

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 03-01429

UBS PaineWebber, Inc., Claimant vs. Roderick Potts, Respondent.

ATTORNEYS:

For Claimant appeared Romaine L. Gardner, Esq., Staten Island, NY.

Respondent did not respond to the Statement of Claim.

DATE FILED: February 27, 2003

CASE SUMMARY: Claimant alleged that Respondent refused to repay the debit incurred in his account that resulted from a deposit of a stock certificate for 296 shares of Sun Company, Inc. stock in his UBS PaineWebber account as a certificate which had previously been reported lost and had been subsequently replaced. Claimant maintained that due to Respondent's actions, the firm suffered a loss.

Claim Data

Claim: \$6,870.52
Interest: Unspecified

Attorney Fees: Unspecified
Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$6,870.52
Interest: At the rate of 7.25%
per annum from 3-26-02 to
payment date.
Attorney Fees: \$1,836.00
Filing Fees: \$750.00
Other: \$.00

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 and shall pay to the Claimant \$6,870.52.00. 2) Respondent is liable and shall pay Claimant interest at the rate of 7.25% per annum from 3-26-02 to payment date. 3) Respondent is liable and shall pay Claimant \$1,836.00 for attorney fees according to Claimant's request. 4) All other relief requests are denied. 5) The \$750.00 filing fee previously deposited with NASD Dispute Resolution by the Claimant, shall be retained by NASD Dispute Resolution. 6) Respondent is liable and shall pay Claimant \$750.00 as reimbursement of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Claimant has paid to NASD Dispute Resolution the \$325.00 Member Surcharge previously invoiced.

OTHER ISSUES: Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that Respondent, Roderick Potts was served notice of the Statement of Claim by regular mail, Overdue Notice and Notification of Arbitrator by certified mail, as evidenced by the signed signature card on file and is therefore bound by the arbitrator's ruling and determination.

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H. Rollin Allen, Esq.

Sole Public Arbitrator

AFFIRMATION

I, H. Rollin Allen, Esq. , do hereby affirm, upon my oath as arbitrator that I am the individual described herein who executed this instrument, which is my oath and award.



H. Rollin Allen, Esq.

7/10/03

Signature Date

July 18, 2003

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