

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 03-02455

Oppenheimer & Company, Claimant v. B. Wade Ashton, Respondent.

ATTORNEYS:

Claimant, Oppenheimer & Company, ("Claimant"), appeared through its in-house Counsel, Eric J. Shames, Esq., New York, NY.

Respondent, B. Wade Ashton, ("Respondent") did not respond to the Statement of Claim.

NATURE OF DISPUTE: Member v. Associated Person

DATE FILED: April 3, 2003

CASE SUMMARY: Claimant alleged that Respondent failed and refused to repay the remaining balance of \$20,000.00 loaned to him pursuant to a promissory note. Claimant maintained that due to Respondent's action, the corporation suffered financial losses.

Claim Data

Claim: \$20,000.00
Interest: At 9% from 1/6/03 to payment
Attorney Fees: \$3,000.00
Filing Fees: \$1,475.00
Other: Unspecified

Award Data

Award: \$20,000.00
Interest: \$.00
Attorney Fees: \$.00
Filing Fees: \$.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 \$20,000.00. 2) All requests for interest are denied. 3) All requests for attorney fees are denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$1,050.00 filing fee that the Claimant deposited previously.

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

OTHER ISSUES: Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that Respondent B. Wade Ashton 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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Award 03-02455

Howard L. Cohan

Sole Non-Public Arbitrator

AFFIRMATION

I, Howard L. Cohan, 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.


Howard L. Cohan

12/8/03
Signature Date

December 22, 2003
Date of Service (For NASD-DR office use only)