

Award
FINRA Dispute Resolution Services

In the Matter of the Arbitration Between:

Claimant
Justin Louis Vaccaro

Case Number: 21-01553

vs.

Respondent
Raymond James Financial Services, Inc.

Hearing Site: Portland, Oregon

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

REPRESENTATION OF PARTIES

For Claimant Justin Louis Vaccaro: Brian Luther, JD, FA Expungement, LLC., Denver, Colorado.

For Respondent Raymond James Financial Services, Inc.: Bruce W. Barnes, Esq., Bruce W. Barnes, P.A., Safety Harbor, Florida.

CASE INFORMATION

Statement of Claim filed on or about: June 17, 2021.
Claimant signed the Submission Agreement: June 17, 2021.

Statement of Answer filed by Respondent on or about: August 10, 2021.
Respondent signed the Submission Agreement: August 6, 2021.

CASE SUMMARY

In the Statement of Claim, Claimant asserted a claim seeking expungement of customer dispute information from registration records maintained by the Central Registration Depository (“CRD”).

In the Statement of Answer, Respondent took no position on Claimant’s expungement request.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested expungement of Occurrence Numbers 1756839,

1954999, and 1955001 from Claimant's CRD record, pursuant to a finding that the claims, allegations, and information are factually impossible and clear erroneous pursuant to FINRA Rule 2080(b)(1)(A), and the claims, allegations, and information are false, pursuant to FINRA Rule 2080(b)(1)(C).

In the Statement of Answer, Respondent did not set forth a specific request for relief.

OTHER ISSUES CONSIDERED AND DECIDED

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

On August 13, 2021, the parties agreed to proceed with a single arbitrator on this matter.

On January 11, 2022, Claimant advised that the customers in Occurrence Numbers 1756839 ("Ms. S"), 1954999 ("Mr. D"), and 1955001 ("Ms. L") were served with the Statement of Claim and notice of the date and time of the expungement hearing.

The Arbitrator conducted a recorded, telephonic hearing on January 31, 2022, so the parties could present oral argument and evidence on Claimant's request for expungement.

Respondent participated in the expungement hearing and, as stated in the Statement of Answer, did not oppose the request for expungement.

Ms. S and Mr. D participated in the expungement hearing and opposed the expungement request.

AWARD

After considering the pleadings, the testimony and evidence presented at the expungement 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 (CRD Number 5434168) request for expungement of Occurrence Numbers 1756839, 1954999, and 1955001 from registration records maintained by the CRD is 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	= \$ 1,600.00
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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 that employed the associated person at the time of the event giving rise to the dispute. Accordingly, as a party, Respondent is assessed the following:

Member Surcharge	= \$	2,000.00
Member Process Fee	= \$	3,850.00

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 @ \$1,150.00/session	= \$	1,150.00
Pre-Hearing Conference: October 15, 2021	1 session	

One (1) hearing session on expungement request @ \$1,150.00/session	= \$	1,150.00
Hearing: January 31, 2022	1 session	

Total Hearing Session Fees	= \$	2,300.00
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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

Elwood C. Avery

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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

Elwood C. Avery

Elwood C. Avery
Sole Public Arbitrator

02/07/2022

Signature Date

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February 07, 2022

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