**

/s/ CARL SHECHTER

2/27/19

Signature Date

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Carl Shechter  
Sole Public Arbitrator

2/27/19

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