

**Award**  
**FINRA Dispute Resolution Services**

---

In the Matter of the Arbitration Between:

Claimant  
Spartan Capital Securities, LLC

Case Number: 23-00020

vs.

Respondent  
Samuel Girgiss

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: Member vs. Associated Person

This matter proceeded pursuant to Rule 12800 of the Code of Arbitration Procedure (“Code”).

**REPRESENTATION OF PARTIES**

For Claimant Spartan Capital Securities, LLC (“Claimant”): Robert Fitzpatrick, Spartan Capital Securities, LLC., New York, New York.

Respondent Samuel Girgiss (“Respondent”) did not enter an appearance in this matter.

**CASE INFORMATION**

Statement of Claim filed on or about: January 3, 2023.

Spartan Capital Securities, LLC signed the Submission Agreement: January 3, 2023.

Samuel Girgiss did not file a Statement of Answer or sign the Submission Agreement.

**CASE SUMMARY**

In the Statement of Claim, Claimant asserted the following cause of action: breach of independent contractor agreement.

**RELIEF REQUESTED**

In the Statement of Claim, Claimant requested: compensatory damages of \$32,879.74 plus interest, costs, attorneys’ fees, and any other damages as deemed appropriate.

### **OTHER ISSUES CONSIDERED AND DECIDED**

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

Respondent did not file a properly executed Submission Agreement but is required to submit to arbitration pursuant to the Code and is bound by the determination of the Arbitrator on all issues submitted.

Respondent Samuel Girgiss did not file a Statement of Answer. The Arbitrator determined that Respondent Samuel Girgiss was served with the Claim Notification letter dated January 4, 2023, by regular mail and the Overdue Notice (including the Statement of Claim) dated February 23, 2023, by regular and certified mail, as evidenced by the signed signature card on file. The Arbitrator also determined that Respondent Samuel Girgiss was served with the Notification of Arbitration dated March 23, 2023, by regular mail.

The Claim Notification letter notified Respondent Girgiss that FINRA rules require parties to use the online DR Portal on a mandatory basis (except pro se investors) and that failure to register for the DR Portal will prevent the submission of pleadings, selection of arbitrators, and receipt of notification relating to case information and deadlines. Respondent Samuel Girgiss failed to register for the DR Portal.

The Arbitrator determined that Respondent Samuel Girgiss is, therefore, bound by the Arbitrator's ruling and determination.

### **AWARD**

After considering the pleadings, the Arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows:

1. Respondent is liable for and shall pay to Claimant the sum of \$32,879.74 in compensatory damages.
2. Respondent is liable for and shall pay to Claimant interest on the above-stated sum at the rate of 9.00% per annum from December 2, 2022, through and including the date the of the award is paid in full.
3. Any and all claims for relief not specifically addressed herein, including any requests for costs, are denied.
4. FINRA Dispute Resolution Services shall retain the \$1,450.00 filing fee that Claimant deposited previously.
5. Respondent is liable for and shall pay to Claimant \$1,450.00 to reimburse Claimant for the filing fee previously paid to FINRA Dispute Resolution Services.

**FEES**

Pursuant to the Code:

1. Claimant Spartan Capital Securities, LLC has paid to FINRA Dispute Resolution Services the \$750.00 Member Surcharge and \$1,750.00 Member Process Fee previously invoiced.

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

**ARBITRATOR**

Albert Rizzo

-

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**

***Albert Rizzo***

\_\_\_\_\_  
Albert Rizzo  
Sole Public Arbitrator

**05/24/2023**

\_\_\_\_\_  
Signature Date

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.

May 24, 2023

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