

**Award**  
**FINRA Dispute Resolution Services**

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In the Matter of the Arbitration Between:

Claimant  
Allied Millennial Partners, LLC

Case Number: 19-03387

vs.

Respondent  
Ross Gladstone

Hearing Site: New York, New York

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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: Member vs. Associated Person

The evidentiary hearing was conducted by videoconference.

**REPRESENTATION OF PARTIES**

For Claimant Allied Millennial Partners, LLC: Robert M. Bursky, Esq., Melville, New York.

For Respondent Ross Gladstone: Stuart N. Kaplan, Esq., The Law Offices of Stuart N. Kaplan, P.A, Palm Beach Gardens, Florida.

**CASE INFORMATION**

Statement of Claim filed on or about: November 13, 2019.

Answer to Counterclaim filed on or about: January 9, 2020.

Allied Millennial Partners, LLC signed the Submission Agreement: November 13, 2019.

Statement of Answer and Counterclaim filed by Respondent on or about: December 20, 2019.

Ross Gladstone signed the Submission Agreement: November 25, 2019.

**CASE SUMMARY**

In the Statement of Claim, Claimant asserted the following causes of action: indemnification and monies owed.

Respondent denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

In the Counterclaim, Respondent asserted the following causes of action: breach of contract and owed back compensation.

Claimant denied the allegations made in the Counterclaim and asserted various affirmative defenses.

### **RELIEF REQUESTED**

In the Statement of Claim, Claimant requested an award against Respondent in the amount of \$50,000 plus interest at the statutory rate of 9% per annum; Claimant's member surcharges, forum and other FINRA costs; attorneys' fees and other expenses incurred in this arbitration; and such other and further relief as deemed just, fair, and proper.

In the Statement of Answer and Counterclaim, Respondent requested that Claimant's claim be dismissed; expungement of all information related to this claim; an award against Claimant in the amount of \$6,000.00 plus interest at a statutory rate of 9% per annum; Respondent's member surcharges, and other FINRA costs; attorneys' fees and expenses otherwise incurred in this arbitration; and such other relief as may be deemed just, fair, and proper.

In the Answer to Counterclaim, Claimant requested that the Arbitrator dismiss Respondent's Counterclaim with prejudice.

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

The Arbitrator acknowledges having read the pleadings and other materials filed by the parties.

On January 13, 2021, the parties filed a joint notice of settlement. Therefore, the Arbitrator made no determination with respect to any of the relief requests contained in the Statement of Claim and the Counterclaim. Respondent also requested that an expungement hearing be scheduled .

The Arbitrator conducted a recorded hearing by videoconference on January 25, 2021, so the parties could present oral argument and evidence on Respondent's request for expungement of his Form U5.

Claimant did not participate in the expungement hearing.

### **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. Respondent's request for expungement of his Form U5 is 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	= \$	1,450.00
Counterclaim Filing Fee	= \$	325.00

*\*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, Claimant Allied Millennial Partners, LLC is assessed the following:

Member Surcharge	= \$	750.00
Member Process Fee	= \$	1,750.00

**Postponement Fees**

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

June 10-12, 2020, postponement requested by the parties	Waived	
January 13, 2021, postponement requested by the parties	= \$	450.00
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Total Postponement Fees	= \$	450.00

The Arbitrator has assessed \$225.00 of the postponement fees to Claimant.  
The Arbitrator has assessed \$225.00 of the postponement fees to Respondent.

**Last-Minute Cancellation Fees**

Fees apply when a hearing on the merits is cancelled within ten calendar days before the start of a scheduled hearing session:

January 13, 2021 cancellation requested by the parties	= \$	600.00
January 14-15, 2021 settlement by the parties	= \$	600.00
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Total Last-Minute Cancellation Fees	= \$	1,200.00

The Arbitrator has assessed \$600.00 of the cancellation fees to Claimant.  
The Arbitrator has assessed \$600.00 of the cancellation fees to Respondent.

**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, 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	= \$	1350.00
Pre-Hearing Conferences: February 25, 2020	1 session	
August 24, 2020	1 session	
January 8, 2021	1 session	
One (1) hearing session @ \$450.00/session	= \$	450.00
Hearing: January 25, 2021	1 session	
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Total Hearing Session Fees	= \$	1800.00

The Arbitrator has assessed \$675.00 of the hearing session fees to Claimant.

The Arbitrator has assessed \$1,125.00 of the hearing session fees to Respondent.

**ARBITRATOR**

Keely D. Parr

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Sole 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.

**Arbitrator's Signature**

***Keely D. Parr***

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Keely D. Parr  
Sole Public Arbitrator

**02/14/2021**

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Signature Date

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February 18, 2021

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