

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 03-02055

Fahnestock & Co. Inc., Claimant vs. Thomas Wester, Respondent.

ATTORNEYS:

For Claimant appeared in-house counsel, Eric J. Shames, Esq., New York, NY.

Respondent did not respond to the Statement of Claim.

DATE FILED: March 21, 2003

CASE SUMMARY: Claimant alleged that Respondent has failed and refused to repay monies owed pursuant to the terms of a Promissory Note, and an amount owed for medical insurance payments. Claimant maintained that due to Respondent's actions, the corporation suffered financial losses.

Claim Data

Claim: \$15,262.15

Interest: Unspecified

Attorney Fees: \$3,000.00

Filing Fees: \$1,475.00

Award Data

Award: \$13,342.15

Interest: At the rate of 9% per annum
from 2/26/03 to 10/11/03

Attorney Fees: \$.00

Filing Fees: \$525.00

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 \$13,342.15. 2) Respondent is liable and shall pay to the Claimant interest at the rate of 9% per annum from February 26, 2003 to October 11, 2003. 3) All requests for attorney fees are denied. 4) All requests for medical insurance payments are denied. 5) All other relief requests are denied. 6) The \$1,050.00 filing fee previously deposited with NASD Dispute Resolution by the Claimant, shall be retained by NASD Dispute Resolution. 7) Respondent is liable and shall pay Claimant \$525.00 as reimbursement of one half of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Claimant has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

William K. Love

Sole Non-Public Arbitrator

AFFIRMATION

I, William K. Love, 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.



William K. Love



Signature Date

October 9, 2003

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