

AWARD
NASD Dispute Resolution

In the Matter of the Arbitration Between

Name of Claimant

David S. O'Block

and

02-05579
Nashville, Tennessee

Name of Respondent

Quick & Reilly, Inc.

Nature of the Dispute: Associated Person vs. Member

REPRESENTATION OF PARTIES

David S. O'Block ("Claimant") was represented by Claude O. Ramer, II, Esq., IdleAire Technologies Corporation, Knoxville, Tennessee.

Quick & Reilly, Inc. ("Respondent") was represented by Peter Byer, Esq., Quick & Reilly, Inc. New York, New York.

CASE INFORMATION

The Statement of Claim was filed on or about September 20, 2002. The Submission Agreement of Claimant David S. O'Block was signed on or about September 5, 2002.

The Statement of Answer and Counterclaim was filed by Respondent Quick & Reilly, Inc. on or about November 21, 2002. The Submission Agreement of Respondent Quick & Reilly, Inc. was signed on or about November 20, 2002.

CASE SUMMARY

Claimant states that he brings this action against Respondent Quick & Reilly, Inc. to recover unpaid compensation and interest.

Respondent denied the allegations set forth in the Statement of Claim and submits that Mr. O'Block received more than his total guaranteed compensation for the period in question.

RELIEF REQUESTED

Claimant requested an award in the amount of \$75,000.00, plus interest and all of the costs of the proceeding.

Respondent requested that the claims asserted against them be denied in its entirety and that they be awarded \$37,500.00 representing the mistaken bonus payment to Mr. O'Block.

OTHER ISSUES CONSIDERED & DECIDED

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered. In either case, the parties have agreed to receive conformed copies of the award while the original(s) remain on file with the NASD Dispute Resolution (the "NASD").

AWARD

After considering the pleadings, the testimony, and the evidence presented at the hearing, the undersigned arbitrators have decided in full and final resolution of the issues submitted for determination as follows:

1. The claims asserted in this matter shall be and are hereby denied.
2. That to the extent not specifically awarded or otherwise provided for above, all other claims and requests for relief by any party hereto are denied with prejudice.
3. Other than the Forum Fees noted below, the parties shall each bear all other costs and expenses incurred by them in connection with this proceeding, including but not limited to attorneys fees.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee	= \$225
Counter claim filing fee	= \$1,000

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated person at the time of the event giving rise to the dispute. In this matter, the member firm is Quick & Reilly, Inc.

Member surcharge	\$	1,100.00
Pre-hearing process fee	\$	750.00
Hearing process fee	\$	1,700.00
Total Member Fees	\$	3,550.00

Forum Fees and Assessments

The Arbitration Panel assesses forum fees for each hearing session conducted. A hearing session is any meeting between the parties and the arbitrators, including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

1 Pre-hearing session with Panel	x	750.00	\$	750.00
	1 session			
2 Hearing sessions	x	750.00	\$	1,500.00
	October 23, 2003 2 Sessions			
Total Forum Fees			\$	2,250.00

The Arbitration Panel has assessed \$1,125.00 of the forum fees to David S. O'Block.
The Arbitration Panel has assessed \$1,125.00 of the forum fees to Quick & Reilly, Inc.

Fee Summary

Claimant, David S. O'Block, shall be and hereby is liable for:

Initial Filing Fee	= \$	225.00
<u>Forum Fees</u>	= \$	1,125.00
Total Fees	= \$	1,350.00
<u>Less payments</u>	= \$	-975.00
Balance Due NASD Dispute Resolution	= \$	375.00

Respondent, Quick & Reilly, Inc., shall be and hereby is liable for:

Counter Filing Fee	= \$	1,000.00
Member Fees	= \$	3,550.00
<u>Forum Fees</u>	= \$	<u>1,125.00</u>
Total Fees	= \$	5,675.00
<u>Less payments</u>	= \$	<u>-5,000.00</u>
Balance Due NASD Dispute Resolution	= \$	675.00

All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

Shepherd D. Tate, Esq. - Non-Public Arbitrator, Presiding Chair
Lovella L. Richardson, Ed.D - Non-Public Arbitrator
John C. Burch, Jr. - Non-Public Arbitrator

Concurring Arbitrators:

/s/ Shepherd D. Tate, Esq.
Shepherd D. Tate, Esq.
Non-Public Arbitrator, Presiding Chair

11/18/03
Signature Date

/s/ Lovella L. Richardson, Ed.D
Lovella L. Richardson, Ed.D
Non-Public Arbitrator

11/15/03
Signature Date

/s/ John C. Burch, Jr.
John C. Burch, Jr.
Non-Public Arbitrator

11/13/03
Signature Date

NASD Dispute Resolution, Inc.

Arbitration No. 02-05579

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Respondent, Quick & Reilly, Inc., shall be and hereby is liable for:

Counter Filing Fee	= \$	1,000.00
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Member Fees	= \$	3,550.00
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Forum Fees	= \$	1,125.00
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Total Fees	= \$	5,675.00
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Less payments	= \$	-5,000.00
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Shepherd D. Tate, Esq. - Non-Public Arbitrator, Presiding Chair

Lovella L. Richardson, Ed.D - Non-Public Arbitrator

John C. Burch, Jr. - Non-Public Arbitrator

Concurring Arbitrators:

Shey A. V. h.

Shepherd D. Tate, Esq.

Non-Public Arbitrator, Presiding Chair

Nov. 18, 2003

Signature Date

Lovella L. Richardson, Ed.D

Non-Public Arbitrator

Signature Date

John C. Burch, Jr.

Non-Public Arbitrator

Signature Date

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Non-Public Arbitrator, Presiding Chair

Signature Date

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Non-Public Arbitrator

11/15/2003
Signature Date

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Non-Public Arbitrator

Signature Date

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Concurring Arbitrators:

Shepherd D. Tate, Esq.
Non-Public Arbitrator, Presiding Chair

Signature Date

Lovella L. Richardson, Ed.D
Non-Public Arbitrator

Signature Date



John C. Burch, Jr.
Non-Public Arbitrator

11/13/03

Signature Date