

Award
FINRA Dispute Resolution Services

In the Matter of the Arbitration Between:

Claimant

Leigh A. Jeter Stanford

Case Number: 20-02180

vs.

Respondent

Charles Schwab & Co., Inc.

Hearing Site: San Francisco, California

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

The evidentiary hearing was conducted by videoconference.

REPRESENTATION OF PARTIES

For Claimant Leigh A. Jeter Stanford (“Claimant”): Benjamin Winograd, Esq., HLBS Law, Westminster, Colorado.

For Respondent Charles Schwab & Co., Inc. (“Respondent”): Julie L. Taylor, Esq. and Valerie I. Holder, Esq., Keesal, Young & Logan, San Francisco, California.

CASE INFORMATION

Statement of Claim filed on or about: July 10, 2020.

Amended Statement of Claim filed on or about: August 31, 2020.

Claimant signed the Submission Agreement: July 10, 2020.

Statement of Answer filed on or about: September 22, 2020.

Respondent signed the Submission Agreement: September 18, 2020.

CASE SUMMARY

In the Statement of Claim and the Amended Statement of Claim, Claimant asserted a claim alleging that the Form U5 filed by Respondent, as part of registration records maintained by the Central Registration Depository (“CRD”), is defamatory in nature, misleading, inaccurate and/or erroneous.

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

RELIEF REQUESTED

In the Statement of Claim and the Amended Statement of Claim, Claimant requested:

1. Expungement of the Form U5 amendments corresponding with Occurrence Number 1977892, and those relevant portions of the Form U4, from Claimant's CRD records on the basis that the statement is defamatory in nature, misleading, inaccurate, and/or erroneous, to include:
 - a. amendment of the answer to question 7F(1) of Claimant's Form U5, from a "Yes" response to "No;" and
 - b. deletion of the Termination Disclosure Reporting Pages accompanying Occurrence Number 1977892;
2. Compensatory damages in the amount of \$1.00 from Respondent; and
3. Any other relief as the Arbitrator deems just and equitable.

In the Statement of Answer, Respondent requested:

1. Claimant take nothing by her Amended Statement of Claim;
2. Judgment be entered in favor of Respondent and against Claimant;
3. Costs; and
4. Such other and further relief as the Arbitrator deems appropriate.

At the hearing, Claimant withdrew the request for \$1.00 in damages.

OTHER ISSUES CONSIDERED AND DECIDED

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

During the evidentiary hearing on April 26, 2021, Respondent moved for dismissal of Claimant's claims on the basis that the claims were not established and the Form U5 disclosures were not false and defamatory. Claimant objected. The Arbitrator heard oral arguments. The Arbitrator denied the motion and, herein, affirms the decision.

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 request for expungement and amendment of her Form U5 and relevant portions of her Form U4 is denied.
2. Any and all claims for relief not specifically addressed herein 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 = \$ 50.00

**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(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

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:

One (1) pre-hearing session with a single Arbitrator @ \$50.00/session = \$ 50.00
Pre-Hearing Conference: November 19, 2020 1 session

Two (2) hearing sessions @ \$50.00/session = \$ 100.00
Hearing: April 26, 2021 2 session

Total Hearing Session Fees = \$ 150.00

The Arbitrator has assessed the total hearing session fees to Claimant.

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

ARBITRATOR

David J. Romanski

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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

David J. Romanski

David J. Romanski
Sole Public Arbitrator

05/14/2021

Signature Date

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May 14, 2021

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