

# Michael J. Charlillo

Associate



216.583.7266  
1660 West 2nd Street,  
Suite 1100  
Cleveland, OH 44113-1406  
mcharlillo@ulmer.com

## Practices/Industries

- Complex Business Litigation
- Securities & Commodities Litigation
- Broker-Dealer & Investment Litigation
- Financial Services

## Education

John Carroll University  
(B.A., 2007)  
Cleveland-Marshall College of Law  
(J.D., 2012)

## Overview

Michael focuses his practice on securities litigation and business litigation. He routinely represents broker-dealers and registered representatives in arbitrations before the Financial Industry Regulatory Authority (FINRA) involving customer claims of fraud, unsuitability, churning, excessive mark-ups, mismarked trades, failure to supervise, and violations of state and federal securities laws. Michael also represents and advises these clients during investigations and enforcement actions by FINRA, the Securities and Exchange Commission, and state securities regulators involving issues such as compliance with industry regulations regarding disclosure, recordkeeping, licensing, registration, and supervision.

On the industry side, Michael regularly defends broker-dealers against defamation claims and requests for expungement brought by former registered representatives arising from information reported to FINRA on a Form U5. In his business litigation practice, Michael frequently represents businesses in employment disputes, including in matters involving enforcement of restrictive covenants.

## Experience

- Obtained summary judgment for national broker-dealer on all of plaintiff's claims regarding perceived issues with a power of attorney document and withdrawals made by plaintiff's attorney-in-fact. *Thomas Calvey v. Stifel, Nicolaus & Company, Incorporated*, U.S. District Court for the Northern District of Ohio, Case No. 1:19 CV 936 (decision affirmed on appeal by the U.S. Court of Appeals for the Sixth Circuit, Case No. 20-3423).
- Received award recommending expungement of two customer complaints from financial advisor's publicly-available BrokerCheck Report records. *Daniel Lauletta v. Ameriprise Financial Services, Inc. et al.*, FINRA Arbitration No. 18-04142.
- Obtained summary judgment for local radiology practice group on all of plaintiff's 12 causes of action stemming from allegations that radiology practice group breached the plaintiff's employment agreement. *Dr. Keni Augustin v. Ohio Imaging Associates, Inc.*, Court of Common Pleas for Cuyahoga County, Ohio, Case No. CV-18-904581.
- Successfully defended national broker-dealer against former employee's claims of defamation and tortious interference and received award in which the panel denied all of the claimant's claims and rejected the claimant's request for \$500,000 in damages. *Christine Marie Paul v. J.P. Morgan Securities LLC*, FINRA Arbitration No. 16-03702.
- Received award recommending expungement of customer complaint from financial advisor's publicly-available BrokerCheck Report records. *Richard Wagenfeld v. J.P. Morgan Securities LLC, et al.*, FINRA Arbitration No. 17-01674.

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## Experience (Cont)

- Successfully defended national broker-dealer and its employees in FINRA arbitration hearing involving complex issues of competency and elder abuse. The claimants, relatives of the deceased customer, alleged that respondents fraudulently induced the decedent to liquidate millions of dollars of municipal bonds and to use the proceeds to purchase shares in a money market fund, earning significantly less interest. The claimants sought over \$15 million in damages. The panel denied the claimants' claims in their entirety and recommended expungement of all references to the case from the the publicly-available BrokerCheck Report records of the employees involved. *Estate of Jerry Castellone aka Gennaro Castellone v. Chase Investment Services Corp., et al.*, FINRA Arbitration No. 11-03837.

## Involvement

### Professional Affiliations

- Cleveland Metropolitan Bar Association
- Ohio State Bar Association

### Community Involvement

- Youth Opportunities Unlimited (*Board of Directors, January 2022-present*)
- Empower Sports (*Board of Directors, 2021-present*)
- Cleveland Metropolitan Bar Association The 3Rs – Rights, Responsibilities, and Realities Program (*High School Classroom Volunteer*)
- The Legal Aid Society of Cleveland (*Brief Advice Clinic Volunteer*)

## Honors & Distinctions

- Named to the Ohio Super Lawyers Rising Stars list (2020-2022)

## Admissions

- State of Ohio
- U.S. Court of Appeals, Sixth Circuit
- U.S. District Court, Northern District of Ohio