

Award
FINRA Dispute Resolution Services

In the Matter of the Arbitration Between:

Claimant
Raymond James & Associates, Inc.

Case Number: 21-00541

vs.

Respondent
Jennah Clark

Hearing Site: Oklahoma City, Oklahoma

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. (“Claimant”): George L. Guerra, Esq. and Robert K. Jamieson, Esq., Guerra King P.A., Tampa, Florida.

Respondent Jennah Clark (“Respondent”) did not enter an appearance.

CASE INFORMATION

Statement of Claim filed on or about: March 1, 2021.

Claimant signed the Submission Agreement: February 25, 2021.

CASE SUMMARY

In the Statement of Claim, Claimant asserted a cause of action for breach of contract. The cause of action related to Claimant’s allegation that Respondent signed a Loan Terms Agreement (“Agreement”), which immediately became due and payable when Respondent’s employment ended.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested \$103,112.93 in compensatory damages 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 Agreement, 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.

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

The Arbitrator determined that Respondent was served with the Claim Notification letter dated March 2, 2021 by regular mail and the Overdue Notice (including the Statement of Claim) dated April 22, 2021 by regular mail and FedEx, as evidenced by the tracking information available online. The Arbitrator also determined that Respondent was served with the Notification of Arbitrator dated May 13, 2021 by regular mail and FedEx, as evidenced by the tracking information available online.

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 notifications relating to case information and deadlines.

On March 10, 2021, Respondent preliminarily registered for the DR Portal, providing Respondent with access to the Statement of Claim. However, Respondent failed to complete the registration to gain access to all of the other documents filed in the case.

The Arbitrator determined that Respondent 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 \$103,112.93.
2. Respondent is liable for and shall pay to Claimant interest on the above-stated sum at the rate of 10% per annum from July 7, 2020 through and including the date this Award is paid in full.
3. Any and all claims for relief not specifically addressed herein, including any requests for attorneys' fees, are denied.

FEES

Pursuant to the Code, Claimant has paid to FINRA Dispute Resolution Services the \$1,700.00 Member Surcharge and \$3,250.00 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.

ARBITRATOR

Michael S. Yauch

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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

Michael S. Yauch

Michael S. Yauch
Sole Public Arbitrator

06/03/2021

Signature Date

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June 03, 2021

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