

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE: 00-04288

PaineWebber Incorporated, Claimant vs. Barbara Russell, Respondent.

ATTORNEYS:

Claimant, PaineWebber, Inc., ("Claimant"), appeared through its counsel, Romaine L. Gardner, Esq., Staten Island, NY.

Respondent, Barbara Russell, ("Respondent"), did not respond to the Statement of Claim.

DATE FILED: September 28, 2000

CASE SUMMARY: Claimant alleged that Respondent wrote a check in the amount of \$4,500.00 without having sufficient funds in her account to cover the check. Claimant maintained that despite demand for repayment from Respondent, Respondent has failed to make any payments.

Claim Data

Claim: \$4,618.95

Atty Fees: \$1,385.68

Filing Fees: \$525.00

Interest: 10% from March 21, 2000 until Payment.

Other: Unspecified

Award Data

Award: \$4,618.95

Atty Fees: \$1,000.00 (if paid 30 days from date of award); \$1,385.68 if paid after 30 days.

Filing Fees: \$525.00

Interest: granted at the rate of 10 % per annum from March 21, 2000 to payment of award.(only if award is not paid in full 30 days after date of award.

Other: \$.00

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 \$4,618.95. 2) Respondent is liable and shall pay to the Claimant \$1,000.00 for attorney's fees. If this amount is not paid 30 days after the date of the award, then Respondent shall pay to the Claimant \$1,385.68 for attorney's fees. 3) Respondent is liable for interest only if the award is not paid in full 30 days after the date of the award. All interest must be in accordance with the Master Account Agreement dated August 5, 1999 and shall meet all governing regulations. 4) All other relief requests are denied. 5) The \$525.00 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 \$525.00 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 \$300.00 Member Surcharge previously invoiced.

OTHER ISSUES: Pursuant to the By-Laws of NASD Dispute Resolution, the Arbitrator determined that Respondent was served notice of the Statement of Claim by regular mail, a Notification of Arbitration by regular mail and an 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.

AFFIRMATION

I, Neil S. Jasper, 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.


Neil S. Jasper

April 10, 2001
Date of award