

**NASD DISPUTE RESOLUTION AWARD**  
**NASD DISPUTE RESOLUTION, INC.**

CASE:00-03334

PaineWebber Incorporated, claimant vs. Opie Auten, respondent.

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**ATTORNEYS:**

For Claimant appeared Lisa A. Catalano, Esq., of the law offices of Joel E. Davidson, Park Ridge, NJ.

Respondent has not submitted a response to the Statement of Claim.

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**DATE FILED:** August 4, 2000

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**CASE SUMMARY:** Claimant alleged that respondent failed to repay the outstanding balance due on an unsecured promissory note.

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**Claim Data**

Claim: \$25,000.00  
Interest: unspecified

Attorney Fees: unspecified  
Filing Fees: unspecified  
Other: unspecified

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**Award Data**

Award: \$25,000.00  
Interest: at CitiBank of NY rate (Prime plus 2%) per annum from August 1, 2000 until date of payment of the award.  
Attorney Fees: \$1,000.00  
Filing Fees: \$1,050.00  
Other: \$.00

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**AWARD:** The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent is liable and shall pay to the claimant \$25,000.00. 2) Respondent is liable and shall pay to the claimant interest at the CitiBank of NY rate (Prime plus 2%) per annum from August 1, 2000 until date of payment of the award. 3) Respondent is liable and shall pay claimant attorney fees in the amount of \$1,000.00 according to claimant's request. 4) All other relief requests are denied. 5) The \$1,050.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the claimant, shall be retained by NASD Dispute Resolution, Inc. 6) Respondent is liable and shall pay claimant \$1,050.00 as reimbursement of the filing fee.

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**OTHER FEES:** Pursuant to Rule 10333 of the Code, claimant has paid to NASD Dispute Resolution, Inc. the \$400.00 Member Surcharge previously invoiced.

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**OTHER ISSUES:** 1) Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that respondent was served notice of the Statement of Claim and Notification of Arbitrator by regular mail, and Overdue Notice by certified mail, as evidenced by the signed signature card on file and is therefore bound by the arbitrator's ruling and determination. 2) The claimant's Motion to Bar Defenses and for an Award by Default was granted by the arbitrator.

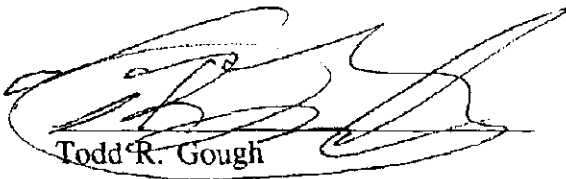
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Award 00-03334

Todd R. Gough

Sole Non-Public Arbitrator

**AFFIRMATION**

I, Todd R. Gough, do hereby affirm, upon my oath as arbitrator that I am the individual described herein who executed this instrument, which is my oath and award.



Todd R. Gough

10-9-01  
Signature Date

10/17/01

Date of Service (For NASD-DR office use only)