

# NORTH CAROLINA LAWYERS WEEKLY

## \$1 million FINRA arbitration award in retirement investment dispute

By: North Carolina Lawyers Weekly Staff February 22, 2011



Baker

Plaintiffs were long-time investors with Raymond James and followed the recommendations of a branch manager to purchase stock in a local business as part of their retirement planning. It was later determined that the Raymond James branch manager was not authorized to "sell away" and he actually pocketed a finder's fee.

The local business in which the plaintiffs invested went out of business due to considerable financial liabilities. The branch manager was sanctioned by the Financial Industry Regulatory Authority and was fired by Raymond James.



Slaughter

Prior to the arbitration, Raymond James refused to make an offer to settle contending that the branch manager's actions were outside the course and scope of his employment.

### Arbitration Report

**Type of action:** FINRA arbitration

**Injuries alleged:** Economic losses

**Case name:** *Wayne Welsher et al. v. Raymond James & Associates, Inc.*

**Case number:** FINRA 09-00137

**Court:** FINRA Arbitration Panel, Wake County

**Arbitrators:** Richard Miley, Michael Weisel and John Barlow

**Verdict or settlement:** Arbitration award

**Date:** Feb. 1, 2011

**Amount:** \$1 million

**Highest offer:** \$0

**Experts:** George Westmoreland (Rogers, Ark.)

**Were liability and/or damages contested?** Yes

**Was the opposing party represented by legal counsel?** Yes

**Has the plaintiff been successful in actually collecting the judgment?** Yes

**Plaintiff's attorneys:** H. Mitchell Baker III and M. Troy Slaughter (both of Wilmington); and Ken Shemin (Rogers, Ark.)

**Editor's note:** *The information in Lawyers Weekly's verdicts and settlements reports was submitted by the counsel for the prevailing party and represents the attorney's characterization of the case.*

Tagged with: ECONOMIC LOSS FINRA INVESTORS

