

Award
FINRA Dispute Resolution Services

In the Matter of the Arbitration Between:

Claimant

Michael Patrick Nolan, Jr.

Case Number: 20-02588

vs.

Respondent

Allstate Financial Services, LLC

Hearing Site: St. Louis, Missouri

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

For Claimant Michael Patrick Nolan, Jr. (“Claimant”): Erika Binnix, Esq. and Dochter Kennedy, Esq., AdvisorLaw, LLC, Westminster, Colorado.

For Respondent Allstate Financial Services, LLC (“Respondent”): Jennifer E. Novoselsky, Esq., Reyes Kurson, Chicago, Illinois.

CASE INFORMATION

Statement of Claim filed on or about: August 12, 2020.

Amended Statement of Claim filed on or about: September 3, 2020.

Claimant signed the Submission Agreement: August 11, 2020.

Statement of Answer to Amended Statement of Claim on or about: November 12, 2020.

Respondent signed the Submission Agreement: November 12, 2020.

CASE SUMMARY

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

In the Statement of Answer to Amended Statement of Claim, Respondent took no position on Claimant’s request for expungement and denied any allegation of wrongdoing.

RELIEF REQUESTED

In the Statement of Claim, as amended, Claimant requested expungement of Occurrence Number 2038877, compensatory damages in the amount of \$1.00, and any and all other relief that the Arbitrator deems just and equitable.

In the Statement of Answer to Amended Statement of Claim, Respondent requested denial of Claimant's request for damages and any potential request for attorneys' fees and costs. Respondent further requested that all forum and hearing fees be assessed against Claimant.

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

OTHER ISSUES CONSIDERED AND DECIDED

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

The Arbitrator conducted recorded, telephonic hearings on April 9 and 30, 2021, so the parties could present oral argument and evidence on Claimant's request for expungement.

Respondent participated in the expungement hearings and, as stated in the Statement of Answer, took no position on the request for expungement.

The customer in Occurrence Number 2038877 also participated in the expungement hearings but opposed the expungement request.

AWARD

After considering the pleadings, the testimony and evidence presented at the expungement 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 of Occurrence Number 2038877 from his registration records maintained by the CRD 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
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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, 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 @ \$50.00/session		= \$	50.00
Pre-Hearing Conference: December 30, 2020	1 session		
Two (2) hearing session on expungement request @ \$50.00/session		= \$	100.00
Hearings: April 9, 2021	1 session		
April 30, 2021	1 session		
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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

Susan L. Walker - 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

Susan L. Walker

Susan L. Walker
Sole Public Arbitrator

05/07/2021

Signature Date

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May 07, 2021

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