

Award
FINRA Dispute Resolution Services

In the Matter of the Arbitration Between:

Claimant
Lisa L. Hanline

Case Number: 21-02148

vs.

Respondent
Raymond James Financial Services, Inc.

Hearing Site: Charlotte, North Carolina

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 Lisa L. Hanline: Bruce W. Barnes, Esq., Bruce W. Barnes, P.A., Safety Harbor, Florida.

For Respondent Raymond James Financial Services, Inc. (“RJFS”): Robert M. Rudnicki, Esq., The Raymond James Financial Center, St. Petersburg, Florida.

CASE INFORMATION

Statement of Claim filed on or about: August 19, 2021.
Lisa L. Hanline signed the Submission Agreement: August 19, 2021.

Statement of Answer filed by Respondent RJFS on or about: September 23, 2021.
Respondent RJFS signed the Submission Agreement: September 23, 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 did not oppose Claimant’s expungement request.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested that Occurrence Number 1177575 be expunged from the CRD system.

In the Statement of Answer, Respondent requested that all fees be assessed to Claimant.

OTHER ISSUES CONSIDERED AND DECIDED

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

On December 15, 2021, Claimant advised that the customer in Occurrence Number 1177575 ("Customer") was served with the Statement of Claim and notice of the date and time of the expungement hearing.

On December 23, 2021, Claimant submitted notice that on December 22, 2021, the Customer emailed Claimant's counsel, stating that the Customer would not oppose the expungement request. A copy of the email was submitted as proof thereof.

The Arbitrator conducted a recorded, telephonic hearing on February 17, 2022, so the parties could present oral argument and evidence on Claimant's request for expungement.

Respondent did not participate in the expungement hearing.

The Customer also did not participate in the expungement hearing. The Arbitrator found that the Customer had notice of the expungement request and hearing.

During the expungement hearing on February 17, 2022, and memorialized in a post-hearing Order on February 21, 2022, the Chairperson directed Claimant to file copies of the Customer's New Account Form and Respondent's report of the investigation of the Customer's complaint against Claimant. On February 17, 2022, Claimant filed a copy of Respondent's report of the investigation. On February 23, 2022, Claimant filed a copy of Claimant's New Account Form.

The Arbitrator reviewed Claimant's BrokerCheck® Report. The Arbitrator noted that a prior arbitration panel or court did not previously rule on expungement of the same occurrence in the CRD.

The Arbitrator noted that the dispute related to Occurrence Number 1177575 was not settled and, therefore, there was no settlement document to review.

In recommending expungement, the Arbitrator relied upon the following documentary or other evidence: Claimant's Statement of Claim; Respondent's Statement of Answer; Claimant's BrokerCheck® Report; Claimant's Notice of Compliance with Initial Pre-Hearing Conference Scheduling Order; the Notice to Customer; the Customer's email stating he does not oppose expungement; the Customer's New Account Form; Respondent's investigation report with a finding of no wrongdoing by Claimant; and Claimant's testimony.

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:

1. The Arbitrator recommends the expungement of all references to Occurrence Number 1177575 from registration records maintained by the CRD for Claimant Lisa L. Hanline (CRD Number 1893911) with the understanding that, pursuant to Notice to Members 04-16, Claimant Lisa L. Hanline must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.

Unless specifically waived in writing by FINRA, parties seeking judicial confirmation of an arbitration award containing expungement relief must name FINRA as an additional party and serve FINRA with all appropriate documents.

Pursuant to Rule 13805 of the Code of Arbitration Procedure ("Code"), the Arbitrator has made the following Rule 2080 affirmative findings of fact:

The claim, allegation, or information is factually impossible or clearly erroneous.

The claim, allegation, or information is false.

The Arbitrator has made the above Rule 2080 findings based on the following reasons:

The Customer made a complaint against Claimant, which was entered into CRD as follows: "Client alleges suitability. No compensatory damages claimed, but appear to be greater than \$5,000." Respondent investigated the complaint and denied it. The Customer took no other action. The Customer was notified of Claimant's request for expungement and sent Claimant's counsel an email stating: "I will NOT oppose the expungement!"

Claimant testified that she opened the Customer's account and that her investment recommendations were suitable, fully explained to the Customer, and in keeping with his investment objectives. Claimant testified that she did not receive any special compensation from recommending these investments. The Customer never complained to Claimant and never lost any money on the accounts at the time he transferred his account from Claimant. The Customer told Claimant that he was transferring his account at the request of the Customer's employer to open an account with his employer.

Claimant has been in the securities industry since 1991, and with the exception of the Customer's complaint, has no other occurrences on her record. The Arbitrator finds that the Customer's allegations in his complaint are not credible and not supported by the evidence, and therefore, factually impossible and false. For these reasons, expungement of the Claimant's record is appropriate and is therefore recommended.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

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

Expungement 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: December 6, 2021 1 session	

One (1) hearing session on expungement request @ \$1,150.00/session	=\$ 1,150.00
Hearing: February 17, 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

Michael J. Ahlstrom

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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

Michael J. Ahlstrom

Michael J. Ahlstrom
Sole Public Arbitrator

03/01/2022

Signature Date

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March 02, 2022

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