

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 03-03440

Fahnestock & Co., Inc., Claimant v. Julian C. Curry, Respondent

ATTORNEYS:

Claimant, Fahnestock & Co., Inc., ("Claimant"), appeared through its in-house counsel Eric. J. Schames, New York, NY.

Respondent, Julian C. Curry, ("Respondent") appeared pro se, New York, NY.

NATURE OF DISPUTE: Member v. Associated Person

DATE FILED: May 9, 2003

CASE SUMMARY: Claimant alleged that Respondent breached his employment contract and the terms of a Promissory Note Agreement. Claimant maintained that due to Respondent's actions, the corporation suffered financial losses.

Claim Data

Claim: \$10,000.00
Interest: At the rate of 8% from 12/6/02
through the date of the arbitration award.

Attorney Fees: \$3,000.00
Filing Fees: \$1,075.00
Other: Unspecified

Award Data

Award: \$9,806.00
Interest: At the rate of 5.875% per
annum from 2/7/03 to date of payment of
award.
Attorney Fees: \$.00
Filing Fees: \$375.00
Other: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The Respondent is liable and shall pay to the Claimant \$9,806.00. 2) The Respondent is liable and shall pay to the Claimant interest at the rate of 5.875% per annum from February 7, 2003 to date of payment of award. 3) All requests for attorney fees are denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$750.00 filing fee that the Claimant deposited previously. 6) Respondent is liable and shall pay Claimant \$375.00 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 \$325.00 Member Surcharge previously invoiced.

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David L. Binhak

Sole Non-Public Arbitrator

AFFIRMATION

I, David L. Binhak, do hereby affirm, pursuant to Article 7507 of the Civil Practice Law and Rules, that I am the individual described herein, and who executed this instrument which is my award.

David L. Binhak
David L. Binhak

10/31/03
Signature Date

November 17, 2003
Date of Service (For NASD-DR office use only)