

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

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In the Matter of the Arbitration Between:

Claimant  
Kenneth Leopold Williams

Case Number: 20-02440

vs.

Respondent  
Spartan Capital Securities, LLC

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: Associated Person vs. Member

**REPRESENTATION OF PARTIES**

Claimant Kenneth Leopold Williams appeared pro se. Previously represented by Jennifer P. Farrar, Esq., Farrar Law, PLLC, Tomball, Texas.

Respondent Spartan Capital Securities, LLC did not enter an appearance.

**CASE INFORMATION**

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

Kenneth Leopold Williams signed the Submission Agreement: July 29, 2020.

Respondent, Spartan Capital Securities, LLC did not file a Statement of Answer or sign the Submission Agreement.

**CASE SUMMARY**

In the Statement of Claim, Claimant asserted a claim seeking expungement of customer dispute information from registration records maintained by the Central Registration Depository (“CRD”).

**RELIEF REQUESTED**

In the Statement of Claim, Claimant requested expungement of Occurrence Number 1436895; compensatory damages in the amount of \$1.00; and any and all other relief that the Arbitrator deems just and equitable.

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

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

Respondent did not file a properly executed Submission Agreement but is required to submit to arbitration pursuant to the Code of Arbitration Procedure ("Code") and is bound by the determination of the Arbitrator on all issues submitted.

By letter dated June 28, 2021, Claimant's counsel, Jennifer P. Farrar, Esq., withdrew as counsel, provided contact information for the Claimant, and requested a thirty (30) day stay of deadlines so that Claimant can obtain new counsel.

By letter dated September 29, 2021, FINRA asked Claimant if he intended to pursue this matter and requested that he submit a response by October 14, 2021. FINRA advised Claimant that if no response was received, the matter would be referred to the Arbitrator who may determine to close the case.

Having received no communication from Claimant, on November 2, 2021, a follow up letter was sent to Claimant once again asking if he intended to pursue this matter. The letter requested that Claimant submit a response by November 12, 2021. Additionally, the letter advised Claimant that if no response was received, the matter would be referred to the Arbitrator who may determine to close the case.

Based on the foregoing, the Arbitrator determined that it is clear that Claimant does not intend to pursue this matter at this time. Accordingly, the Arbitrator determined that the claim should be dismissed without prejudice.

### **AWARD**

The Arbitrator has decided in full and final resolution of the issues submitted for determination as follows:

1. Claimant's claims are dismissed without prejudice for failure to prosecute.

### **FEES**

Pursuant to the Code, the following fees are assessed:

#### **Filing Fees**

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

Initial Claim Filing Fee	= \$	50.00
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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 that employed the associated person at the time of the events giving rise to the

dispute. Accordingly, as a party, Respondent Spartan Capital Securities LLC is assessed the following:

Member Surcharge = \$ 150.00

**Postponement Fees**

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

March 24, 2021, postponement requested by Claimant = \$ 50.00

June 23, 2021, postponement requested by Claimant = \$ 50.00

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Total Postponement Fees = \$ 100.00

The Arbitrator has assessed the total postponement fees to Claimant.

**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:

March 24, 2021, cancellation requested by Claimant = \$ 600.00

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Total Last-Minute Cancellation Fees = \$ 600.00

The Arbitrator has assessed the total last-minute cancellation fees to Claimant.

**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 with a single Arbitrator @ \$50.00/session = \$ 100.00

Pre-Hearing Conferences: December 16, 2020 1 session

January 15, 2021 1 session

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Total Hearing Session Fees = \$ 100.00

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**

Cynthia A. DiMarco

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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**

***Cynthia A. DiMarco***

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Cynthia A. DiMarco  
Sole Public Arbitrator

**01/26/2022**

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Signature Date

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January 28, 2022

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