

Stipulated Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Name of the Claimant

Case Number: 02-06878

Prudential Securities, Incorporated

Name of the Respondent

Hearing Site: Boca Raton, Florida

Robert Andrew Mick

Nature of the Dispute: Member vs. Associated Person

REPRESENTATION OF PARTIES

For Prudential Securities, Incorporated, hereinafter referred to as "Claimant": Richard L. Martens, Esq. and Matthew N. Thibaut, Esq., Boose Casey Ciklin Lubitz Martens McBane & O'Connell, West Palm Beach, Florida.

For Robert Andrew Mick, hereinafter referred to as "Respondent": Robert G. Haile, Jr., Esq., Haile, Shaw & Pfaffenberger, P.A., North Palm Beach, Florida.

CASE INFORMATION

Statement of Claim filed on or about: November 12, 2002.

Claimant signed the Uniform Submission Agreement: November 4, 2002.

Statement of Answer filed by Respondent on or about: January 24, 2003.

Respondent signed the Uniform Submission Agreement: February 8, 2003.

Claimant's Reply to Respondent's Answer, Affirmative Defenses and Setoffs filed on or about: February 11, 2003.

CASE SUMMARY

Claimant asserted the causes of action of breach of promissory note and unjust enrichment. The causes of action relate to the Promissory Note dated September 1, 2000 entered into between Claimant and Respondent.

Unless specifically admitted in his Answer, Respondent denied the allegations made in the Statement of Claim and asserted various defenses.

RELIEF REQUESTED

Claimant requested compensatory damages in the amount of \$76,205.35, plus attorneys' fees, costs and any other relief deemed just and proper.

Respondent requested that Claimant's Statement of Claim be dismissed, with prejudice, plus costs and attorney's fees or, in the alternative, a setoff in the amount sought by Claimant with an award to Respondent of attorney's fees and costs.

OTHER ISSUES CONSIDERED AND DECIDED

During the evidentiary hearing on September 30, 2003, the parties advised the Panel that this matter had been settled. In addition, the parties requested that the Panel enter a Stipulated Award memorializing the parties' settlement agreement.

The parties have agreed that the Stipulated Award in this matter may be executed in counterpart copies.

AWARD

After considering the pleadings, the parties' settlement agreement and the record in this matter, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

Claimant and Respondent have entered into a settlement agreement. Pursuant to the settlement agreement, Respondent shall pay to Claimant the sum of \$45,000.00 payable as follows:

\$20,000.00 within thirty (30) days of September 30, 2003;

\$15,000.00, plus interest at the rate of 6% per annum, on September 30, 2004; and,

\$10,000.00, plus interest at the rate of 6% per annum, on September 30, 2005.

All defenses will be deemed waived upon a default of the settlement agreement.

Respondent shall pay to Claimant the sum of \$500.00 representing reimbursement of one-half of the claim filing fee previously paid by Claimant to NASD Dispute Resolution.

FEES

Pursuant to the NASD Code of Arbitration Procedure (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 = \$1,000.00

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 events giving rise to the dispute. In this matter, the member firm is a party.

Member surcharge	= \$1,100.00
Pre-hearing process fee	= \$750.00
Hearing process fee	= \$1,700.00

Adjournment Fees

No requests for adjournments were filed in this matter.

Injunctive Relief Fees

No injunctive relief fees were incurred in this matter.

Forum Fees and Assessments

The Panel has assessed forum fees for each session conducted. A 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:

One (1) Pre-hearing session with a single arbitrator @ \$450.00	= \$450.00
Pre-hearing conference: September 15, 2003	1 session

One (1) Pre-hearing session with Panel @ \$750.00	= \$750.00
Pre-hearing conference: May 21, 2003	1 session

Two (2) Hearing sessions @ \$750.00	= \$1,500.00
Hearing Date: September 30, 2003	2 sessions

Total Forum Fees	= \$2,700.00
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The Panel has assessed \$1,350.00 of the forum fees to Claimant.

The Panel has assessed \$1,350.00 of the forum fees to Respondent.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services beyond the normal administrative services. These include, but are not limited to: additional copies of arbitrator awards; copies of audio transcripts; retrieval of documents from archives; interpreters; and, security.

No administrative costs were incurred in this matter.

FEE SUMMARY

Claimant is solely liable for:

Initial Filing Fee	= \$1,000.00
Member Fees	= \$3,550.00
Forum Fees	= \$1,350.00

Total Fees	= \$5,900.00
Less payments	= \$5,300.00

Balance Due NASD Dispute Resolution	= \$600.00
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Respondent is solely liable for:

Forum Fees	= \$1,350.00
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Total Fees	= \$1,350.00
Less payments	= \$0.00

Balance Due NASD Dispute Resolution	= \$1,350.00
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All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

Nicholas A. Natale	-	Non-Public Arbitrator, Presiding Chair
David L. Giertz	-	Non-Public Arbitrator
Richard F. Lang	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

/s/

10/02/03

Nicholas A. Natale
Non-Public Arbitrator, Presiding Chair

Signature Date

/s/

10/02/03

David L. Giertz
Non-Public Arbitrator

Signature Date

/s/

10/03/03

Richard F. Lang
Non-Public Arbitrator

Signature Date

10/03/03

Date of Service (For NASD Dispute Resolution office use only)

Total Fees	= \$5,900.00
Less payments	= \$5,300.00
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Balance Due NASD Dispute Resolution	= \$600.00

Respondent is solely liable for:

Forum Fees	= \$1,350.00
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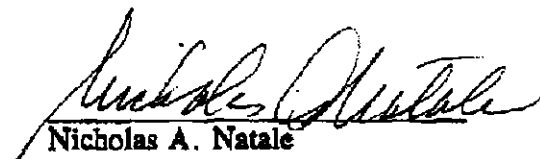
Total Fees	= \$1,350.00
Less payments	= \$0.00
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Balance Due NASD Dispute Resolution	= \$1,350.00

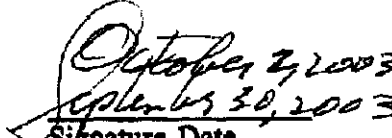
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David L. Giertz	-	Non-Public Arbitrator
Richard F. Lang	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures


Nicholas A. Natale
Non-Public Arbitrator, Presiding Chair


October 2, 2003
October 30, 2003
Signature Date

David L. Giertz
Non-Public Arbitrator

Signature Date

Richard F. Lang
Non-Public Arbitrator

Signature Date

Date of Service (For NASD Dispute Resolution office use only)

Total Fees	= \$5,900.00
Less payments	= \$5,300.00

Balance Due NASD Dispute Resolution	= \$600.00
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Respondent is solely liable for:
Forum Fees

= \$1,350.00

Total Fees	= \$1,350.00
Less payments	= \$0.00

Balance Due NASD Dispute Resolution	= \$1,350.00
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ARBITRATION PANEL

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David L. Gertz	-	Non-Public Arbitrator
Richard F. Lang	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

Nicholas A. Natale
Non-Public Arbitrator, Presiding Chair

Signature Date

David L. Gertz
Non-Public Arbitrator

Signature Date

Richard F. Lang
Non-Public Arbitrator

Signature Date

Date of Service (For NASD Dispute Resolution office use only)

Total Fees	= \$5,900.00
Less payments	= \$5,300.00

Balance Due NASD Dispute Resolution	= \$600.00
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Respondent is solely liable for:

Forum Fees	= \$1,350.00
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Total Fees	= \$1,350.00
Less payments	= \$0.00

Balance Due NASD Dispute Resolution	= \$1,350.00
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ARBITRATION PANEL

Nicholas A. Natale	-	Non-Public Arbitrator, Presiding Chair
David L. Gierz	-	Non-Public Arbitrator
Richard F. Lang	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

Nicholas A. Natale
Non-Public Arbitrator, Presiding Chair

Signature Date


David L. Gierz
Non-Public Arbitrator

10/2/03
Signature Date

Richard F. Lang
Non-Public Arbitrator

Signature Date

Date of Service (For NASD Dispute Resolution office use only)