

Award
FINRA Dispute Resolution Services

In the Matter of the Arbitration Between:

Claimant
Serdar Ayman

Case Number: 21-00676

vs.

Respondent
Fidelity Brokerage Services LLC

Hearing Site: Pittsburgh, Pennsylvania

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: Customer vs. Member

The evidentiary hearing was conducted by videoconference.

REPRESENTATION OF PARTIES

Claimant Serdar Ayman (“Claimant”) appeared pro se.

For Respondent Fidelity Brokerage Services LLC (“Respondent”): Joel M. Everest, Esq., Bressler, Amery & Ross, P.C., Birmingham, Alabama.

CASE INFORMATION

Statement of Claim filed on or about: March 12, 2021.

Claimant signed the Submission Agreement: March 11, 2021.

Statement of Answer filed by Respondent on or about: May 3, 2021.

Respondent signed the Submission Agreement: April 30, 2021.

CASE SUMMARY

In the Statement of Claim, Claimant asserted the following cause of action: breach of fiduciary duty. The cause of action related to Claimant’s allegation that Respondent, without authorization, purchased securities in GameStop Corp. (GME) to close Claimant’s position after Claimant sold uncovered calls in that security.

Unless specifically admitted in the Statement of Answer, Respondent denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested \$14,000.00 in compensatory damages and reimbursement of his filing fee in the amount \$425.00.

In the Statement of Answer, Respondent requested that Claimant's claims be denied in its entirety.

OTHER ISSUES CONSIDERED AND DECIDED

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

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:

Claimant's claims are denied in their entirety.

FEES

Pursuant to the Code of Arbitration Procedure, the following fees are assessed:

Filing Fees

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

Initial Claim Filing Fee	= \$	425.00
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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(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	= \$	450.00
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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 @ \$450.00/session	= \$	450.00
Pre-Hearing Conference: June 24, 2021	1 session	

One (1) hearing session @ \$450.00/session	= \$	450.00
Hearing: November 12, 2021	1 session	

Total Hearing Session Fees	= \$	900.00
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The Arbitrator has assessed \$450.00 of the hearing session fees to Claimant.

The Arbitrator has assessed \$450.00 of the hearing session fees to Respondent.

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

ARBITRATOR

Richard W. Dissen

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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

Richard W. Dissen

Richard W. Dissen
Sole Public Arbitrator

11/15/2021

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.

November 15, 2021

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