
Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Name of the Claimant
Richard Tuten

Case Number: 03-00904

Name of the Respondent
Laidlaw Global Securities, Inc.

Hearing Site: Orlando, Florida

Nature of the Dispute: Customer vs. Member

REPRESENTATION OF PARTIES

For Richard Tuten, referred to as "Claimant": Philip J. Snyderburn, Esq., Snyderburn, Rishoi & Swann, Orlando, Florida.

For Laidlaw Global Securities, Inc., referred to as "Respondent Laidlaw": Marc S. Gottlieb, Esq., Law Offices of Marc S. Gottlieb, New York, New York. On or about October 27, 2003, Marc S. Gottlieb withdrew as counsel. Thereafter, Respondent Laidlaw did not appear or participate.

CASE INFORMATION

Statement of Claim filed on or about: February 5, 2003.

Claimant signed the Uniform Submission Agreement on: February 4, 2003.

Statement of Answer filed by Respondent Laidlaw on or about: May 9, 2003.

Respondent Laidlaw signed the Uniform Submission Agreement on: May 30, 2003.

Motion to Dismiss Statement of Claim filed by Respondent Laidlaw on or about: August 12, 2003.

Response to Motion to Dismiss Statement of Claim filed by Claimant on or about: August 20, 2003.

CASE SUMMARY

Claimant alleged the following non-statutory causes of action: 1) fraudulent inducement; 2) breach of fiduciary duty; 3) negligence; and 4) breach of contract. The causes of action relate to investments of capital in Southern Classics, Inc., and loans repaid or settled by Claimant, as a result of guaranties, legal fees paid during loan litigation, and for sums remaining due and owing under certain loan guaranties.

Respondent Laidlaw denied the allegations made in the Statement of Claim and asserted various defenses.

RELIEF REQUESTED

Claimant requested: 1) compensatory damages in the amount of \$821,226.00; 2) interest; 3) costs; and 4) punitive damages.

Respondent Laidlaw requested: 1) dismissal of the Statement of Claim in its entirety; and 2) such other relief the undersigned arbitrators (the "Panel") deemed just and proper.

OTHER ISSUES CONSIDERED AND DECIDED

On or about September 15, 2003, the Panel denied Respondent Laidlaw's motion to dismiss.

Respondent Laidlaw did not appear at the evidentiary hearing. Upon review of the file and the representations made by/on behalf of the Claimant, the Panel determined that Respondent Laidlaw was properly served with the Statement of Claim and received due notice of the hearing, and that arbitration of the matter would proceed without said Respondent present, in accordance with the NASD Code of Arbitration Procedure (the "Code").

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

AWARD

After considering the pleadings, the testimony and evidence presented at the hearing, and the post-hearing submissions (if any), the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Respondent Laidlaw is liable and shall pay to Claimant compensatory damages in the amount of \$821,226.00, plus pre-judgment interest in the amount of \$30,270.00. The Panel finds Respondent Laidlaw liable on the claims of negligence, breach of contract, and breach of fiduciary duty. The Panel does not find Respondent Laidlaw liable on the claim of fraudulent inducement.
2. Claimant's request for punitive damages is denied.
3. Any and all claims for relief not specifically addressed herein are denied.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

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

Initial claim filing fee = \$ 375.00

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. Accordingly, Respondent Laidlaw was a member firm and is a party.

Member surcharge	= \$2,250.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$4,000.00

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

There were no adjournments requested during these proceedings for which fees were assessed.

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.

There were no injunctive relief fees assessed during these proceedings.

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:

Two (2) Pre-hearing sessions with Panel @ \$1,200.00 per session	= \$2,400.00
Pre-hearing conferences: July 16, 2003 1 session	
September 15, 2003 1 session	
Two (2) Hearing sessions @ \$1,200.00 per session	= \$2,400.00
Hearing Date: December 8, 2003 2 sessions	
Total Forum Fees	= \$4,800.00

The Panel has assessed the total forum fees in the amount of \$4,800.00 to Respondent Laidlaw.

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 during these proceedings.

Fee Summary

Claimant is solely liable for:

<u>Initial Filing Fee</u>	= \$ 375.00
<u>Total Fees</u>	= \$ 375.00
<u>Less payments</u>	= \$ 375.00
<u>Balance Due NASD</u>	= \$ 0.00

Respondent Laidlaw is solely liable for:

<u>Member Fees</u>	= \$ 7,000.00
<u>Forum Fees</u>	= \$ 4,800.00
<u>Total Fees</u>	= \$11,800.00
<u>Less payments</u>	= \$ 0.00
<u>Balance Due NASD</u>	= \$11,800.00

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

ARBITRATION PANEL

<i>Joe S. Tarrer, III</i>	-	<i>Public Arbitrator, Presiding Chairperson</i>
<i>Jacob I. Levine</i>	-	<i>Public Arbitrator</i>
<i>Marc S. Piven</i>	-	<i>Non-Public Arbitrator</i>

Concurring Arbitrators' Signatures

/s/
Joe S. Tarrer, III
Public Arbitrator, Presiding Chairperson

December 10, 2003
Signature Date

/s/
Jacob I. Levine
Public Arbitrator

December 10, 2003
Signature Date

/s/
Marc S. Piven
Non-Public Arbitrator

December 10, 2003
Signature Date

December 10, 2003
Date of Service (For NASD use only)

Dec.10. 2003 10:16AM NASD

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Joe S. Tarrer, III

Public Arbitrator, Presiding Chairperson

Jacob I. Levine

Public Arbitrator

Marc S. Fiven

Non-Public Arbitrator

Concurring Arbitrators' Signatures12-10-03

Joe S. Tarrer, III

Signature Date

Public Arbitrator, Presiding Chairperson

Jacob I. Levine_____
Signature Date

Public Arbitrator

Marc S. Fiven_____
Signature Date

Non-Public Arbitrator

Date of Service (For NASD use only)

Dec-10-2003 10:18AM NASD

No. 6/63 P. 5/5

NASD Dispute Resolution

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ARBITRATION PANEL

Joe S. Tarrer, III

Jacob I. Levine

Marc S. Piven

Public Arbitrator, Presiding Chairperson

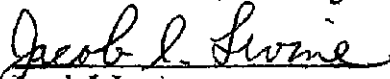
Public Arbitrator

Non-Public Arbitrator

Concurring Arbitrators' Signatures

Joe S. Tarrer, III

Public Arbitrator, Presiding Chairperson



Jacob I. Levine

Public Arbitrator

Signature Date

12/10/03

Signature Date

Marc S. Piven

Non-Public Arbitrator

Signature Date

Date of Service (For NASD use only)

NASD Dispute Resolution
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Concurring Arbitrators' Signatures

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 Public Arbitrator, Presiding Chairperson

 Signature Date

 Jacob I. Levine
 Public Arbitrator

 Signature Date


 Marc S. Piven
 Non-Public Arbitrator

12/10/2003
 Signature Date

 Date of Service (For NASD use only)