

**Award
NASD Dispute Resolution**

In the Matter of the Arbitration Between:

Name of the Claimant
Steve Taton

Case Number: 03-04051

Names of the Respondents
Raymond James Financial Services, Inc.
Steve Edward Hamant
Timothy Eugene Scanlon

Hearing Site: Richmond, VA

Nature of the Dispute: Customer v. Member and Associated Persons.

REPRESENTATION OF PARTIES

Claimant, Steve Taton, hereinafter referred to as "Claimant", was represented by William G. Shields, Esq., Thorsen & Scher, LLP, Richmond, Virginia.

Respondents, Raymond James Financial Services, Inc. ("Raymond James"), Steve Edward Hamant ("Hamant") and Timothy Eugene Scanlon ("Scanlon"), hereinafter collectively referred to as "Respondents", were represented by Terrence A. Bostic, Esq., Raymond James Financial Services, Inc., St. Petersburg, Florida.

CASE INFORMATION

Statement of Claim filed on May 28, 2003.

Claimant signed the Uniform Submission Agreement on July 10, 2003.

Statement of Answer filed by Respondents on September 26, 2003.

A representative of Respondent Raymond James signed the Uniform Submission Agreement on September 29, 2003.

Respondent Hamant signed the Uniform Submission Agreement on July 31, 2003.

Respondent Scanlon signed the Uniform Submission Agreement on July 30, 2003.

CASE SUMMARY

In the Statement of Claim, Claimant asserted the following causes of action, among others: *defamation, tortious interference with contract or business expectancy, conspiracy under Virginia code sections 18.2-499 and 500 to injure Claimant's profession, and unethical conduct and securities rules violations.* The causes of action relate to Claimant's past employment.

Unless specifically admitted in their Statement of Answer, Respondents denied the allegations made in the Statement of Claim and asserted the following defenses, among others: Respondents Hamant and Scanlon did not make defamatory statements about Claimant and Respondent

Raymond James is not responsible for the actions of Respondents Hamant and Scanlon.

RELIEF REQUESTED

Claimant requested \$5,000,000.00 in compensatory damages; \$1,000,000.00 in punitive damages; treble damages; attorney's fees; an injunction to dissuade the respondents from defamatory conduct; and other costs.

Respondents requested that the Statement of Claim be dismissed and that they be awarded costs.

OTHER ISSUES CONSIDERED AND DECIDED

At the close of Claimant's presentation of evidence and testimony, Respondents made a motion to dismiss Claimant's claims against Respondent Scanlon. The Arbitration Panel (the "Panel") took this motion under advisement. At the close of Respondents' case, the Panel granted the motion and the matter against Respondent Scanlon was dismissed with prejudice.

The parties agreed that the award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

After considering the pleadings, the testimony and evidence presented at the hearing, the Panel has decided in full and final resolution of the issues submitted for determination as follows:

1. Claimant's claims against Respondent Scanlon are denied in their entirety;
2. Respondents Raymond James and Hamant are jointly and severally liable to and shall pay to Claimant the sum of \$10,000.00 in compensatory damages for defamation;
3. Respondent Hamant is solely liable to and shall pay to Claimant the sum of \$10,000.00 in compensatory damages for defamation;
4. Respondents Raymond James and Hamant are jointly and severally liable to and shall pay to Claimant the sum of \$600.00 in reimbursement for the initial-claim filing fee;
4. The parties shall bear their respective costs, including attorneys' fees, except as Fees are specifically addressed below; and
5. Any and all relief not specifically addressed herein, including punitive and treble damages, is denied in its entirety.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution will retain or collect the non-refundable filing fees for each claim:

Initial claim filing fee = \$ 600.00

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm that employed the associated person at the time of the events giving rise to the dispute. Accordingly, Respondent Raymond James is a party.

Member surcharge = \$ 3,750.00
Pre-hearing process fee = \$ 750.00
Hearing process fee = \$ 5,500.00

Forum Fees and Assessments

The Panel has assessed forum fees for each session conducted. A session is any meeting between the parties and the arbitrator(s), including a pre-hearing conference with the arbitrator(s), that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with Panel @ \$ 1,200.00 = \$ 1,200.00
Pre-hearing conference: May 11, 2004 1 session

Four (4) Hearing sessions @ \$ 1,200.00 = \$ 4,800.00
Hearing Dates: October 22, 2004 2 sessions
October 23, 2004 2 sessions

Total Forum Fees = \$ 6,000.00

1. The Panel has assessed \$ 3,000.00 of the forum fees to Claimant.
2. The Panel has assessed \$ 3,000.00 of the forum fees jointly and severally to Respondents Raymond James and Hamant.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services beyond the normal administrative services. These include, but not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

Claimant, administrative cost = \$ 15.00

Fee Summary

1. Claimant is assessed and shall pay:

Initial Filing Fee	= \$ 600.00
Forum Fees	= \$ 3,000.00
<u>Administrative Costs</u>	<u>= \$ 15.00</u>
Total Fees	= \$ 3,615.00
<u>Less payments</u>	<u>= \$ 1,800.00</u>
Balance Due NASD Dispute Resolution	= \$ 1,815.00

2. Respondent Raymond James is assessed and shall pay:

<u>Member Fees</u>	<u>= \$ 10,000.00</u>
Total Fees	= \$ 10,000.00
<u>Less payments</u>	<u>= \$ 10,000.00</u>
Balance Due NASD Dispute Resolution	= \$ 0.00

3. Respondents Raymond James and Hamant are jointly and severally assessed and shall pay:

<u>Forum Fees</u>	<u>= \$ 3,000.00</u>
Total Fees	= \$ 3,000.00
<u>Less payments</u>	<u>= \$ 0.00</u>
Balance Due NASD Dispute Resolution	= \$ 3,000.00

All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATION PANEL

James Dolan, Esq.	-	Public Arbitrator, Presiding Chairperson
Jayne W. Barnard, Esq.	-	Public Arbitrator, Panelist
Francis M. Hall	-	Non-Public Arbitrator, Panelist

Concurring Arbitrators' Signatures


James Dolan, Esq.
Public Arbitrator, Presiding Chairperson

Signature Date

Jayne W. Barnard, Esq.
Public Arbitrator, Panelist

Signature Date

Francis M. Hall
Non-Public Arbitrator, Panelist

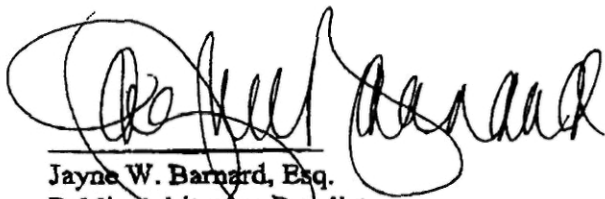
Signature Date

October 29, 2004
Date of Service (For NASD Dispute Resolution office use only)

Concurring Arbitrators' Signatures

James Dolan, Esq.
Public Arbitrator, Presiding Chairperson

Signature Date:

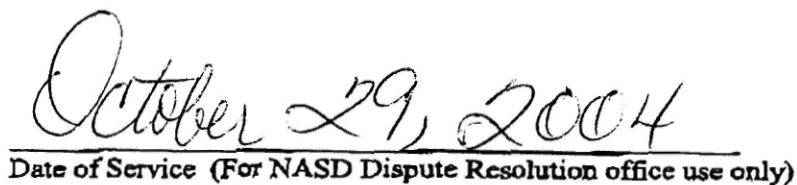


Jayne W. Barnard, Esq.
Public Arbitrator, Panelist


Signature Date:

Francis M. Hall
Non-Public Arbitrator, Panelist

Signature Date:


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Public Arbitrator, Presiding Chairperson

Signature Date

Jayne W. Barnard, Esq.
Public Arbitrator, Panelist

Signature Date

Francis M. Hall
Francis M. Hall
Non-Public Arbitrator, Panelist

Oct 27, 2004
Signature Date

October 29, 2004
Date of Service (For NASD Dispute Resolution office use only)