

**NASD DISPUTE RESOLUTION AWARD**  
**NASD DISPUTE RESOLUTION**

CASE: 01-04439, 01-04848, and 01-04854

First Union Securities Financial Network, Inc., f/k/a JW Genesis Financial Services, Inc.,  
claimant vs. Alan Bergman, respondent.

First Union Securities Financial Network, Inc., claimant vs. Edward Monahan, respondent.

First Union Securities Financial Network, Inc., claimant vs. John Paul Schrader, respondent.

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**ATTORNEYS:**

For Claimant appeared Gregory Tendrich, Esq., Boynton Beach, FL.

For Respondents appeared Joseph E. Saul, Esq., Bronx, NY.

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DATE FILED:       01-04439 - August 20, 2001  
                      01-04848 - September 17, 2001  
                      01-04854 - September 17, 2001

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CASE SUMMARY: Claimant/counterclaim respondent alleged that respondents failed to repay  
the outstanding principal balance due on the Promissory Note.

CASE 01-04848 & 01-04854 COUNTERCLAIM SUMMARY: Respondent/counterclaim  
claimants, Edward Monahan and John Paul Schrader alleged that they were not given an  
opportunity to maintain employment with claimant/counterclaim respondent.

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**Claim Data**

Claim: 01-04439 \$8,641.00  
Claim: 01-04848 \$36,955.00  
Claim: 01-04854 \$18,147.00

Interest: 01-04439 \$412.40

Interest: 01-04848 \$1,1717.65

Interest: 01-04854 Unspecified

Attorney Fees: 01-04439 Unspecified  
Attorney Fees: 01-04848 Unspecified  
Attorney Fees: 01-04854 Unspecified

Filing Fees: 01-04439 Unspecified  
Filing Fees: 01-04848 Unspecified  
Filing Fees: 01-04854 Unspecified

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**Award Data**

Award: 01-04439 \$8,641.00  
Award: 01-04848 \$36,955.00  
Award: 01-04854 \$18,147.00

Interest: 01-04439 3.5% p.a. from  
9/29/00 to 10/28/02

Interest: 01-04848 3.5% p.a. from  
10/04/00 to 10/28/02

Interest: 01-04854 3.5% p.a. from  
9/27/00 to 10/28/02

Attorney Fees: 01-04439 \$.00  
Attorney Fees: 01-04848 \$.00  
Attorney Fees: 01-04854 \$.00

Filing Fees: 01-04439 \$375.00  
Filing Fees: 01-04848 \$725.00  
Filing Fees: 01-04854 \$525.00

Page Two

Award 01-04439, 01-04848, 01-04854

Other: 01-04439 Unspecified  
Other: 01-04848 Unspecified  
Other: 01-04854 Unspecified

Other: 01-04439 \$.00  
Other: 01-04848 \$.00  
Other: 01-04854 \$.00

#### **Counterclaim Data**

Claim: 01-04848 Unspecified  
Costs: 01-04848 Unspecified  
Attorney Fees: 01-04848 Unspecified

Claim: 01-04854 Unspecified  
Costs: 01-04854 Unspecified  
Attorney Fees: 01-04854 Unspecified

#### **Counterclaim Award**

Award: 01-04848 \$.00  
Costs: 01-04848 \$.00  
Attorney Fees: 01-04848 \$.00

Award: 01-04854 \$.00  
Costs: 01-04854 \$.00  
Attorney Fees: 01-04848 \$.00

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AWARD 01-04439: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent Alan Bergman is liable and shall pay to the claimant \$8,641.00. 2) Respondent Alan Bergman is liable and shall pay to the claimant interest at the rate of 3.5% per annum from September 29, 2000 to October 28, 2002. 3) All requests for attorney fees are denied. 4) All other relief requests are denied. 5) The \$750.00 filing fee previously deposited with NASD Dispute Resolution by the claimant, shall be retained by NASD Dispute Resolution. 6) Respondent Alan Bergman is liable and shall pay claimant \$375.00 as reimbursement of one-half of the filing fee.

AWARD 01-04848: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent Edward Monahan is liable and shall pay to the claimant \$36,955.00. 2) Respondent Edward Monahan is liable and shall pay to the claimant interest at the rate of 3.5% from October 4, 2000 to October 28, 2002. 3) All requests for attorney fees are denied. 4) All other relief requests are denied. 5) The \$1,450.00 filing fee previously deposited with NASD Dispute Resolution by the claimant, shall be retained by NASD Dispute Resolution. 6) Respondent Edward Monahan is liable and shall pay claimant \$725.00 as reimbursement of one-half of the filing fee.

AWARD 01-04854: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent John Paul Schrader is liable and shall pay to the claimant \$18,147.00. 2) Respondent John Paul Schrader is liable and shall pay to the claimant interest at the rate of 3.5% per annum from September 27, 2000 to October 28, 2002. 3) All requests for attorney fees are denied. 4) All other relief requests are denied. 5) The \$1,050.00 filing fee previously deposited with NASD Dispute Resolution by the claimant, shall be retained by NASD Dispute Resolution. 6) Respondent John Paul Schrader is liable and shall pay claimant \$525.00 as reimbursement of one-half of the filing fee.

Page Three

Award 01-04439, 01-04848, 01-04854

01-04848 & 01-04854 COUNTERCLAIM AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows:

1) The claims of respondent/counterclaim claimant are dismissed in their entirety. 2) All requests for attorney fees are denied. 3) All other relief requests are denied. 4) Respondent/Counterclaim Claimants are liable and shall each pay to NASD Dispute Resolution the \$1,250.00 filing fees previously assessed.

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OTHER FEES: Pursuant to Rule 10333 of the Code, claimant has paid to NASD Dispute Resolution the \$1,500.00 Member Surcharge previously invoiced.

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OTHER ISSUES: Respondents' Motion to Consolidate Claimant's claims was granted by the arbitrator prior to rendering a decision in the above-referenced cases.

Page Four


Award 01-04439, 01-04848, 01-04854

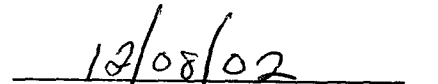
Gerald Goldsmith

Sole Non-Public Arbitrator

**AFFIRMATION**

I, Gerald Goldsmith, 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.

  
Gerald Goldsmith

  
Signature Date

December 18, 2002

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