

Award
FINRA Dispute Resolution Services

In the Matter of the Arbitration Between:

Claimant
John Dennis Lowry

Case Number: 21-00199

vs.

Respondent
Spartan Capital Securities, LLC

Hearing Site: New York, New York

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

The evidentiary hearing was conducted by videoconference.

REPRESENTATION OF PARTIES

For Claimant John Dennis Lowry: Robert I. Rabinowitz, Esq., Becker & Poliakoff, LLP, New York, New York.

For Respondent Spartan Capital Securities, LLC: Kim Monchik, Spartan Capital Securities, LLC, New York, New York.

CASE INFORMATION

Statement of Claim filed on or about: January 26, 2021.

Amended Statement of Claim filed on or about: February 23, 2021.

John Dennis Lowry signed the Submission Agreement: January 22, 2021.

Respondent did not file a Statement of Answer nor sign the Submission Agreement.

CASE SUMMARY

In the Amended 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 Amended Statement of Claim, Claimant requested expungement of Occurrence Numbers 1482786, 1667241, 1861389, 2089209, and 2089210; and such other and further relief as the Arbitrators deem just and proper.

OTHER ISSUES CONSIDERED AND DECIDED

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

Respondent did not file a Statement of Answer or properly executed Submission Agreement but is required to submit to arbitration pursuant to the Code of Arbitration Procedure (“Code”) and, having appeared and testified at the hearing, is bound by the determination of the Panel on all issues submitted.

The Panel conducted a recorded hearing by videoconference on August 3, 2021, so the parties could present oral argument and evidence on John Dennis Lowry’s request for expungement.

Respondent participated in the expungement hearing.

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

AWARD

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

1. John Dennis Lowry’s request for expungement of Occurrence Numbers 1482786, 1667241, 1861389, 2089209, and 2089210 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, the following fees are assessed:

Filing Fees

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

Expungement Filing Fee	= \$ 1,575.00
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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, LCC 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 Arbitrators, including a pre-hearing conference with the Arbitrators, 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: June 7, 2021	1 session	

One (1) hearing session on expungement request @ \$1,125.00/session	= \$	1,125.00
Hearing: August 3, 2021	1 session	

Total Hearing Session Fees	= \$	2,250.00
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The Panel has assessed \$2,250.00 of the hearing session fees to Claimant.

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

ARBITRATION PANEL

Elizabeth Gilbert	-	Public Arbitrator, Presiding Chairperson
Christine Meiers Schatz	-	Public Arbitrator
Marc Adam Sherman	-	Non-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.

Concurring Arbitrators' Signatures

Elizabeth Gilbert

Elizabeth Gilbert
Public Arbitrator, Presiding Chairperson

09/01/2021

Signature Date

Christine Meiers Schatz

Christine Meiers Schatz
Public Arbitrator

09/02/2021

Signature Date

Marc Adam Sherman

Marc Adam Sherman
Non-Public Arbitrator

09/01/2021

Signature Date

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September 02, 2021

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