

Award
FINRA Dispute Resolution Services

In the Matter of the Arbitration Between:

Claimant
Raymond, James & Associates, Inc.

Case Number: 21-00383

vs.

Respondent
Sean Rierson Martin

Hearing Site: Baltimore, Maryland

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: Member vs. Associated Person

REPRESENTATION OF PARTIES

For Claimant Raymond, James & Associates, Inc. (“RJA”): Robert K. Jamieson, Esq., Guerra King P.A., Tampa, Florida.

Respondent Sean Rierson Martin appeared pro se.

CASE INFORMATION

Statement of Claim filed on or about: February 11, 2021.
RJA signed the Submission Agreement: February 10, 2021.

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

CASE SUMMARY

In the Statement of Claim, Claimant asserted a cause of action for breach of a fully executed promissory note dated February 3, 2016 (the “Note”).

RELIEF REQUESTED

In the Statement of Claim, Claimant requested: compensatory damages in the amount of \$328,618.81, plus 10% default interest from July 7, 2020, until paid in full; reasonable attorneys’ fees and all costs incurred in connection with this proceeding pursuant to the Note; and such additional and further relief as may be deemed just and appropriate.

OTHER ISSUES CONSIDERED AND DECIDED

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

This case was originally assigned a three-member panel. After the Initial Pre-hearing Conference, it was determined that only one arbitrator should have been assigned to the case. Thereafter, two arbitrators withdrew, and the case proceeded with a single arbitrator.

Respondent did not file a Statement of Answer. Accordingly, this matter proceeded pursuant to Rule 13806 of the Code of Arbitration Procedure ("Code").

Respondent did not file a properly executed Submission Agreement but is required to submit to arbitration pursuant to the Code and, having appeared at the June 22, 2021, prehearing conference, is bound by the determination of the Arbitrator on all issues submitted.

The Arbitrator determined that Respondent Sean Rierson Martin was served with the Claim Notification letter dated February 12, 2021, by regular mail and certified mail, and the Overdue Notice (including the Statement of Claim) dated April 6, 2021, by regular and certified mail, as evidenced by the signed signature cards on file/USPS tracking information available online. The Arbitrator also determined that Respondent was served with the Notification of Arbitrator dated May 11, 2021, by regular.

The Claim Notification letter notified Respondent that FINRA rules require parties to use the online DR Portal on a mandatory basis (except pro se investors) and that failure to register for the DR Portal will prevent the submission of pleadings, selection of arbitrators, and receipt of notification relating to case information and deadlines. Respondent failed to register for the DR Portal.

The Arbitrator determined that Respondent Sean Rierson Martin is, therefore, bound by the Arbitrator's ruling and determination.

AWARD

After considering the pleadings, the Arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows:

1. Respondent is liable for and shall pay to Claimant the sum of \$328,618.81, plus interest at the rate of 10% per annum from July 7, 2020 to August 12, 2021.
2. Respondent is liable for and shall pay to Claimant \$1,000.00 to reimburse Claimant for the non-refundable portion of the filing fee previously paid to FINRA Dispute Resolution Services.
3. Respondent is liable for and shall pay to Claimant \$300.00 to reimburse Claimant for the Paper Decision Fee previously paid to FINRA Dispute Resolution Services.
4. Any and all claims for relief not specifically addressed herein, including Claimant's request for attorneys' fees, are denied.

FEES

Pursuant to the Code, Claimant has paid to FINRA Dispute Resolution Services the \$1,900.00 Member Surcharge and \$3,750.00 Member Process Fee previously invoiced.

Claimant has also paid to FINRA Dispute Resolution Services the \$1,000.00 non-refundable portion of the filing fee and the \$300.00 Paper Decision Fee.

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 three arbitrators @ \$1,125.00/session	=	WAIVED
Pre-Hearing Conference: June 22, 2021	1 session	
Decision on the papers:	=\$	300.00
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Total Hearing Session Fees	=\$	300.00

The Arbitrator has assessed the \$300.00 paper decision fee to Claimant.

ARBITRATOR

Thomas B. Corey

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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

Thomas B. Corey

Thomas B. Corey
Sole Public Arbitrator

08/20/2021

Signature Date

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August 20, 2021

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