

Award
FINRA Dispute Resolution Services

In the Matter of the Arbitration Between:

Claimant
Spartan Capital Securities, LLC

Case Number: 21-00791

vs.

Respondent
Christopher P. Corwin

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: Member vs. Associated Person

REPRESENTATION OF PARTIES

For Claimant Spartan Capital Securities, LLC: Robert I. Rabinowitz, Esq., and Sarah E. Klein, Esq., Becker & Poliakoff, LLP, New York, New York.

For Respondent Christopher P. Corwin: Denis Patrick Kelleher, Esq., and Noam Greenspan, Esq., Talkin, Muccigrosso & Roberts, LLP, New York, New York.

CASE INFORMATION

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

Answer to Counterclaim filed on or about: August 10, 2021.

Spartan Capital Securities, LLC signed the Submission Agreement: March 24, 2021.

Statement of Answer filed by Respondent on or about: June 10, 2021.

Amended Statement of Answer and Counterclaim filed on or about: July 1, 2021.

Christopher P. Corwin signed the Submission Agreement: June 9, 2021.

CASE SUMMARY

In the Statement of Claim, Claimant asserted the following causes of action: unjust enrichment and quantum meruit.

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

In the Counterclaim, Respondent asserted the following causes of action: declaratory judgment removing false information in Form U5; fraudulent inducement; and New York General Business Law 349(h) in violation of FINRA Rule 2010.

Unless specifically admitted in the Answer to the Counterclaim, Claimant denied the allegations made in the Counterclaim and asserted various affirmative defenses.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested: compensatory damages in the amount of \$66,808.75 plus statutory interest thereon; filing fees and costs; and such other relief deemed just and proper.

In the Amended Statement of Answer and Counterclaim, Respondent requested that the Statement of Claim be dismissed or denied in its entirety; an award declaring that Claimant must remove false information in Respondent's Form U5; monetary and punitive damages in an amount to be determined; attorneys' fees, statutory interest, and costs; and such other and further relief as deemed just and proper.

In the Answer to the Counterclaim, Claimant requested that Respondent's Counterclaim be dismissed in its entirety; filing fees and costs; and such other relief as deemed just and proper.

At the hearing, Claimant requested: \$96,567.63 in compensatory damages; FINRA fees in the amount of \$2,850.00; and attorneys' fees in the amount of \$34,813.50. Respondent requested \$603,250.00 in compensatory damages; punitive damages in the range of \$500,000.00 to \$1,000,000.00; \$1,600.00 for FINRA filing fees; \$15,000.00 for attorneys' fees; and expungement of false information in his Form U5.

OTHER ISSUES CONSIDERED AND DECIDED

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

By correspondence dated July 30, 2021, the parties agreed, pursuant to Rule 13401(c) of the Code of Arbitration Procedure ("Code"), to proceed with a single arbitrator for this matter.

During a pre-hearing conference held on February 18, 2022, Claimant requested a hearing by videoconference. On February 22, 2022, Respondent filed a response opposing the request for hearing by videoconference. By Order dated February 24, 2022, the Arbitrator denied the request for a hearing by videoconference and ordered that the hearing proceed in-person.

On February 22, 2022, Respondent filed a Motion for Sanctions. On February 25, 2022, Claimant filed a response opposing the Motion for Sanctions and Respondent filed a reply to Claimant's opposition. During the evidentiary hearings, the Arbitrator denied the Motion for Sanctions.

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. Respondent is liable for and shall pay to Claimant the sum of 66,503.75 in compensatory damages.
2. Respondent's request for monetary damages is denied.
3. The Arbitrator recommends the expungement of the Termination Explanation in Section 3 of Christopher P. Corwin's (CRD Number 1091638) Form U5 filed by Spartan Capital Securities, LLC (CRD Number 146251) on September 2, 2020 and maintained by the Central Registration Depository ("CRD"). The Reason for Termination shall remain the same. The Termination Explanation shall be deleted in its entirety and shall appear blank. This directive shall apply to all references to the Termination Explanation.

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. Christopher P. Corwin 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, including any requests for punitive damages, and attorneys' fees, 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	= \$ 1,750.00
Counterclaim Filing Fee	= \$ 1,575.00

**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, Claimant is assessed the following:

Member Surcharge	= \$ 1,100.00
Member Process Fee	= \$ 3,750.00

Late Pre-Hearing Cancellation Fees

Fees apply when a pre-hearing conference is cancelled within three business days of the scheduled conference:

February 15, 2022, cancellation requested by the parties	= \$ 100.00
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Total Late Pre-Hearing Cancellation Fees	= \$ 100.00
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The Arbitrator has assessed the total late pre-hearing cancellation fees to Respondent.

Discovery-Related Motion Fees

Fees apply for each decision rendered on a discovery-related motion.

Three (3) decisions on discovery-related motions on the papers with one (1) Arbitrator @ \$200.00/decision = \$ 600.00

Claimant submitted two (2) discovery-related motions
Respondent submitted one (1) discovery-related motion

Total Discovery-Related Motion Fees = \$ 600.00

The Arbitrator has assessed \$400.00 of the discovery-related motion fees to Claimant.

The Arbitrator has assessed \$200.00 of the discovery-related motion fees to Respondent.

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:

Two (2) pre-hearing sessions with a single Arbitrator @ \$450.00/session = \$ 900.00
Pre-Hearing Conferences: August 17, 2022 1 session
February 18, 2022 1 session

Three (3) hearing sessions @ \$450.00/session = \$ 1,350.00
Hearings: March 1, 2022 2 sessions
March 2, 2022 1 session

Total Hearing Session Fees = \$ 2,250.00

The Arbitrator has assessed \$1,125.00 of the hearing session fees to Claimant.

The Arbitrator has assessed \$1,125.00 of the hearing session fees to Respondent.

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

ARBITRATOR

Michele S. Riley

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Sole 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.

Arbitrator's Signature

Michele S. Riley

Michele S. Riley
Sole Public Arbitrator

03/22/2022

Signature Date

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March 23, 2022

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