

**NASD DISPUTE RESOLUTION AWARD**  
**NASD DISPUTE RESOLUTION**

CASE: 03-03702

Stifel, Nicolaus & Co., Inc., Claimant v. Gary D. Sullivan, Respondent.

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**ATTORNEYS:**

For Claimant, Stifel, Nicolaus & Co., Inc., ("Claimant"), appeared Peter R. Sonderby, Chicago, IL.

Respondent, Gary D. Sullivan, ("Respondent"), did not respond to the Statement of Claim.

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**NATURE OF DISPUTE:** Member v. Customer

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**DATE FILED:** March 20, 2003

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**CASE SUMMARY:** Claimant alleged that Respondent did not fulfill his obligations to deposit funds in his account sufficient to cover the debit balance created by purchase of stocks pursuant to his order. Claimant maintained that due to Respondent's action, the corporation suffered financial losses.

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**Claim Data**

Claim: \$7,776.08  
Attorney Fees: \$2,750.00  
Filing Fees: \$750.00  
Other: Unspecified

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**Award Data**

Award: \$7,776.08  
Attorney Fees: \$2,750.00  
Filing Fees: \$750.00  
Other: \$.00

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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 the Claimant \$7,776.08. 2) Respondent is liable and shall pay to the Claimant attorney fees in the amount of \$2,750.00 according to Claimant's request. 3) All other relief requests are denied. 4) NASD Dispute Resolution shall retain the \$750.00 filing fee that the Claimant deposited previously. 5) Respondent is liable and shall pay Claimant \$750.00 as reimbursement of the filing fee.

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**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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**OTHER ISSUES:** Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that Respondent Gary D. Sullivan was served notice of the Statement of Claim and Overdue Notice by regular mail is therefore bound by the arbitrator's ruling and determination.

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Award 03-03702

Alicia J. Reines-Leo, Esq.

Sole Public Arbitrator

**AFFIRMATION**

I, Alicia J. Reines-Leo, 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.

Alicia Reines-Leo  
Alicia J. Reines-Leo, Esq.

11/17/03  
Signature Date

November 26, 2003  
Date of Service (For NASD-DR office use only)