

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

CASE: 03-03928

Maxim Group LLC, Claimant v. Alain Richard Lustig, Respondent.

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**ATTORNEYS:**

Claimant, Maxim Group LLC, ("Claimant"), appeared through their in-house counsel, James E. Siegel, Esq., New York, NY.

For Respondent, Alain Richard Lustig, ("Respondent"), appeared Brendan R. Marx, Esq., New York, NY.

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**NATURE OF DISPUTE:** Member v. Associated Person

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**DATE FILED:** May 30, 2003

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**CASE SUMMARY:** Claimant alleged that Respondent failed to repay monies owed on the balance of an employee forgivable loan and on excess commissions. Claimant maintained that due to Respondent's action, the corporation suffered financial losses.

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**Claim Data**

Claim: \$21,594.20  
Interest: At the rate of fifteen percent (15%)  
Attorney Fees: Unspecified  
Filing Fees: Unspecified  
Other: Unspecified

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**Award Data**

Award: \$.00  
Interest: \$.00  
Attorney Fees: \$.00  
Filing Fees: \$525.00  
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) The claims of the Claimant are dismissed in their entirety. 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. 6) Respondent is liable and shall pay to the Claimant \$525.00 as reimbursement of one-half 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 \$425.00 Member Surcharge previously invoiced.

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Award 03-03928

Richard F. Dziedziula, Esq.

Sole Non-Public Arbitrator

**AFFIRMATION**

I, Richard F. Dziedziula, Esq., 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.

  
Richard F. Dziedziula, Esq.

1-26-04  
Signature Date

February 5, 2004  
Date of Service (For NASD-DR office use only)