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**Stipulated Award**  
**NASD Dispute Resolution**

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In the Matter of the Arbitration Between:

Name of the Claimant  
UBS Financial Services Inc.

Case Number: 03-01184

Name of the Respondent  
Daniel Haralson

Hearing Site: Atlanta, Georgia

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Nature of the Dispute: Member vs. Associated Person.

**REPRESENTATION OF PARTIES**

For UBS Financial Services Inc. ("UBS"), hereinafter referred to as "Claimant": Brent A. Burns, Esq., Davidson, Manchel & Brennan, LLP, Northvale, New Jersey.

Daniel Haralson ("Haralson"), hereinafter referred to as "Respondent", appeared pro se.

**CASE INFORMATION**

Statement of Claim filed on or about: February 18, 2003.

Claimant signed the Uniform Submission Agreement: January 17, 2003.

Respondent did not file a Statement of Answer or an executed Uniform Submission Agreement.

Motion for an Award by Default or Motion to Bar Defenses filed by Claimant on or about: September 2, 2003.

**CASE SUMMARY**

Claimant alleged that Respondent owed \$50,783.05 to Claimant on an Installment Promissory Note and an Employee Forgivable Loan.

**RELIEF REQUESTED**

Claimant requested damages in the amount of \$50,783.05, plus interest thereon from November 5, 2001, calculated to be \$4,400.51 as of January 31, 2003, plus additional accrued interest thereafter through the payment of the award; attorneys' fees in the amount of \$3,172.10, plus additional attorneys' fees incurred through the payment of the award; all costs, fees and disbursements of this action; and such other and further relief as the Panel may deem just and equitable.

**OTHER ISSUES CONSIDERED AND DECIDED**

On November 24, 2003, the Panel issued a ruling that provided, in part, that Respondent shall have until December 2, 2003 to submit a Statement of Answer.

On December 2, 2003, the parties filed with NASD Dispute Resolution a notice of settlement and a Stipulation to Entry of Arbitration Award for review and approval by the Panel.

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

### AWARD

After considering the pleadings and the Stipulation to Entry of Arbitration Award submitted by the parties, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

Respondent shall pay to Claimant the amount of Fifty Five Thousand Two Hundred Dollars and Zero Cents (\$55,200.00) in accordance with the following schedule:

- a) Respondent shall forward to Claimant a check in the amount of Five Hundred Dollars and Zero Cents (\$500.00) to be delivered on or before the first of every month beginning December 1, 2003 through November 1, 2004;
- b) Respondent shall forward to Claimant a check in the amount of Ten Thousand Dollars and Zero Cents (\$10,000.00) on December 1, 2004;
- c) Respondent shall forward to Claimant a check in the amount of Eight Hundred Dollars and Zero Cents (\$800.00) to be delivered on or before the first of every month beginning January 1, 2005 through December 1, 2006; and
- d) Respondent shall forward to Claimant a check in the amount of Ten Thousand Dollars and Zero Cents (\$10,000.00) on December 1, 2005.
- e) Respondent shall forward to Claimant a check in the amount of Ten Thousand Dollars and Zero Cents (\$10,000.00) on December 1, 2006; and

All checks will be made out to "UBS Financial Services Inc." and sent to the attention of Brent A. Burns, Esq., Davidson & Grannum, LLP, 207 Washington Street, Northvale, New Jersey 07647.

Respondent further stipulates and agrees to waive all rights of appeal and review that Respondent may have under the NASD Code of Arbitration Procedure (the "Code") and applicable state and federal law.

### 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 = \$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(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. Accordingly, UBS is a member firm and a party.

Member surcharge	= \$1,100.00
Pre-hearing process fee	= \$ 750.00
<u>Hearing process fee</u>	<u>= \$1,700.00</u>
Total Member Fees	= \$3,550.00

**Adjournment Fees**

Adjournments granted during these proceedings for which fees were assessed:

November 13, 2003 and November 14, 2003, adjournment requested jointly by Claimant and Respondent = \$ 750.00

The Panel has assessed the total adjournment fee of \$750.00 as follows: \$375.00 to Claimant and \$375.00 to Respondent.

**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 sessions with the Panel @ \$750.00/session	= \$1,500.00
Pre-hearing conferences:	
September 3, 2003	1 session
November 24, 2003	1 session
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Total Forum Fees	= \$1,500.00

Pursuant to the agreement of the parties, the Panel has assessed forum fees of \$750.00 to Claimant and \$750.00 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 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**

Claimant is solely liable for:

Initial Filing Fee	= \$1,000.00
Member Fees	= \$3,550.00
Adjournment Fee	= \$ 375.00
Forum Fees	= \$ 750.00
Total Fees	= \$5,675.00
Less Payments	= \$5,300.00
Balance Due NASD Dispute Resolution	= \$ 375.00

Respondent is solely liable for:

Adjournment Fee	= \$ 375.00
Forum Fees	= \$ 750.00
Total Fees	= \$1,125.00
Less Payments	= \$ 0.00
Balance Due NASD Dispute Resolution	= \$1,125.00

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

**ARBITRATION PANEL**

Kenneth I. Daniels, JD	-	Non-Public Arbitrator, Presiding Chairperson
Jo Lanier Meeks, Esq.	-	Non-Public Arbitrator
Thomas Scott Watkins	-	Non-Public Arbitrator

**Concurring Arbitrators' Signatures**

\_\_\_\_\_/s/\_\_\_\_\_  
Kenneth I. Daniels, JD  
Non-Public Arbitrator, Presiding Chairperson

January 10, 2004  
Signature Date

\_\_\_\_\_/s/\_\_\_\_\_  
Jo Lanier Meeks, Esq.  
Non-Public Arbitrator

December 29, 2003  
Signature Date

December 29, 2003  
Signature Date

January 12, 2004  
Date of Service (For NASD Dispute Resolution office use only)

There were no administrative costs incurred in this matter.

**Fee Summary**

Claimant is solely liable for:

Initial Filing Fee	= \$1,000.00
Member Fees	= \$3,550.00
Adjournment Fee	= \$ 375.00
<u>Forum Fees</u>	<u>= \$ 750.00</u>
Total Fees	= \$5,675.00
<u>Less Payments</u>	<u>= \$5,300.00</u>
Balance Due NASD Dispute Resolution	= \$ 375.00

Respondent is solely liable for:

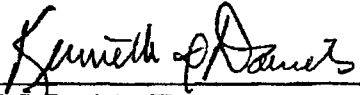
Adjournment Fee	= \$ 375.00
<u>Forum Fees</u>	<u>= \$ 750.00</u>
Total Fees	= \$1,125.00
<u>Less Payments</u>	<u>= \$ 0.00</u>
Balance Due NASD Dispute Resolution	= \$1,125.00

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

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Thomas Scott Watkins	-	Non-Public Arbitrator

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Kenneth I. Daniels, JD  
Non-Public Arbitrator, Presiding Chairperson

  
\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Jo Lanier Meeks, Esq.  
Non-Public Arbitrator

\_\_\_\_\_  
Signature Date

There were no administrative costs incurred in this matter.

**Fee Summary**

Claimant is solely liable for:

Initial Filing Fee	= \$1,000.00
Member Fees	= \$3,550.00
Adjournment Fee	= \$ 375.00
Forum Fees	= \$ 750.00
<u>Total Fees</u>	<u>= \$5,675.00</u>
<u>Less Payments</u>	<u>= \$5,300.00</u>
Balance Due NASD Dispute Resolution	= \$ 375.00

Respondent is solely liable for:

Adjournment Fee	= \$ 375.00
Forum Fees	= \$ 750.00
<u>Total Fees</u>	<u>= \$1,125.00</u>
<u>Less Payments</u>	<u>= \$ 0.00</u>
Balance Due NASD Dispute Resolution	= \$1,125.00

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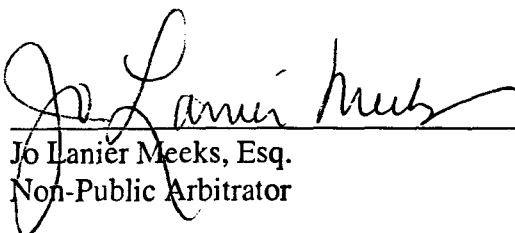
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Non-Public Arbitrator, Presiding Chairperson

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Signature Date

  
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Jo Lanier Meeks, Esq.  
Non-Public Arbitrator

  
\_\_\_\_\_  
Signature Date

NASD Dispute Resolution

Arbitration No. 03-01184

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Thomas Scott Watkins

Thomas Scott Watkins

Non-Public Arbitrator

12-29-03

Signature Date

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