

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

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In the Matter of the Arbitration Between:

Claimant  
Mary LaPlante

Case Number: 20-03790

vs.

Respondent  
Stifel, Nicolaus & Company, Incorporated

Hearing Site: Jacksonville, Florida

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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

This case was decided by a majority-public panel.

The evidentiary hearing was conducted by videoconference.

**REPRESENTATION OF PARTIES**

Claimant Mary LaPlante (“Claimant”) appeared pro se.

For Respondent Stifel, Nicolaus & Company, Incorporated (“Respondent”): Paul R. Klein, Esq, Stifel, Nicolaus & Company, Incorporated, St. Louis, Missouri.

**CASE INFORMATION**

Statement of Claim filed on or about: November 13, 2020.

Claimant signed the Submission Agreement: November 13, 2020.

Statement of Answer filed on or about: January 7, 2021.

Respondent signed the Submission Agreement: January 7, 2021.

**CASE SUMMARY**

In the Statement of Claim, Claimant asserted a claim seeking expungement of the Form U5 filed by Respondent, as part of registration records maintained by the Central Registration Depository (“CRD”).

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

### **RELIEF REQUESTED**

In the Statement of Claim, Claimant requested expungement of the Form U5 filed by Respondent and relevant portions of the related Form U4.

In the Statement of Answer, Respondent requested that the Panel dismiss Claimant's claims and award all costs in defending this matter to Respondent.

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

The Arbitrators acknowledge that they have each read the pleadings and other materials filed by the parties.

The Panel has provided an explanation of the decision in this award. The explanation is for the information of the parties only and is not precedential in nature.

The Award in this matter may be executed in counterpart copies.

### **AWARD**

After considering the pleadings, the testimony and evidence presented at the hearing, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Claimant's request for expungement of Occurrence Number 1855585 from her registration records maintained by the CRD is denied. The Panel has provided the following explanation:

No evidence was presented to the Panel that reflected Respondent has any obligation to expunge any information previously reported on the Form U5.

2. Any and all claims for relief not specifically addressed herein, including any requests for punitive damages, treble damages, and attorneys' fees, 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 = \$ 1,575.00

*\*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 = \$ 1,900.00  
Member Process Fee = \$ 3,750.00

**Hearing Session Fees and Assessments**

The Panel has assessed hearing session fees for each session conducted. A session is any meeting between the parties and the Arbitrator(s), including a pre-hearing conference with the Arbitrator(s), which lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) pre-hearing session with the Panel @ \$1,125.00/session	= \$	1,125.00
Pre-Hearing Conference: March 16, 2021	1 session	
One (1) hearing session @ \$1,125.00/session	= \$	1,125.00
Hearing: September 23, 2021	1 session	
<b>Total Hearing Session Fees</b>	<b>= \$</b>	<b>2,250.00</b>

The Panel has assessed \$1,687.50 of the hearing session fees to Claimant.

The Panel has assessed \$562.50 of the hearing session fees Respondent.

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

**ARBITRATION PANEL**

Kenneth R. Starr	-	Public Arbitrator, Presiding Chairperson
Brian Michael Kane	-	Public Arbitrator
Niels Patrick Murphy	-	Non-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.

**Concurring Arbitrators' Signatures**

***Kenneth R. Starr***

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Kenneth R. Starr  
Public Arbitrator, Presiding Chairperson

**10/18/2021**

\_\_\_\_\_  
Signature Date

***Brian Michael Kane***

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Brian Michael Kane  
Public Arbitrator

**10/19/2021**

\_\_\_\_\_  
Signature Date

***Niels Patrick Murphy***

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Niels Patrick Murphy  
Non-Public Arbitrator

**10/19/2021**

\_\_\_\_\_  
Signature Date

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October 19, 2021

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