

Award
FINRA Dispute Resolution Services

In the Matter of the Arbitration Between:

Claimant
Christopher P. Landon

Case Number: 19-02184

vs.

Respondent
Stifel, Nicolaus & Co., Incorporated

Hearing Site: New York, New York

Awards are rendered by independent arbitrators who are chosen by the parties to issue final, binding decisions. FINRA makes available an arbitration forum—pursuant to rules approved by the SEC—but has no part in deciding the award.

Nature of the Dispute: Associated Person vs. Member

REPRESENTATION OF PARTIES

For Claimant Christopher P. Landon: Kevin Thomas Hoffman, Esq., Law Offices of Kevin T. Hoffman, Greenwich, Connecticut.

For Respondent Stifel, Nicolaus & Co., Incorporated: Lloyd S. Clareman, Esq., New York, New York.

CASE INFORMATION

Statement of Claim filed on or about: August 5, 2019.
Christopher P. Landon signed the Submission Agreement: August 3, 2019.

Statement of Answer filed by Respondent on or about: October 1, 2019.
Stifel, Nicolaus & Co., Incorporated signed the Submission Agreement: September 30, 2019.

CASE SUMMARY

In the Statement of Claim, Claimant asserted the following causes of action: deferred compensation; breach of contract; wrongful termination; and constructive termination.

Unless specifically admitted in the Statement of Answer, Respondent denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested:

1. An award reflecting the amount of deferred compensation outstanding believed to be approximately \$250,000.00;
2. One month of severance for each year of service;
3. All unused vacation days paid out in cash;
4. Statutory award of damages equal to the value of the outstanding deferred compensation pursuant to the New York Labor Laws for the wrongful withholding of wages;
5. Interest at the rate of 9% per annum from the date of termination until the award is paid in full;
6. All reasonable costs and attorneys' fees; and
7. All other just and necessary relief.

In the Statement of Answer, Respondent requested that the Statement of Claim be dismissed in all respects, with all hearing costs assessed against Claimant.

OTHER ISSUES CONSIDERED AND DECIDED

The Arbitrators acknowledge that they have each read the pleadings and other materials filed by the parties.

The Award in this matter may be executed in counterpart copies.

AWARD

After considering the pleadings, the testimony and evidence presented at the hearing, and any post-hearing submissions, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Claimant's claims are denied in their entirety.
2. Any and all claims for relief not specifically addressed herein, including any requests for attorneys' fees, are denied.

FEES

Pursuant to the Code of Arbitration Procedure ("Code"), the following fees are assessed:

Filing Fees

FINRA Dispute Resolution Services assessed a filing fee* for each claim:

Initial Claim Filing Fee = \$ 1,425.00

**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 = \$ 1,700.00

Member Process Fee = \$ 3,250.00

Late Pre-Hearing Cancellation Fees

Fees apply when a pre-hearing conference is cancelled within three business days of the scheduled conference:

December 5, 2019, cancellation requested by the parties Waived

Postponement Fees

Postponements granted during these proceedings for which fees were assessed or waived:

February 18-19 and 22-26 2021, postponement requested by the parties Waived

Hearing Session Fees and Assessments

The Panel has assessed hearing session fees for each session conducted. A session is any meeting between the parties and the Arbitrators, including a pre-hearing conference with the Arbitrators, which lasts four (4) hours or less. Fees associated with these proceedings are:

Three (3) pre-hearing sessions with a single Arbitrator @ \$450.00/session	= \$ 1,350.00
Pre-Hearing Conferences: May 20, 2020	1 session
June 17, 2020	1 session
September 9, 2020	1 session

One (1) pre-hearing session with the Panel @ \$1,125.00/session	= \$ 1,125.00
Pre-Hearing Conference: February 10, 2020	1 session

Four (4) hearing sessions @ \$1,125.00/session	= \$ 4,500.00
Hearings: November 15, 2021	2 sessions
November 16, 2021	2 sessions

Total Hearing Session Fees	= \$ 6,975.00
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The Panel has assessed \$3,487.50 of the hearing session fees to Claimant.

The Panel has assessed \$3,487.50 of the hearing session fees to Respondent.

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

ARBITRATION PANEL

Harvey E. Benjamin	-	Public Arbitrator, Presiding Chairperson
Peter E. Gillespie	-	Public Arbitrator
Judith C. Aarons	-	Non-Public Arbitrator

I, the undersigned Arbitrator, do hereby affirm, pursuant to Article 7507 of the Civil Practice Law and Rules, that I am the individual described herein and who executed this instrument, which is my award.

Concurring Arbitrators' Signatures

Harvey E. Benjamin

Harvey E. Benjamin
Public Arbitrator, Presiding Chairperson

11/19/2021

Signature Date

Peter E. Gillespie

Peter E. Gillespie
Public Arbitrator

11/20/2021

Signature Date

Judith C. Aarons

Judith C. Aarons
Non-Public Arbitrator

11/22/2021

Signature Date

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November 22, 2021

Date of Service (For FINRA Dispute Resolution Services use only)