

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

CASE:00-04216

First of Michigan Corporation, claimant vs. Patricia A. Clark and Oba D. Johnson, respondents.

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**ATTORNEYS:**

For Claimant, appeared Marco G. DeSanto, Esq., of the firm Warner, Norcross and Judd LLP, Southfield, MI.

Respondents did not respond to the Statement of Claim.

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DATE FILED: September 26, 2000.

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**CASE SUMMARY:** Claimant alleged that respondents failed to repay an amount owing on a debit balance due to an error created in respondents' margin account during a conversion of First of Michigan Corp.'s accounts to the Fahnestock and Co. format after Fahnestock and Co.'s acquisition of First of Michigan Corp.

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**Claim Data**

Claim: \$7,481.62  
Attorney Fees: unspecified  
Filing fees: unspecified

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**Award Data**

Award: \$7,481.62  
Attorney Fees: \$700.00  
Filing fees: \$.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) Respondents are liable and shall pay to the claimant \$7,481.62. 2) Respondents are liable and shall pay to the claimant attorney fees in the amount of \$700.00 according to claimant's request. 3) All other relief requests are denied. 4) The \$750.00 filing fee previously deposited with NASD Dispute Resolution, Inc. by the claimant, shall be retained by NASD Dispute Resolution, Inc.

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**OTHER FEES:** Pursuant to Rule 10333 of the Code, claimant has paid to NASD Dispute Resolution, Inc. the \$300.00 Member Surcharge previously invoiced.

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**OTHER ISSUES:** Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that respondents were 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.

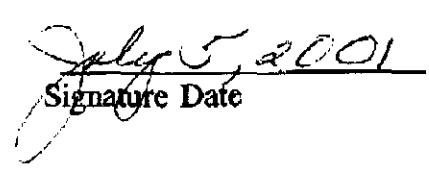
Jacqueline R. Fox, Esq.

Sole Public Arbitrator

**AFFIRMATION**

I, Jacqueline R. Fox, 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.

  
Jacqueline R. Fox, Esq.

  
Signature Date

July 12, 2001  
Date of Service (For NASD Office Use Only)