

**Award
FINRA Dispute Resolution**

In the Matter of the Arbitration Between:

Claimant
IRA FBO Robert Elizondo

Case Number: 14-01437

vs.

Respondent
Jon G. Sanchez

Hearing Site: Reno, Nevada

Nature of the Dispute: Customer vs. Associated Person

REPRESENTATION OF PARTIES

Claimant IRA FBO Robert Elizondo, hereinafter referred to as "Claimant": Jonathan E. Neuman, Esq., Law Offices of Jonathan E. Neuman, Esq., Fresh Meadows, New York

Respondent Jon G. Sanchez, hereinafter referred to as "Respondent": Steven F. Bus, Esq., Law Offices of Steven F. Bus, Reno, Nevada

CASE INFORMATION

Statement of Claim filed on or about: May 5, 2014

Claimant signed the Submission Agreement: April 9, 2014

Statement of Answer filed by Respondent on or about: August 1, 2014

Respondent signed the Submission Agreement: June 24, 2014

CASE SUMMARY

Claimant asserted the following causes of action: fraud, negligent misrepresentation, breach of fiduciary duty, breach of the covenants of good faith and fair dealing, negligent supervision, breach of contract, and section 20 violations. The causes of action relate to Claimant's investments in unspecified, non-traditional leveraged and/or inverse-exchange traded funds.

Unless specifically admitted in his Answer, Respondent denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

In the Statement of Claim, Claimant requested:

1. Compensatory damages in the amount of \$100,000.00, or an amount as shall be established at the hearing;
2. Costs including reimbursement of all filing and hearing fees; and
3. Costs relating to expert witness fees, transcripts, and analysis.

At the close of the hearing, Claimant requested compensatory damages in the amount of \$134,681.00.

In his Answer, Respondent requested:

1. Claimant's claims be denied in their entirety;
2. Costs; and
3. Legal fees.

OTHER ISSUES CONSIDERED AND DECIDED

The Arbitrator acknowledges that he has read the pleadings and other materials filed by the parties.

In Claimant's counsel's Pre-Hearing brief, Claimant requested damages in the amount of \$125,500.00. Immediately prior to the start of the evidentiary hearing, the Arbitrator raised the procedural issue of panel composition based on Claimant's monetary claim which then exceeded \$100,000.00. In response, Claimant's counsel made a request to proceed with one arbitrator. Respondent's counsel objected to Claimant's counsel's request. After due deliberation, the Arbitrator granted Claimant's counsel's request to proceed with one arbitrator.

The parties have agreed that a handwritten, signed Award may be entered.

AWARD

After considering the pleadings, the testimony and evidence presented at the hearing, and the post-hearing submissions, the Arbitrator has decided in full and final resolution of the issues submitted for determination as follows:

1. Respondent is liable for and shall pay to Claimant compensatory damages in the amount of \$75,000.00.
2. Respondent is liable for and shall pay to Claimant interest at a rate of 5.25% per annum on the amount of \$75,000.00 from the date the award is served until the award of \$75,000.00 is paid in full, which is the statutory rate of interest as outlined in Nevada Revised Statute Chapter 17.130(2).
3. Respondent is liable for and shall pay to Claimant attorneys' fees in the amount of \$3,500.00, pursuant to the applicable provisions of the Nevada Revised Statute Chapters 41 and 598.

4. Respondent is liable for and shall pay to Claimant \$225.00 as reimbursement for the non-refundable portion of the initial claim filing fee previously paid by Claimant to FINRA.
5. Any and all relief not specifically addressed herein is denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

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

Initial Claim Filing Fee	=\$ 975.00
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**The filing fee is made up of a non-refundable and a refundable portion.*

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(s), including a pre-hearing conference with the arbitrator(s), that 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 27, 2014 1 session	
Four (4) Hearing sessions @ \$450.00/session	=\$1,800.00
Hearing Dates: July 7, 2015 2 sessions	
July 8, 2015 2 sessions	
<hr/> Total Hearing Session Fees	<hr/> =\$2,250.00

1. The Arbitrator has assessed \$225.00 of the hearing session fees to Claimant.
2. The Arbitrator has assessed \$2,025.00 of the hearing session fees to Respondent.

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

