

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

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In the Matter of the Arbitration Between:

Claimant

US Capital Global Securities, LLC

Case Number: 20-00631

vs.

Respondents

Noble Capital Fund Management, LLC,  
Noble Capital Group, LLC,  
Noble Capital Servicing, LLC,  
Streamline Funding Group, LLC, and  
Emerge Real Estate Group, LLC

Hearing Site: Houston, Texas

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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. Non-Members

The evidentiary hearing was conducted by videoconference.

**REPRESENTATION OF PARTIES**

For Claimant US Capital Global Securities, LLC (“Claimant”): Murray Hudson, Esq.,  
MurrayHudson, LLC, Boca Raton, Florida.

For Respondents Noble Capital Fund Management, LLC, Noble Capital Group, LLC, Noble Capital Servicing, LLC, Streamline Funding Group, LLC, and Emerge Real Estate Group, LLC (collectively, “Respondents”): Jason M. Hopkins, Esq., DLA Piper LLP, Dallas, Texas.

**CASE INFORMATION**

Statement of Claim filed on or about: April 20, 2020.

Claimant signed the Submission Agreement: February 21, 2020.

Statement of Answer filed on or about: August 7, 2020.

Noble Capital Group, LLC signed the Submission Agreement: August 7, 2020.

Noble Capital Fund Management, LLC, Noble Capital Servicing LLC, Streamline Funding Group, LLC, and Emerge Real Estate Group, LLC signed the Submission Agreements: September 17, 2020.

### **CASE SUMMARY**

In the Statement of Claim, Claimant asserted the following cause of action: breach of contract. The cause of action related to Claimant's allegation that Respondents breached a Letter Placement Agent Agreement.

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

### **RELIEF REQUESTED**

In the Statement of Claim, Claimant requested an award of \$64,629.63, pre-judgment interest, post-judgment interest, attorneys' fees, expenses, and costs.

In the Statement of Answer, Respondents requested that the Arbitrator award Claimant nothing on its claims, award Respondents their attorneys' fees and expenses incurred, and grant them such other and further relief as to which they are justly entitled.

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

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

The Arbitrator noted that Claimant's witness, J.S., failed to appear and testify on the second day of the hearing. The Arbitrator was advised that J.S. could not attend due to a family medical issue. The Arbitrator also noted that Claimant rested its case without any request for flexibility regarding J.S.'s testimony, such as a request to postpone or reschedule the hearing, to take the testimony of J.S. later, to keep the record open, or to submit J.S.'s testimony by affidavit or some other means.

### **AWARD**

After considering the pleadings, the testimony and evidence presented at the hearing, and any post-hearing submissions, the Arbitrator 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 punitive damages, treble damages, and attorneys' fees, are denied.

### **FEES**

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

#### **Filing Fees**

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

Initial Claim Filing Fee	= \$ 1,750.00
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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, Claimant is assessed the following:

Member Surcharge	= \$	1,100.00
Member Process Fee	= \$	2,250.00

**Postponement Fees**

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

March 23-25, 2021, postponement requested by Respondents	= \$	450.00
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Total Postponement Fees	= \$	450.00

The Arbitrator has assessed the total postponement fees jointly and severally to Respondents.

**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:

Two (2) pre-hearing sessions @ \$450.00/session	= \$	900.00
Pre-Hearing Conferences: September 23, 2020	1 session	
March 29, 2021	1 session	
Three (3) hearing sessions @ \$450.00/session	= \$	1,350.00
Hearings: May 4, 2021	1 session	
May 5, 2021	2 sessions	
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Total Hearing Session Fees	= \$	2,250.00

The Arbitrator has assessed \$1,800.00 of the hearing session fees to Claimant.

The Arbitrator has assessed \$450.00 of the hearing session fees jointly and severally to Respondents.

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

**ARBITRATOR**

Robert C. Rice

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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**

***Robert C. Rice***

Robert C. Rice  
Sole Public Arbitrator

**05/27/2021**

Signature Date

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May 27, 2021

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