

Award
FINRA Dispute Resolution Services

In the Matter of the Arbitration Between:

Claimant
Hans Hoehn

Case Number: 20-03672

vs.

Respondent
National Planning Corporation

Hearing Site: Los Angeles, 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

REPRESENTATION OF PARTIES

For Claimant Hans Hoehn (“Claimant”): Nathan W. Lamb, Esq., Ulmer & Berne LLP, Chicago, Illinois.

For Respondent National Planning Corporation (“Respondent”): Eric A. Michaels, Esq., Saretsky Hart Michaels + Gould PC, Birmingham, Michigan.

CASE INFORMATION

Statement of Claim filed on or about: October 29, 2020.
Claimant signed the Submission Agreement: October 29, 2020.

Statement of Answer filed by Respondent on or about: November 24, 2020.
Respondent signed the Submission Agreement: November 24, 2020.

CASE SUMMARY

In the Statement of Claim, Claimant asserted a claim seeking expungement of alleged defamatory information reported by Respondent in Claimant’s Form U5.

In the Statement of Answer, Respondent took no position on Claimant’s expungement request.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested:

1. Expungement of his Form U5; and
2. Compensatory damages in the amount of \$1.00 from Respondent.

In the Statement of Answer, Respondent requested:

1. Claimant be denied any monetary relief; and
2. All fees and costs associated with the proceedings be assessed against Claimant.

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.

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:

The Arbitrator recommends the expungement of the Reason for Termination and Termination Explanation in Section 3 of Hans Hoehn's (CRD Number 5451519) Form U5 filed by National Planning Corporation on June 30, 2017 and maintained by the Central Registration Depository ("CRD"). The Reason for Termination shall be changed to Voluntary and the Termination Explanation shall be deleted in its entirety and shall appear blank.

The Arbitrator recommends expungement based on the defamatory nature of the information. The above recommendations are made with the understanding that the registration records are not automatically amended. Hans Hoehn must forward a copy of this Award to FINRA's Credentialing, Registration, Education and Disclosure Department for review.

Any and all claims for relief not specifically addressed herein are denied.

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(s) that employed the associated person(s) at the time of the event(s) giving rise to

the dispute. Accordingly, as a party/as parties, Respondent(s) is assessed/are each 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: February 17, 2021 1 session

One (1) hearing session on expungement request @ \$50.00/session = \$ 50.00
Hearing: March 25, 2021 1 session

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

Gregory Douglas Stone

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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

Gregory Douglas Stone

Gregory Douglas Stone
Sole Public Arbitrator

04/06/2021

Signature Date

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April 06, 2021

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