

Award
NASD Dispute Resolution, Inc.

In the Matter of the Arbitration Between:

Paragon Capital Markets, Inc., (Claimant) vs. Lawrence R. Kobren, (Respondent)

Case Number: 00-00834

Hearing Site: New York, New York

REPRESENTATION OF PARTIES

Claimant, Paragon Capital Markets, Inc., hereinafter referred to as "Claimant": David S. Smith, Esq., Smith Campbell & Paduano, New York, NY. Previously represented by: Michele Wessel, Director, Paragon Capital Markets, Inc., New York, NY.

Respondent, Lawrence R. Kobren, hereinafter referred to as "Respondent": appeared *pro se*.

CASE INFORMATION

Statement of Claim filed on or about: February 22, 2000.

Claimant signed the Uniform Submission Agreement: February 17, 2000.

Statement of Answer filed by Respondent on or about: April 25, 2000.

Respondent signed the Uniform Submission Agreement: April 25, 2000.

CASE SUMMARY

Claimant asserted the following causes of action: failure to repay debt resulting from commission draws and breach of employment agreement.

Unless specifically admitted in his Answer, Respondent denied the allegations made in the Statement of Claim and asserted the following defenses: based on the firm's policy and precedent, Respondent expected to be compensated for 10% of Claimant's profits for his participation in the formation of a new company; Respondent left the industry following actions by Claimant that left him disenchanted and depressed; and Claimant, by its own measure of commission and precedent, is owing to Respondent.

RELIEF REQUESTED

Claimant requested an Award against Respondent in the amount of \$12,021.48, interest thereon at a fair rate, the cost of this arbitration proceeding, and any additional relief the Panel may deem just and proper.

Respondent did not make any relief requests in his Statement of Answer.

OTHER ISSUES CONSIDERED AND DECIDED

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

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

1. Respondent be and hereby is liable for and shall pay to Claimant the sum of \$11,591.48 as compensatory damages, plus interest at the rate of 4% accruing from August 1, 1998 until the date of this Award.
2. All other requests for relief are hereby 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, Paragon Capital Markets, Inc. is a party.

Member surcharge	= \$ 400.00
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Forum Fees and Assessments

The Arbitrator assesses 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: September 5, 2000 1 session	
One (1) Hearing session x \$450.00	= \$ 450.00
Hearing Date: November 6, 2000 1 session	
Total Forum Fees	= \$ 900.00

1. The Arbitrator has assessed \$450.00 of the forum fees against Claimant.
2. The Arbitrator has assessed \$450.00 of the forum fees against Respondent.

Fee Summary

1. Claimant be and hereby is solely liable for:

Initial Filing Fee	= \$ 750.00
Member Fees	= \$ 400.00
<u>Forum Fees</u>	<u>= \$ 450.00</u>
Total Fees	= \$1,600.00
<u>Less payments</u>	<u>= \$1,450.00</u>
Balance Due NASD Dispute Resolution, Inc.	= \$ 150.00
2. Respondent be and hereby is solely liable for:

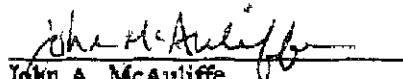
<u>Forum Fees</u>	<u>= \$ 450.00</u>
Total Fees	= \$ 450.00
<u>Less payments</u>	<u>= \$ 0.00</u>
Balance Due NASD Dispute Resolution, Inc.	= \$ 450.00

All balances are due and payable to NASD Dispute Resolution, Inc.

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Arbitrator's Signature

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.


John A. McAuliffe
Industry Arbitrator


Signature Date

December 4, 2000
Date of Service (For NASD office use only)