Alvarez, Michelle (OGC)

From: Mygatt, Courtney
Sent: Wednesday, May 22, 2024 3:20 PM
To: Wade, Patrick
Subject: FW: From Jordan RE: last plea to resolve and/or full disclosure for Arbitration
Attachments: Terri Tepper Power of Attorney for Jordan Weiner.jpeg; commissions and fees double billing proof image 2.jpeg; Commissions and fees double billing proof image 1.jpeg; Patrick Wade complaint dismisal letter highlighted sentence false statement.jpeg; LJ W._Neurobalance Mindbody Visit Summary.pdf; Nick Gorsline Neurobalance Cognitive Decline Letter.pdf

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From: Jordan Weiner <jordan@internetconsultinginc.com>
Sent: Wednesday, May 22, 2024 11:37 AM
To: Nona Ullman [redacted] Terri P Tepper [redacted]
Cc: Mygatt, Courtney <Courtney.Mygatt@opco.com>
Subject: From Jordan RE: last plea to resolve and/or full disclosure for Arbitration

[External Email – Exercise Care]

Dear Courtney,

Please find attached the power of attorney document designating me as the official representative for our family in this dispute.

I am emailing to inform you that after careful consideration, our family has decided to proceed with arbitration against Oppenheimer & Co. Inc. for breaches of fiduciary duty in the management of my late father, Lawrence Jay Weiner's accounts. This decision comes after Oppenheimer's dismissal of our complaint without taking corrective action and stating that no further reply will be made.

We are deeply disappointed by the way our Patriarch was preyed upon with double billing and increased fees when he was elderly with cognitive decline. We are shocked and dismayed at how our complaint has been handled.

The below email string clearly shows Mr. Wade documenting all accounts with Oppenheimer were billed increased fees starting in Jan 2021. The attached Oppenheimer commission report clearly shows that, contrary to Mr. Wade's statement, commissions were also charged, in addition to the increased fees, during the same period starting in January 2021. Furthermore, the Neurobalance evidence demonstrates that my father attended a significant, ongoing, number of Parkinson's group fitness classes, which took place prior to the significant fee increase. The attached letter from the class instructor confirms that my father experienced significant cognitive decline due to his medical conditions before the rate hike.

As fiduciaries, Oppenheimer had a duty under Illinois law to act in the best interests of elderly or disabled persons like my father. The wrongful billing of commissions and fees, as well as the substantial fee increase after years of Parkinson's-related cognitive decline, constitute clear breaches of this fiduciary duty.

Oppenheimer's own code of ethics and website state that periodic assessments are conducted to ensure clients' accounts can withstand unexpected life changes, which we believe should include serious medical issues affecting one's life and cognitive function.

I have prepared a statement of claim for the arbitration, which is included below. I am sending this email as a full disclosure of our intentions and to demonstrate that we have exhausted all options to resolve this matter without involving the judicial system.

As a final plea, I ask that you forward this proof to another complaint person at Oppenheimer, due to the false statements in Mr. Wade's legal letter to Terri. Hopefully Oppenheimer will do the right thing and take corrective action, otherwise we will proceed with the arbitration, which will undoubtedly escalate the time, effort, and financial burden for all parties involved.

The law is very clear about wrongful billing and the Illinois Compiled Statutes, Chapter 760, Section 5/16.3, which requires fiduciaries to act in the best interests of elderly or disabled persons. These are the facts of our complaint and if Oppenheimer won't take corrective action, then hopefully the arbitrator will see that the law is on our side.

Because of the significant added time, effort, and expense our family incurred, while mourning the loss of my father, because Oppenheimer breached fiduciary duty on several occasions and now at the complaint level hopefully the arbitrator will make us whole.

We kindly request your prompt attention to this matter and let us know if corrective action will be made or is arbitration the final Oppenheimer decision?

I continue to hope to resolve it fast and easily without further escalation but am 100% ready for arbitration.

Sincerely,

Jordan T. Weiner
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[The April 18, 2024 email that follows in this thread is not shown here. It is posted in full as Ex. 2.]