

**AWARD  
NASD DISPUTE RESOLUTION**

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In the Matter of the Arbitration Between:

UBS PaineWebber, Inc. n/k/a UBS Financial Services, Inc., (Claimant) vs. Matthew Christopher Abel, (Respondent)

Case Number: 03-03581

Situs: Cincinnati, Ohio

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Nature of the Dispute: Member v. Associated Person.

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**REPRESENTATION OF PARTIES**

UBS PaineWebber, Inc. n/k/a UBS Financial Services ("UBS") hereinafter referred to as "Claimant": Deborah H. Gottlieb, Esq., Davidson, Manchel & Brennan, LLP, Northvale, NJ.

Respondent did not enter an appearance in this matter.

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DATE FILED: May 14, 2003.

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CASE SUMMARY: Claimant alleged that Respondent failed to repay monies owed pursuant to the terms of an employee forgivable loan.

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**Claim Data**

Claim: \$38,358.97  
Interest: From 4/18/01 -  
Payment of the award

Attorney's  
Fees: Unspecified  
Costs: Unspecified  
Other: Unspecified

**Award Data**

Award: \$38,358.97  
Interest: @ the rate provided  
by Citibank, N.A., or  
its successor, equal to  
the "prime rate" plus  
two percent (2%)  
compounded monthly  
beginning 4/18/01 -  
date of payment of the  
award

Attorney's  
Fees: \$5,000.00  
Costs: \$1,000.00  
Other: \$.00

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OTHER ISSUES:

By letter dated January 26, 2004, Claimant opted to proceed against Respondent Matthew Christopher Abel pursuant to Rule 10314(e) of the *NASD Code of Arbitration Procedure* ("Code"). The arbitrator determined that Respondent Matthew Christopher Abel was properly served notice of the Statement of Claim and Notification of the Arbitrator by certified mail, and that Respondent Matthew Christopher Abel is required to submit to arbitration pursuant to the Code and is bound by the determination of the Arbitrator on all issues submitted.

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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 Claimant \$38,358.97. 2) Respondent is liable and shall pay to Claimant interest at the rate provided by Citibank, N.A., or its successor, equal to "prime rate" plus two percent (2%) compounded monthly beginning April 18, 2001 through the date of payment of the award. 3) Respondent is liable and shall pay to Claimant attorneys' fees in the amount of \$5,000.00 pursuant to the authority of the contract between the parties. 4) Respondent is liable and shall pay to Claimant the sum of \$1,000.00, to reimburse Claimant for the filing fee previously paid to NASD Dispute Resolution. 5) All other relief requests are denied.

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FORUM FEES:

The \$1,000.00 filing fee previously deposited with NASD Dispute Resolution by Claimant shall be retained by NASD Dispute Resolution.

One(1) Pre-Hearing conference session with a single arbitrator @\$450/session=	\$450.00
Default Forum Fee	= \$300.00
Total Forum Fees	= \$750.00

The arbitrator assessed all forum fees in the amount of \$750.00 against Respondent Matthew Christopher Abel.

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MEMBER FEES:

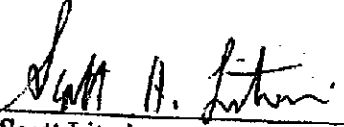
Member fees are assessed to each member firm that is a party in these proceedings or to the member firms that employed the associated persons at the time of the events giving rise to the dispute. Accordingly, UBS is a party:

Member surcharge	= \$ 875.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$1,000.00

**ARBITRATION PANEL**

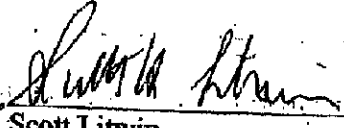
Scott Litwin

Sole Non-Public Arbitrator

  
\_\_\_\_\_  
Scott Litwin

2/13/04  
\_\_\_\_\_  
Signature Date

I, Scott Litwin, 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, which is my award.

  
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Scott Litwin

February 27, 2004  
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Date of Service (For NASD-DR office use only)