

STATE OF MICHIGAN
THIRD JUDICIAL CIRCUIT COURT
FOR THE COUNTY OF WAYNE

Vincent A. Panizzi,

Case No.

-CZ

Plaintiff,

Judge: _____

-vs-

Merrill Lynch, Pierce, Fenner, & Smith, Inc.,

Defendant.

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**UNCONTESTED ORDER GRANTING PLAINTIFF VINCENT A. PANIZZI'S MOTION
TO VACATE**

At a session of Court held in the Wayne County Circuit Court,
Detroit, Michigan, on 2/1/2022
Present: Honorable Susan Hubbard
Circuit Court Judge

This matter is before the Court Pursuant to Section 23 of Michigan's Uniform Arbitration Act, MCL § 691.1703, for the entry of an order to vacate the FINRA arbitration Award dated September 23, 2021 in Arbitration No. 20-03165. Merrill Lynch, Pierce, Fenner, & Smith, Inc., through counsel, has stipulated to and waived notice and hearing on entry of this order. In consideration for this Uncontested Order, Vincent A. Panizzi stipulates to the following:

- 1) The parties will file the same pleadings (statement of claim and answer) that they previously submitted to FINRA,
- 2) The parties will not serve any new discovery requests,
- 3) Mr. Panizzi will produce all documents that the arbitrator previously ordered for production,
- 4) Mr. Panizzi will be assessed all FINRA fees for any hearing sessions in the new arbitration (IPHC and expungement hearing) and will be responsible for payment of Merrill Lynch's member fee,
- 5) Mr. Panizzi will call no witnesses other than himself to testify, and
- 6) The expungement hearing will be conducted in one day via Zoom videoconference.

It is, therefore, **ORDERED** that FINRA arbitration Award dated September 23, 2021 in Arbitration No. 20-03165 be vacated and that the matter be reheard before the panel upon the terms contained in this Uncontested Order.

/s/ Susan Hubbard 2/1/2022

Judge

Dated: 2/1/2022

I STIPULATE TO THE ENTRY OF THE ABOVE ORDER:

/s/ Nicholas T. Stack

Nicholas T. Stack

SHUMAKER, LOOP & KENDRICK, LLP

Attorney for Plaintiff

Vincent A. Panizzi

/s/Krista L. Elsasser (per email consent)

Krista L. Elsasser

Bressler Amery & Ross, P.C

Attorney for Merrill Lynch, Pierce,

Fenner, & Smith, Inc.

NOTICE AND HEARING ON ENTRY OF THE ABOVE ORDER IS WAIVED:

/s/ Nicholas T. Stack

Nicholas T. Stack

SHUMAKER, LOOP & KENDRICK, LLP

Attorneys for Plaintiff

Vincent A. Panizzi

/s/Krista L. Elsasser (per email consent)

Krista L. Elsasser

Bressler Amery & Ross, P.C

Attorney for Merrill Lynch, Pierce,

Fenner, & Smith, Inc.