

AWARD  
NASD DISPUTE RESOLUTION

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In the Matter of the Arbitration Between:

Dorothy Bruce IRA, (Claimant) vs. Jeffrey Ulrich, (Respondent)

Case Number: 02-07830

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SITUS: Cleveland, Ohio

NATURE OF DISPUTE: Customer vs. Associated Person.

REPRESENTATION OF PARTIES

Dorothy Bruce IRA, hereinafter referred to as "Claimant": Richard A. Beebe, Esq., Cleveland, OH.

Respondent did not enter an appearance in this matter.

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DATE FILED: December 26, 2002.

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CASE SUMMARY: Claimant alleged suitability; breach of fiduciary duty; and omission of facts. Claimant's claim involved an unsecured promissory note from World Vision Entertainment, Inc.

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**Claim Data**

Claim:	\$32,703.82
Attorney's Fees:	Unspecified
Filing Fees:	Unspecified
Other:	\$0.00

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**Award Data**

Award:	\$32,703.82
Attorney's Fees:	\$ 2,117.50
Filing Fees:	\$ 175.00
Other:	\$0.00

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OTHER ISSUES:

By letter dated September 16, 2003, Claimant opted to proceed against Respondent Jeffrey Ulrich pursuant to Rule 10314(e) of the *NASD Code of Arbitration Procedure* ("Code"). The arbitrator determined that Respondent Ulrich was properly served notice of the Statement of Claim and Notification of the Arbitrator by certified mail, and that Respondent Ulrich is required to submit to arbitration pursuant to the Code and is bound by the determination of the Arbitrator on all issues submitted.

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AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent is liable for and shall pay to Claimant \$32,703.82. 2) Respondent is liable for and shall pay to Claimant interest at the rate set forth in Section 6621(a)(2) of IRC from March 23, 1999 through the date of payment of the award. 3) Respondent is liable for and shall pay to Claimant all attorneys' fees in the amount of

\$2,117.50 which were incurred in accordance with Marshall & Co., Inc. v. Duke, 114 F. 3d 188 (1997) cert. denied 522 U.S. 1112 (1998) and Mutual Service Corp. v. Spaulding, 972 F. Supp 1126 (N.D. Ill 1997) 4) Respondent is liable for and shall pay to Claimant \$175.00 as reimbursement of the filing fee previously paid to NASD Dispute Resolution. 5) All other relief requests are denied.

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**FORUM FEES:**

The \$175.00 filing fee previously deposited with NASD Dispute Resolution by Claimant shall be retained by NASD Dispute Resolution.

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

One (1) Pre-hearing session with the sole arbitrator @ \$450.00	= \$450.00
<u>Pre-hearing conference: August 4, 2003 1 session</u>	
Total Forum Fees	= \$450.00

The arbitrator assessed all forum fees against Respondent Jeffrey Ulrich.

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ARBITRATOR

Howard M. Groedel, Esq.

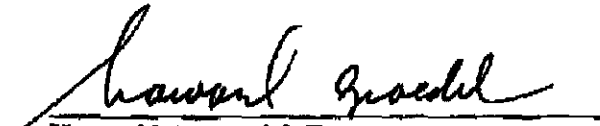


Howard M. Groedel, Esq.  
Public Arbitrator, Presiding Chair

Public Arbitrator, Presiding Chair

3/30/04  
Signature Date

I, Howard M. Groedel, Esq., 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 is which is my award.



Howard M. Groedel, Esq.

March 31, 2004

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