

**FINANCIAL INDUSTRY REGULATORY AUTHORITY  
OFFICE OF HEARING OFFICERS**

DEPARTMENT OF ENFORCEMENT,

Complainant,

v.

SHADI T. BARAKAT  
(CRD No. 5031281),

Respondent.

Disciplinary Proceeding  
No. 2018056490315

Hearing Officer–BDC

**ORDER DENYING RESPONDENT’S MOTION TO INTRODUCE AFFIDAVIT**

On January 21, 2026, I held a Case Management Conference with the parties to discuss, among other things, the pre-hearing schedule. During the conference, Respondent stated that he wished to call as a witness at the hearing an attorney who purportedly had conversations with Enforcement counsel regarding the scheduling of his on-the-record testimony in 2024. Respondent did not identify the attorney. Since the deadline for filing proposed witness and exhibit lists had passed, I advised Respondent that he would need to file, by January 23, a motion for leave to file his witness list late, along with his proposed witness list. I further advised Respondent that all papers filed in this case must comply with FINRA Rules and the requirements set forth in the Case Management and Scheduling Order (“CMSO”) issued in this case.<sup>1</sup>

On January 23, Respondent emailed the assigned Case Administrator and Enforcement. It appeared from the email that Respondent was seeking leave to file a witness list late. However, he did not file the request in the proper format, nor did he use the proper method for filing the request (*i.e.*, by emailing the request to [ohocasefilings@finra.org](mailto:ohocasefilings@finra.org), as required under Section V.B of the CMSO). In addition, Respondent did not provide the information I requested during the Case Management Conference and that is required under Section VII.B of the CMSO related to witness lists (*i.e.* full name, home city and state, occupation, and a summary of the substance and scope of the witness’s anticipated testimony). In his January 23 email, Respondent also suggested providing as an exhibit, “some correspondence for the record from [his] attorney” in lieu of live testimony.

Because Respondent did not comply with the instructions I provided during the Case Management Conference or the requirements of the CMSO, I issued an order on January 26, 2026, directing Respondent to file, no later than 12:00 noon on Tuesday, January 27, 2026, a

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<sup>1</sup> See February 6, 2025 CMSO, Section V (General Requirements for Motions and Other Papers).

motion seeking leave to file his witness list and/or exhibit list late. I informed Respondent that a motion for leave to file his witness list late must include the proposed witness's full name, home city and state, occupation, and a summary of the substance and scope of the witness's anticipated testimony. I also informed Respondent that, if he is seeking to offer an affidavit or sworn statement from his attorney, he must file a motion for leave to file his exhibit list late and the motion must include a copy of the notarized affidavit or sworn statement that Respondent seeks to offer at the hearing.

On January 26, 2026, Respondent emailed the Case Administrator and Enforcement stating that, in his prior email dated January 23, "he made a motion to introduce a simple affidavit from [his] attorney." He also noted that he is "not doing exhibits." Although he failed to use the proper method for filing a motion and his email did not comply with the filing requirements set forth in the CMSO, I treated Respondent's January 26 email as a motion to introduce an affidavit from his attorney ("Respondent's Motion").

Respondent's Motion does not comply with my January 26 Order. He did not include a copy of the notarized affidavit he is seeking to introduce at the hearing, the name of the attorney preparing the affidavit, or any other information required under Section VII.C of the CMSO. Accordingly, Respondent's Motion is **DENIED**.

**SO ORDERED.**



Brian D. Craig  
Hearing Officer

Dated: January 28, 2026

Copies to:

Shadi Taysir Barakat, Respondent (via email)  
Adam Balin, Esq., FINRA Enforcement (via email)  
Mark Fernandez, Esq., FINRA Enforcement (via email)  
Alyssa Braver, Esq., FINRA Enforcement (via email)