

Award
FINRA Dispute Resolution Services

In the Matter of the Arbitration Between:

Claimant
Christopher Wilson Hamm

Case Number: 20-04174

vs.

Respondent
Advantage Capital Corporation

Hearing Site: Houston, Texas

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 Christopher Wilson Hamm (“Claimant”): Brian Luther, Esq., FA Expungement, LLC, Denver, Colorado.

Respondent Advantage Capital Corporation (“Respondent”) did not appear.

CASE INFORMATION

Statement of Claim filed on or about: January 11, 2021.
Claimant signed the Submission Agreement: December 24, 2020.

Respondent did not file a Statement of Answer or sign the Submission Agreement.

CASE SUMMARY

In the Statement of Claim, Claimant asserted a claim alleging that the U4 filed by Respondent as part of registration records maintained by the Central Registration Depository (“CRD”), is defamatory and defamatory per se.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested expungement of the Form U4 filed by Respondent.

OTHER ISSUES CONSIDERED AND DECIDED

The Arbitrator acknowledges that he has read the pleadings and other materials filed by Claimant.

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.

On May 6, 2021, Claimant filed an Unopposed Request for Special Proceeding with One Arbitrator. In an Order dated May 12, 2021, the Panel granted Claimant’s request to proceed with a single arbitrator pursuant to Rule 13401(c) of the Code. Accordingly, the Chairperson became the sole arbitrator in this case.

Respondent did not appear at the evidentiary hearing.

AWARD

After considering the pleadings, the testimony and evidence presented at the 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 all references to Occurrence Number 328192 maintained by the CRD for Christopher Wilson Hamm (CRD Number 2144697). Any “Yes” answers should be changed to “No,” as applicable.

The above recommendation is made with the understanding that the registration records are not automatically amended. Christopher Wilson Hamm must obtain confirmation of this Award from a court of competent jurisdiction, before the CRD will execute the expungement directive, and must forward a copy of the Court Order to FINRA’s Credentialing, Registration, Education and Disclosure Department for the amendments to be incorporated into the Registration Records.

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 = \$ 1,575.00

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 Arbitrator 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: May 12, 2021		1 session
One (1) hearing session @ \$450.00/session	= \$	450.00
Hearing: June 30, 2021		1 session
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Total Hearing Session Fees	= \$	1,575.00

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

Allan R. Lazor

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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

Allan R. Lazor

Allan R. Lazor
Sole Public Arbitrator

08/16/2021

Signature Date

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August 16, 2021

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