

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

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In the Matter of the Arbitration Between:

Claimants

Equitable Advisors, LLC  
Equitable Network, LLC

Case Number: 20-02433

vs.

Respondent

Michael P. Gopie

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 and Non-Member vs. Associated Person

**REPRESENTATION OF PARTIES**

For Claimants Equitable Advisors, LLC, and Equitable Network, LLC: Amanda Sotak, Esq. and Raha Assadi, Esq., Figari + Davenport, LLP, Dallas, Texas.

Respondent Michael P. Gopie did not enter an appearance.

**CASE INFORMATION**

Statement of Claim filed on or about: July 29, 2020.

Equitable Advisors, LLC signed the Submission Agreement: July 29, 2020.

Equitable Network, LLC signed the Submission Agreement: July 29, 2020.

Michael P. Gopie did not file a Statement of Answer or signed the Submission Agreement.

**CASE SUMMARY**

In the Statement of Claim, Claimants asserted a cause of action for breach of promissory note.

**RELIEF REQUESTED**

In the Statement of Claim, Claimants requested \$35,093.00 principal due on the Note; interest at the annual rate of 4.25% on the forgoing principal from the date of filing the Statement of Claim, until the date of the award; recovery plan balance and accrued interest due on the balance as of the date of filing the Statement of Claim; accrued interest at the maximum legal rate on the amount of the award until full repayment; costs of collection including, but not limited

to, all filing fees, costs of arbitration proceedings, and attorneys' fees; and all such other relief as the Arbitrator feels just and proper.

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

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

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

The Arbitrator determined that Respondent Michael P. Gopie was served with the Claim Notification letter dated August 3, 2020 by regular mail and the Overdue Notice (including the Statement of Claim) dated September 23, 2020 by regular and certified mail. The Arbitrator also determined that Respondent Michael P. Gopie was served with the Notification of Arbitrator dated October 20, 2020 by regular and certified mail.

The Claim Notification letter notified Respondent Michael P. Gopie that FINRA rules require parties to use the online DR Portal on a mandatory basis (except pro se investors) and that failure to register for the DR Portal will prevent the submission of pleadings, selection of arbitrators, and receipt of notification relating to case information and deadlines. Respondent Michael P. Gopie failed to register for the DR Portal.

The Arbitrator determined that Respondent Michael P. Gopie 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 Claimants the sum of \$35,093.00.
2. Respondent is liable for and shall pay to Claimant interest at the rate of 4.25% per annum on the above amount of \$35,093.00 from July 1, 2020 through February 12, 2021.
3. Respondent is liable for and shall pay to Claimants \$1,000.00 to reimburse Claimants for the non-refundable portion of the filing fee previously paid to FINRA Dispute Resolution Services.
4. Respondent is liable for and shall pay to Claimants \$300.00 to reimburse Claimants for the Paper Decision Fee previously paid to FINRA Dispute Resolution Services.
5. Any and all claims for relief not specifically addressed herein, including any requests for attorneys' fees, are denied.

**FEES**

Pursuant to the Code, Claimant Equitable Advisors, LLC has paid to FINRA Dispute Resolution Services the \$750.00 Member Surcharge and \$1,750.00 Member Process Fee previously invoiced.

**ARBITRATOR**

Steven Gary Leventhal

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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**

***Steven Gary Leventhal***

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Steven Gary Leventhal  
Sole Public Arbitrator

**02/17/2021**

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Signature Date

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February 17, 2021

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