

Award
FINRA Dispute Resolution Services

In the Matter of the Arbitration Between:

Claimant
Wells Fargo Clearing Services, LLC

Case Number: 19-03776

vs.

Respondent
Leo Otto Eastman

Hearing Site: Las Vegas, Nevada

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

REPRESENTATION OF PARTIES

For Claimant Wells Fargo Clearing Services, LLC: T.R. Bynum, Esq., Wells Fargo Clearing Services, LLC, St. Louis, Missouri.

Respondent Leo Otto Eastman appeared pro se.

CASE INFORMATION

Statement of Claim filed on or about: December 20, 2019.
Claimant signed the Submission Agreement: December 20, 2019.

Respondent did not file a Statement of Answer or sign the Submission Agreement.

CASE SUMMARY

In the Statement of Claim, Claimant asserted a cause of action for breach of promissory note dated January 29, 2016 (“Note”). Claimant alleged that the remaining balance of the Note became due upon the termination of Respondent’s employment with Claimant.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested:

1. Principal balance due and owing under the Note in the amount of \$74,221.45 and interest accrued during the term of the Note at the rate of 1.79% per annum;
2. Interest at the rate of 4.79% per annum on the balance due and owing under the Note from the date of default (August 5, 2019) to the date of payment;

3. Costs of collection and of this proceeding including attorneys' fees as agreed to under the terms of the Note; and
4. Any and all further relief that the Arbitrator deems just and proper.

OTHER ISSUES CONSIDERED AND DECIDED

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

Respondent did not file a Statement of Answer. Accordingly, this matter proceeded pursuant to Rule 13806 of the Code of Arbitration Procedure ("Code").

On February 27, 2020, Respondent registered for the DR Portal, providing Respondent with access to all documents filed in the case, including the Statement of Claim, Overdue Notice, and Notification of Arbitrator. The Arbitrator determined that Respondent is, therefore, bound by the Arbitrator's ruling and determination.

AWARD

After considering the pleadings, the Arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows:

1. Respondent is liable for and shall pay to Claimant the sum of \$74,221.46.
2. Respondent is liable for and shall pay to Claimant the accrued interest in the amount of \$7,532.42.
3. Respondent is liable for and shall pay to Claimant the sum of \$3,350.00 in costs.
4. Respondent is liable for and shall pay to Claimant \$1,000.00 to reimburse Claimant for the non-refundable portion of the filing fee previously paid to FINRA Dispute Resolution Services.
5. Respondent is liable for and shall pay to Claimant \$300.00 to reimburse Claimant for the paper decision fee previously paid to FINRA Dispute Resolution Services.
6. Any and all claims for relief not specifically addressed herein, including any requests for attorneys' fees, are denied.

FEES

Pursuant to the Code, Claimant has paid to FINRA Dispute Resolution Services the \$1,100.00 Member Surcharge and \$2,250.00 Member Process Fee previously invoiced.

Claimant has also paid to FINRA Dispute Resolution Services the \$1,000.00 non-refundable portion of the filing fee and the \$300.00 Paper Decision Fee.

ARBITRATOR

Michael John Florio

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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

Michael John Florio

Michael John Florio
Sole Public Arbitrator

08/17/2021

Signature Date

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August 18, 2021

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