

**NASD DISPUTE RESOLUTION AWARD**  
**NASD DISPUTE RESOLUTION**  
**CASE: 04-00612**

UBS Financial Services, Inc. f/k/a UBS PaineWebber, Inc., Claimant v. Sally H. Kim, Respondent.

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**ATTORNEYS:**

For Claimant, UBS Financial Services, Inc. f/k/a UBS PaineWebber, Inc., ("Claimant"), appeared Deborah H. Gottlieb, Esq., of the firm Davidson & Grannum, LLP, Northvale, NJ.

Respondent, Sally H. Kim, ("Respondent"), did not submit a response to the Statement of Claim.

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

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**DATE FILED:** January 30, 2004.

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**CASE SUMMARY:** Claimant alleged that Respondent breached her Settlement Agreement when she failed to repay the outstanding balance of Promissory Note #10148. Claimant maintained that due to Respondent's actions, the corporation suffered financial losses.

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**Claim Data**

Claim: \$24,200.00

Interest: \$240.06 as of 01.31.04, plus interest accrued thereafter through payment of award

Attorney Fees: Unspecified

Filing Fees: Unspecified

Other: Unspecified

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**Award Data**

Award: \$24,200.00

Interest: At the rate of 9% per annum from 12.22.03 until balance paid full

Attorney Fees: \$4,000.00

Filing Fees: \$1,050.00

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 \$24,200.00. 2) Respondent is liable and shall pay to the Claimant interest at the rate of nine percent (9%) per annum from December 22, 2003 until the balance is paid in full. 3) Respondent is liable and shall pay to the Claimant \$4,000.00 in attorney fees for failure to comply with the Settlement Agreement, and pursuant to the terms of Promissory Note #10148. 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 \$1,050.00 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 \$425.00 Member Surcharge previously invoiced.

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


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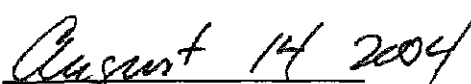
**ARBITRATOR**

Christopher J. Rogers - Sole Non-Public Arbitrator

**AFFIRMATION**

I, Christopher J. Rogers, 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.

  
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Christopher J. Rogers

  
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Signature Date

August 20, 2004  
Date of Service (For NASD-DR office use only)