

Award
FINRA Dispute Resolution Services

In the Matter of the Arbitration Between:

Claimants

Ronald Shane Bullis and
Kurt Allan Van Dyken

Case Number: 21-01097

vs.

Respondent

Northwestern Mutual Investment Services, LLC

Hearing Site: Detroit, Michigan

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 Persons vs. Member

REPRESENTATION OF PARTIES

For Claimants Ronald Shane Bullis (“Bullis”) and Kurt Allan Van Dyken (“Van Dyken”) (hereinafter, collectively referred to as “Claimants”): Harris Freedman, Esq., HLBS Law, Westminster, Colorado.

For Respondent Northwestern Mutual Investment Services, LLC (“Respondent”): Thomas K. Anderson, Esq., Northwestern Mutual, Milwaukee, Wisconsin.

CASE INFORMATION

Statement of Claim filed on or about: April 27, 2021.

Claimants signed the Submission Agreement: April 27, 2021.

Statement of Answer filed on or about: July 6, 2021.

Respondent signed the Submission Agreement: July 6, 2021.

CASE SUMMARY

In the Statement of Claim, Claimants asserted a claim alleging that the Form U5s filed by Respondent, as part of registration records maintained by the Central Registration Depository (“CRD”), are defamatory in nature.

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, Claimants requested expungement of the Form U5s filed by Respondent and relevant portions of the related Form U4s, an award of damages in the amount of \$1.00, and any other relief as the Arbitrator deems just and equitable.

In the Statement of Answer, Respondent requested that an award be entered denying Claimants' claims in full and allocating all forum or hearing fees relating to this matter solely to Claimants.

At the hearing, Claimants withdrew their 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 appear at the evidentiary hearing. Upon review of the file, the Arbitrator determined that Respondent received due notice of the hearing and that arbitration of the matter would proceed without Respondent present, in accordance with the Code of Arbitration Procedure ("Code").

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 Ronald Shane Bullis's (CRD Number 5116228) Form U5, filed by Northwestern Mutual Investment Services, LLC on November 30, 2016, and maintained by the CRD. The Reason for Termination shall be changed to "Voluntary" and the Termination Explanation should be deleted in its entirety and shall appear blank. This directive shall apply to all references to the Reason for Termination and the Termination Explanation.

The Arbitrator further recommends the expungement of all references to Occurrence Number 1911797 and 1911798 from the registration records maintained by the CRD for Ronald Shane Bullis. 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. Ronald Shane Bullis must forward a copy of this Award to FINRA's Credentialing, Registration, Education and Disclosure Department for review.

2. The Arbitrator recommends the expungement of the Reason for Termination and Termination Explanation in Section 3 of Kurt Allan Van Dyken's (CRD Number 5155067) Form U5, filed by Northwestern Mutual Investment Services, LLC on November 30, 2016, and maintained by the CRD. The Reason for Termination shall be changed to "Voluntary"

and the Termination Explanation should be deleted in its entirety and shall appear blank. This directive shall apply to all references to the Reason for Termination and the Termination Explanation.

The Arbitrator further recommends the expungement of all references to Occurrence Number 1911778 and 1911780 from the registration records maintained by the CRD for Kurt Allan Van Dyken. 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. Kurt Allan Van Dyken must forward a copy of this Award to FINRA's Credentialing, Registration, Education and Disclosure Department for review.

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

FEES

Pursuant to the 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
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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	= \$	150.00
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Postponement Fees

Postponements granted during these proceedings for which fees were assessed or waived:

January 13, 2022, postponement requested by Claimants	= \$	50.00
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Total Postponement Fees	= \$	50.00
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The Arbitrator has assessed the total postponement fees jointly and severally to Claimants.

Last-Minute Cancellation Fees

Fees apply when a hearing on the merits is cancelled within ten calendar days before the start of a scheduled hearing session:

January 13, 2022, cancellation requested by Claimants		WAIVED
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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 @ \$50.00/session		= \$	50.00
Pre-Hearing Conference: September 8, 2021	1 session		
One (1) hearing session @ \$50.00/session		= \$	50.00
Hearing: January 19, 2022	1 session		
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Total Hearing Session Fees		= \$	100.00

The Arbitrator has assessed the total hearing session fees jointly and severally to Claimants.

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

ARBITRATOR

Tracy L. Allen

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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

Tracy L. Allen

Tracy L. Allen
Sole Public Arbitrator

01/31/2022

Signature Date

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January 31, 2022

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