
Stipulated Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Names of the Claimants

Lawrence Feather
Jane Feather

Case Number: 02-07292

Names of the Respondents

Securities Service Network, Inc.
Jay C. Kelter
Jerome Kelter

Hearing Site: Boca Raton, Florida

Nature of the Dispute: Customer vs. Member and Associated Person.

REPRESENTATION OF PARTIES

For Lawrence Feather and Jane Feather, hereinafter collectively referred to as "Claimants": Howard N. Kahn, Esq., Kahn & Chenkin, Hollywood, Florida.

For Respondents Securities Service Network, Inc. ("SSN") and Jay C. Kelter ("JCK"): Jason Haselkorn, Esq., Boose Casey Ciklin Lubitz Martens McBane & O'Connell, West Palm Beach, Florida.

For Respondent Jerome Kelter ("JK"): Sherryll Martens Dunaj, Esq., Stephen Lynn Klein LaCava Hoffman & Puya, P.A., Miami, Florida.

CASE INFORMATION

Statement of Claim filed on or about: December 30, 2002.

Claimants signed the Uniform Submission Agreements: December 19, 2002.

Statement of Answer filed by Respondents SSN and JCK on or about: March 19, 2003.

Statement of Answer filed by Respondent JK on or about: May 28, 2003.

Respondents did not file executed Uniform Submission Agreements.

CASE SUMMARY

Claimants asserted the cause of action of breach of fiduciary duty against Respondents. The cause of action relates to the purchase in Claimants' accounts of the Glenbrook Life/AIM Lifetime Plus II variable annuity, two AIG Life/Alliance variable annuities, and various unspecified equities.

Unless specifically admitted in their Answers, Respondents denied the allegations made in the Statement of Claim and asserted various defenses.

RELIEF REQUESTED

Claimants requested compensatory damages in excess of \$444,000.00, pre- and post-judgment interest, costs, punitive damages in an amount to be determined by the Panel, and such other and further relief as the Panel deemed just and proper.

Respondents SSN and JCK requested that Claimant's claim be dismissed in its entirety.

Respondent JK requested that the Statement of Claim be dismissed with prejudice, that all costs be assessed against Claimants, and that the Panel award such other relief as the Panel deemed appropriate.

OTHER ISSUES CONSIDERED AND DECIDED

Respondents did not file with NASD Dispute Resolution properly executed submissions to arbitration but are required to submit to arbitration pursuant to the NASD Code of Arbitration Procedure (the "Code") and, having answered the claim, are bound by the determination of the Panel on all issues submitted.

On or about January 30, 2004, the parties filed with NASD Dispute Resolution a notice of settlement.

On or about February 5, 2004, the parties filed with NASD Dispute Resolution for review and approval by the Panel a Stipulation to Dismiss and Expunge Registered Representatives' Records.

On or about April 16, 2004, the parties filed with NASD Dispute Resolution a proposed Stipulated Award for review and approval by the Panel.

The parties agreed that the Stipulated Award in this matter may be executed in counterpart copies or that a handwritten, signed Stipulated Award may be entered.

AWARD

After considering the pleadings and the Stipulation to Dismiss and Expunge Registered Representatives' Records submitted by the parties, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

Claimants' claims are dismissed with prejudice as to all Respondents.

The dismissal of Claimants' claims shall be a bar to the bringing of any action based on or including the claims or counterclaims for which this action has been or could have been brought against Respondents by Claimants or against Claimants by Respondents.

The parties stipulated and agreed that this matter be expunged from the NASD Central Registration Depository ("CRD") permanent records of Respondents JCK and JK.

This matter involved disputed claims and was settled by the parties prior to the submission of any evidence by any party, and prior to the final arbitration hearing. As such, no evidence was submitted to the Panel demonstrating any individual Respondent is culpable of any wrongdoing. Accordingly, the Panel recommends that all references to the above-captioned arbitration be expunged from Respondent JCK's and Respondent JK's permanent registration records maintained by the NASD CRD, with the understanding that pursuant to NASD Notices to Members 99-09 and 99-54, Respondents JCK and JK must obtain confirmation from a court of competent jurisdiction before the CRD will execute the expungement directive.

Each party shall bear their respective costs and attorney's 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 = \$ 300.00

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. Accordingly, Respondent SSN is a member firm and a party.

Member surcharge	= \$1,700.00
Pre-hearing process fee	= \$ 750.00
<u>Hearing process fee</u>	<u>= \$2,750.00</u>
Total Member Fees	= \$5,200.00

Adjournment Fees

No adjournments were requested in this matter.

Injunctive Relief Fees

Injunctive relief fees are assessed to each member or associated person who files for a temporary injunction in court. Parties in these cases are also assessed arbitrator travel expenses and costs when an arbitrator is required to travel outside his or her hearing location and additional arbitrator honoraria for the hearing for permanent injunction. These fees, except the injunctive relief surcharge, are assessed equally against each party unless otherwise directed by the panel.

Injunctive relief fees were not assessed 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 arbitrator(s), including a pre-hearing conference with the arbitrator(s), that lasts four (4) hours or less. Fees associated with these proceedings are:

Two (2) Pre-hearing session with the Panel @ \$1,125.00/session = \$2,250.00

Pre-hearing conference:	June 26, 2003	1 session
	March 4, 2004	1 session

Total Forum Fees	= \$2,250.00
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Pursuant to the agreement of the parties, the Panel has assessed forum fees as follows:

\$1,125.00 to Claimants, jointly and severally;
\$375.00 to Respondent SSN;
\$375.00 to Respondent JCK; and
\$375.00 to Respondent JK.

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 not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

There were no administrative costs incurred in this matter.

Fee Summary

Claimants are jointly and severally liable for:

Initial Filing Fee	= \$ 300.00
Forum Fees	= \$1,125.00
Total Fees	= \$1,425.00
<u>Less Payments</u>	<u>= \$1,425.00</u>
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondent SSN is solely liable for:

Member Fees	= \$5,200.00
Forum Fees	= \$ 375.00
Total Fees	= \$5,575.00
<u>Less Payments</u>	<u>= \$5,200.00</u>
Balance Due NASD Dispute Resolution	= \$ 375.00

Respondent JCK is solely liable for:

Forum Fees	= \$ 375.00
Total Fees	= \$ 375.00
<u>Less Payments</u>	<u>= \$ 0.00</u>
Balance Due NASD Dispute Resolution	= \$ 375.00

Respondent JK is solely liable for:

Forum Fees	= \$ 375.00
Total Fees	= \$ 375.00
<u>Less Payments</u>	<u>= \$ 0.00</u>

Balance Due NASD Dispute Resolution

= \$ 375.00

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

ARBITRATION PANEL

Marc J. Kleiman, JD	-	Public Arbitrator, Presiding Chairperson
George W. Rodormer	-	Public Arbitrator
Jerry A. Desiderio	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

/s/
Marc J. Kleiman, JD
Public Arbitrator, Presiding Chairperson

4/28/04
Signature Date

/s/
George W. Rodormer
Public Arbitrator

4/22/04
Signature Date

/s/
Jerry A. Desiderio
Non-Public Arbitrator

4/22/04
Signature Date

4/30/04
Date of Service (For NASD Dispute Resolution office use only)

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Signature Date

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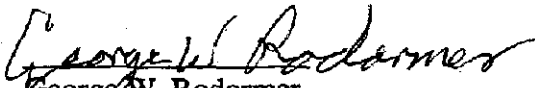
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Public Arbitrator


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4/22/04
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