

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION, INC.

CASE: 00-05160

Fidelity Brokerage Services, Inc., Claimant vs. David Mitchell, Respondent.

ATTORNEYS:

For Claimant, Fidelity Brokerage Services, Inc. ("Claimant") appeared Laurence K. Richmond, Esq. of the firm Laurence K. Richmond & Associates, P.C., Quincy, MA.

Respondent, David Mitchell, ("Respondent"), did not respond to the Statement of Claim.

DATE FILED: November 21, 2000

CASE SUMMARY: Claimant alleged that Respondent failed to repay a debit balance created in the account from an unsolicited purchase of Kolorfusion International Inc. Claimant maintained that despite repeated demands for payment, Respondent has failed to liquidate his debt.

Claim Data

Claim: \$13,903.19

Interest: unspecified

Attorney Fees: unspecified

Filing Fees: unspecified

Other: unspecified

Award Data

Award: \$13,903.19

Interest: at the rate of 8% per annum from 11/12/00 to payment of award.

Attorney Fees: \$1,500.00

Filing Fees: \$1,050.00

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 \$13,903.19. 2) Respondent is liable and shall pay to the Claimant interest at the rate of 8% per annum from 11/12/00 to payment of award. 3) Respondent is liable and shall pay to the Claimant \$1,500.00 for attorney's fees 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 to the Claimant \$1,050.00 as reimbursement of the filing fee.

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

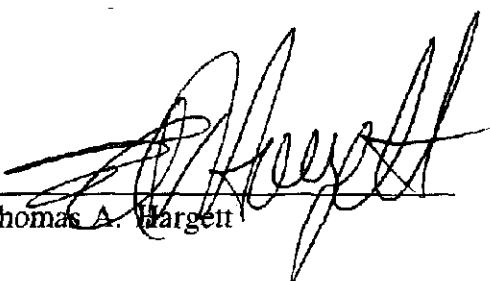
OTHER ISSUES: Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that Respondent, David Mitchell was served notice of the Statement of Claim, Overdue Notice and Notification of Arbitrator by regular mail, and is therefore bound by the arbitrator's ruling and determination.

Thomas A. Hargett

Sole Public Arbitrator

AFFIRMATION

I, Thomas A. Hargett, 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.


Thomas A. Hargett


Signature Date

August 29, 2001
Date of Service (for NASD Office Use Only)