

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between:

Access Financial Group, Inc. v. Scott Feldman

Case No. 00-00568

Hearing Site: Boca Raton, Florida

REPRESENTATION OF PARTIES

For Claimant:

Andrew S. May, Esq.
Henderson & Lyman
Chicago, Illinois

Respondent appeared pro se

CASE INFORMATION

Statement of Claim filed on or about: February 4, 2000.

Claimant's Uniform Submission Agreement signed on: February 4, 2000, by Victor John Chigas, President, on behalf of the firm.

Statement of Answer filed by Respondent on or about: May 11, 2000.

Respondent did not file a Uniform Submission Agreement.

CASE SUMMARY

Claimant, Respondent's former employer, asserted the following causes of action: Failure to pay promissory notes dated August 27, 1998, September 15, 1998 and October 15, 1998; breach of contract, and, failure to pay for 1998 and 1999 registrations.

Unless specifically admitted in his Answer, Respondent Feldman denied the allegations of wrongdoing contained in the Statement of Claim and maintained that he should not be held liable for the promissory notes and registration fees because Claimant failed to fulfill its obligations under the employment agreement.

RELIEF REQUESTED

Claimant requested compensatory damages in the amount of \$13,173.21, plus interest, attorneys' fees and costs.

Respondent requested an award in his favor including all fees and costs incurred by him during this proceeding.

OTHER ISSUES CONSIDERED AND DECIDED

Respondent Feldman did not file with NASD Dispute Resolution, Inc. a properly executed submission to arbitration but is required to submit to arbitration pursuant to the NASD Code of Arbitration Procedure (the "Code") and, having answered the claim, appeared and testified at the hearing, is bound by the determination of the Arbitrator on all issues submitted.

AWARD

After considering the pleadings, the testimony and evidence presented at the hearing, and the post-hearing submissions, the Arbitrator has decided in full and final resolution of the issues submitted for determination as follows:

1. Respondent is found liable on the breach of contract claim with respect to the promissory note and shall pay to Claimant the sum of \$13,068.21 plus pre-judgment interest at the prime rate plus 2%, from October 15, 1998 to July 1, 2001.
2. Claimant's requests for state registration fees, attorney's fees and costs are denied.
3. Respondent shall pay to Claimant the sum of \$750.00 representing reimbursement of the claim filing fee previously paid by Claimant to NASD Dispute Resolution, Inc.
4. Any and all requests for relief not specifically addressed herein, are denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution, Inc. will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee	= \$750.00
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Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated person at the time of the events giving rise to the dispute. In this matter, the member firm is a party.

Member surcharge	= \$400.00
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Forum Fees and Assessments

The arbitrator has the authority to assess forum fees for each hearing session conducted. A hearing session is any meeting between the parties and the arbitrator, including a pre-hearing conference with the arbitrator, that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with a single arbitrator x \$450.00	= \$450.00
Pre-hearing conference date: February 7, 2001	1 session

Two (2) Hearing sessions x \$450.00	= \$900.00
Hearing date: May 25, 2001	2 sessions

Total Forum Fees	= \$1,350.00
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The arbitrator has assessed \$675.00 of the forum fees to Claimant and \$675.00 of the forum fees to Respondent.

Fee Summary

Claimant be and hereby is solely liable for:

Initial Filing Fee	= \$ 750.00
Member Fees	= \$ 400.00
Forum Fees	= \$ 675.00

Total Fees	= \$1,825.00
Less payments	= \$1,450.00

Balance Due NASD Dispute Resolution, Inc.	= \$ 375.00
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Respondent be and hereby is solely liable for:

Forum Fees	= \$ 675.00
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Total Fees	= \$ 675.00
Less payments	= \$ 0.00

Balance Due NASD Dispute Resolution, Inc.	= \$ 675.00
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All balances are due and payable to NASD Dispute Resolution, Inc. immediately upon the receipt of the Award by the parties pursuant to Rule 10330(g) of the Code.

ARBITRATOR

Joel Margolies

Sole Public Arbitrator

Arbitrator's Signature


Joel Margolies
Sole Public Arbitrator

7/17/01
Signature Date

July 18, 2001

Date of Service (For NASD-Dispute Resolution office use only)