
Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Name of the Claimant
Harris Investor Services

Case Number: 04-01404

Name of the Respondent
Cheryl Golden

Hearing Site: Boca Raton, Florida

Nature of the Dispute: Member vs. Customer.

REPRESENTATION OF PARTIES

For Harris Investor Services, hereinafter referred to as "Claimant": Greg Ross, Esq., Law Offices of Greg Ross, P.A., Ft. Lauderdale, Florida.

Cheryl Golden, hereinafter referred to as "Respondent", did not appear.

CASE INFORMATION

Statement of Claim filed on or about: March 2, 2004.

Claimant signed the Uniform Submission Agreement: October 14, 2003.

Respondent did not file a Statement of Answer or executed Uniform Submission Agreement.

CASE SUMMARY

Claimant asserted a claim for breach of contract. The cause of action relates to the unpaid margin balance in Respondent's account and Respondent's alleged breach of the Customer Agreement executed by Respondent.

RELIEF REQUESTED

Claimant requested compensatory damages in the amount of \$24,409.61, plus interest from July 3, 2002, costs, attorney's fees and any other relief deemed just and proper.

OTHER ISSUES CONSIDERED AND DECIDED

Respondent did not participate in the pre-hearing telephone conference conducted on July 7, 2004 or otherwise appear in this matter. Respondent received, via mail, several notices of the pre-hearing conference and a specific request to provide a telephone number. Respondent did not supply a telephone number where she could be contacted. Upon review of the file and the representations made by Claimant, the Arbitrator determined that Respondent has been properly served with the Statement of Claim and received due notice of the pre-hearing conference, and

that arbitration of the matter would proceed without said Respondent present, in accordance with the NASD Code of Arbitration Procedure (the "Code").

Respondent did not file with NASD Dispute Resolution a properly executed submission to arbitration but is required to submit to arbitration pursuant to the executed Customer Agreement and is bound by the determinations of the Arbitrator on all issues submitted.

During the pre-hearing conference on July 7, 2004, Claimant made an ore tenus motion that the Arbitrator decide this matter on the pleadings submitted. The Arbitrator granted Claimant's request.

AWARD

After considering the pleadings and the record in this matter, the Arbitrator has decided in full and final resolution of the issues submitted for determination as follows:

Respondent is liable on the claim of breach of contract and shall pay to Claimant compensatory damages in the amount of \$24,409.61, representing the unpaid balance in Respondent's margin account, plus interest at the rate of 3% from July 3, 2002 until the date of payment of the Award.

Respondent is liable and shall pay to Claimant attorney's fees in an amount to be determined by a court of competent jurisdiction pursuant to the Customer Agreement.

Respondent is liable and shall pay to Claimant the sum of \$750.00 representing reimbursement of the claim filing fee previously paid by Claimant to NASD Dispute Resolution.

Any and all claims for relief not specifically addressed herein are denied.

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 = \$ 750.00

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 event giving rise to the dispute. In this matter, the member firm Harris Investor Services is a party.

Member surcharge = \$ 425.00

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

No requests for adjournments were filed in this matter.

Injunctive Relief Fees

Injunctive relief fees are assessed to each member or associated person who files for a temporary injunction in court. Parties in these cases are also assessed arbitrator travel expenses and costs when an arbitrator is required to travel outside his or her hearing location and additional arbitrator honoraria for the hearing for permanent injunction. These fees, except the injunctive relief surcharge, are assessed equally against each party unless otherwise directed by the Panel.

No injunctive relief fees were incurred in this matter.

Forum Fees and Assessments

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

One (1) Pre-hearing session with a single arbitrator @ \$450.00	= \$ 450.00
Pre-hearing conference: July 7, 2004 1 session	
Total Forum Fees	= \$ 450.00

The Arbitrator has assessed the total forum fees of \$450.00 to Respondent.

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 are not limited to: additional copies of arbitrator awards; copies of audio transcripts; retrieval of documents from archives; interpreters; and, security.

No administrative costs were incurred in this matter.

Fee Summary

Claimant is solely liable for:

Initial Filing Fee	= \$ 750.00
Member Fees	= \$ 425.00
Total Fees	= \$ 1,175.00
Less payments	= \$ 1,175.00
Balance Due NASD Dispute Resolution	= \$ 0.00

Respondent is solely liable for:

Forum Fees	= \$ 450.00
Total Fees	= \$ 450.00
Less payments	= \$ 0.00

Balance Due NASD Dispute Resolution = \$ 450.00

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

ARBITRATOR

William R. Alheim

- Public Arbitrator, Presiding Chairperson

Arbitrator's Signature

/s/

07/13/04

William R. Alheim
Public Arbitrator, Presiding Chairperson

Signature Date

07/15/04

Date of Service (For NASD Dispute Resolution office use only)

Balance Due NASD Dispute Resolution

= \$ 450.00

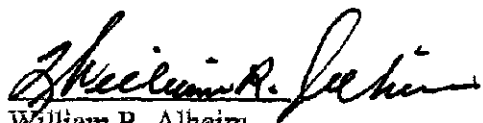
All balances are payable to NASD Dispute Resolution and are due upon receipt pursuant to Rule 10330(g) of the Code.

ARBITRATOR

William R. Alheim

- Public Arbitrator, Presiding Chairperson

Arbitrator's Signature



William R. Alheim

Public Arbitrator, Presiding Chairperson

7-18-04

Signature Date

Date of Service (For NASD Dispute Resolution office use only)