

Award
FINRA Dispute Resolution Services

In the Matter of the Arbitration Between:

Claimant
Michael J. Milani

Case Number: 21-01676

vs.

Respondent
Mondeum Capital, LLC

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: Associated Person vs. Member

REPRESENTATION OF PARTIES

For Claimant Michael J. Milani: Richard S. Meisner, Esq., Jardim, Meisner & Susser, P.C., Florham Park, New Jersey.

For Respondent Mondeum Capital, LLC: Preston W. Haxo, Mondeum Capital, LLC, Miami, Florida.

CASE INFORMATION

Amended Statement of Claim filed on or about: August 17, 2021.
Michael J. Milani signed the Submission Agreement: June 30, 2021.

Statement of Answer filed by Respondent on or about: August 24, 2021.
Mondeum Capital, LLC signed the Submission Agreement: August 24, 2021.

CASE SUMMARY

In the Amended Statement of Claim, Claimant asserted the following causes of action: laches; equitable expungement and equitable tolling.

In the Statement of Answer, Respondent did not oppose Claimant's request for expungement.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested an award expunging language from Claimant's BrokerCheck and public CRD records to remove false allegations; requiring that Claimant's

Form U5 be amended to remove false language; and all other legal or equitable relief to which Claimant may be entitled.

In the Statement of Answer, Respondent deferred to the Panel for a written decision.

OTHER ISSUES CONSIDERED AND DECIDED

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

Claimant filed a Statement of Claim on June 30, 2021 and an Amended Statement of Claim on August 17, 2021. The original Statement of Claim filed on June 30, 2021 was not served on the Respondent and therefore not considered by the arbitrator.

The parties agreed that, pursuant to Rule 13401(c) of the Code of Arbitration Procedure, this matter would be decided by one arbitrator.

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 all references to Occurrence Numbers 968195 and 966897 from the registration records maintained by the Central Registration Depository (“CRD”) for Michael J. Milani (CRD Number 3112957). 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. Michael J. Milani must forward a copy of this Award to FINRA’s Credentialing, Registration, Education and Disclosure Department for review.

2. Any and all claims for relief not specifically addressed herein is 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 = \$ 1,600.00

**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 event giving rise to the dispute. Accordingly, as a party, Respondent Mondeum Capital, LLC 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 @ \$450.00/session	= \$ 450.00
Pre-Hearing Conference: October 14, 2021	1 session

One (1) hearing session @ \$450.00/session	= \$ 450.00
Hearing: November 24, 2021	1 session

Total Hearing Session Fees	= \$ 900.00
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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

William G. Binckes

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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

William G. Binckes

William G. Binckes
Sole Public Arbitrator

01/14/2022

Signature Date

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January 14, 2022

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