

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 02-05478

Continental Broker-Dealer Corp., Claimant vs. John Derek Elwin, III, Respondent.

ATTORNEYS:

Claimant, continental Broker-Dealer Corp., ("Claimant"), appeared though its in-house counsel, Timothy Feil, Esq., Carle Place, NY.

For Respondent, John Derek Elwin, III, ("Respondent") appeared Jonathan S. Robbins, Esq., of the firm Akerman Senterfitt, Fort Lauderdale, FL.

DATE FILED: September 16, 2002

CASE SUMMARY: Claimant alleged that Respondent breached their contractual agreement and failed to repay monies loaned in good faith pursuant to a duly executed Employment Agreement. Claimant maintained that as a result of Respondent's breach of the agreement and non-payment the firm has suffered monetary damages.

Claim Data

Claim: \$16,483.22
Interest: 9% per annum from
mid-July, 2002
Attorney Fees: unspecified
Filing Fees: unspecified
Other: unspecified

Award Data

Award: \$.00
Interest: \$.00
Attorney Fees: \$.00
Filing Fees: \$.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) The claims of Claimant are dismissed in their entirety. 2) All requests for interest are denied. 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.

OTHER FEES: Pursuant to Rule 10333 of the Code, Claimant has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

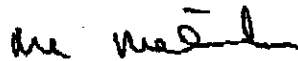
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Award 02-5478

Michael E. Melnick

Sole Public Arbitrator

AFFIRMATION

I, Michael E. Melnick, 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.



Michael E. Melnick

4/21/03

Signature Date

April 23, 2003

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