

Award
FINRA Dispute Resolution Services

In the Matter of the Arbitration Between:

Claimant
Jared S. Friedman

Case Number: 21-00499

vs.

Respondent
IFS Securities, Inc.

Hearing Site: Jersey City, New Jersey

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 Jared S. Friedman: Robert L. Herskovits, Esq., Herskovits PLLC, New York, New York.

IFS Securities, Inc. did not enter an appearance in this matter.

CASE INFORMATION

Statement of Claim filed on or about: February 24, 2021.

Jared S. Friedman signed the Submission Agreement: February 24, 2021.

CASE SUMMARY

In the Statement of Claim, Claimant asserted a claim seeking expungement of Form U5 termination entry based on the defamatory nature of the entry in Claimant's Central Registration Depository ("CRD") records.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested expungement from the Central Registration Depository ("CRD") of Occurrence Numbers 1958230, 1958338, 1958231, 1958337 and all references to the underlying disclosures; changing the answer to 7(B), 7(F)(1) on Claimant's Form U5 to "No" and expunging the associated Disclosure Reporting Pages; changing the "Reason for Termination" to "Other" and the "Termination Explanation" to "Not for cause

termination”; compensatory damages of \$1.00; and all other and further relief that is just and proper.

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.

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.

Respondent IFS Securities, Inc. did not file a Statement of Answer. The Arbitrator determined that Respondent IFS Securities, Inc. was served with the Claim Notification letter dated February 24, 2021 by regular mail. The Arbitrator also determined that Respondent IFS Securities, Inc. was served with the Notification of Arbitrator dated May 13, 2021 by regular mail.

The Claim Notification letter notified Respondent IFS Securities, Inc. 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 IFS Securities, Inc. failed to register for the DR Portal.

The Arbitrator determined that Respondent IFS Securities, Inc. is, therefore, bound by the Arbitrator’s ruling and determination.

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:

1. The Arbitrator recommends the expungement of the Reason for Termination and Termination Explanation in Section 3 of Jared S. Friedman’s (CRD Number 4678181) Form U5 filed by IFS Securities (CRD Number 40375) on November 10, 2017 and maintained by the Central Registration Depository (“CRD”). The Reason for Termination shall be changed to “Other.” The Termination Explanation shall be deleted in its entirety and replaced with the following language: “Not for cause termination.” This directive shall apply to all references to the Reason for Termination and Termination Explanation.
2. The Arbitrator recommends the expungement of the Reason for Termination and Termination Explanation in Section 3 of Jared S. Friedman’s (CRD Number 4678181) Form U5 filed by SB Advisory (CRD Number 154680) on November 13, 2017 and maintained by the CRD. The Reason for Termination shall be changed to “Other.” The Termination Explanation shall be deleted in its entirety and replaced with the following language: “Not for cause termination.” This directive shall apply to all references to the Reason for Termination and Termination Explanation.

3. The Arbitrator further recommends the expungement of all references to Occurrence Numbers 1958230, 1958231, and 1958338 maintained by the CRD for Jared S. Friedman. Any “Yes” answers should be changed to “No,” as applicable.

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. Jared S. Friedman must forward a copy of this Award to FINRA’s Credentialing, Registration, Education and Disclosure Department for review.

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

FEES

Pursuant to the Code of Arbitration Procedure (“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

**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 IFS Securities, Inc. is 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: June 16, 2021 1 session

One (1) hearing session on expungement request @ \$50.00/session = \$ 50.00
Hearing: November 15, 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

Robert E. Anderson

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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

Robert E. Anderson

Robert E. Anderson
Sole Public Arbitrator

12/16/2021

Signature Date

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.

December 17, 2021

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