

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 04-02949

Kent R. Sward, Claimant v. Rodney and Elizabeth Goldberg, Respondents.

ATTORNEYS:

For Claimant, Kent R. Sward, ("Claimant"), appeared Amy B. Jones, Esq., of the firm Garvey Schubert Barer, New York, NY.

Respondents, Rodney and Elizabeth Goldberg, ("Respondents"), did not submit a response to the Statement of Claim.

NATURE OF DISPUTE: Associated Person v. Customers.

DATE FILED: April 21, 2004.

CASE SUMMARY: Claimant requests a finding that the claims asserted against him in NASD Arbitration Case No. 03-01535, entitled Rodney and Elizabeth Goldberg v. Prudential Securities, Inc. and Kenneth R. Sward, are without factual basis, without legal merit and should be expunged from the Central Registration Depository, ("CRD").

ARBITRATOR'S REPORT: 1. Claims asserted against Sward in NASD 03-01535 are without factual basis and without legal merit. 2. The NASD shall expunge from the CRD system all information relating to the above claims and allegations against Sward.

Claim Data

Claim: \$1.00

Specific Performance: Expungement

Other: Unspecified

Award Data

Award: \$1.00

Expungement: Granted

Other: \$0.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondents are jointly and severally liable and shall pay to the Claimant \$1.00. 2) The arbitrator recommends the expungement of all reference to NASD-DR Arbitration Case No. 03-01535 entitled Rodney and Elizabeth Goldberg v. Prudential Securities, Inc. and Kenneth R. Sward, from Claimant Kent R. Sward's registration record maintained by the NASD Central Registration Depository ("CRD") with the understanding that pursuant to Notices to Members 99-09 and 99-54, Claimant Kent R. Sward must obtain confirmation from a court of competent jurisdiction before CRD will execute the expungement directive. 3) All other relief requests are denied. 4) NASD Dispute Resolution shall retain the \$50.00 filing fee that the Claimant deposited previously.

OTHER FEES: Pursuant to Rule 10333 of the Code, Prudential Equity Group, LLC, the member firm associated with the Claimant at the time of the dispute, has paid to NASD Dispute Resolution the \$150.00 Member Surcharge previously invoiced.

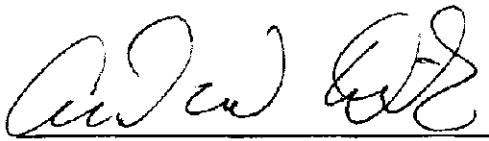
OTHER ISSUES: Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that Respondents were served notice of the Statement of Claim and Notification of Arbitrator by regular mail, and Overdue Notice by certified mail, and is therefore bound by the arbitrator's ruling and determination.

ARBITRATOR


Andrew R. Dick, Esq. - Sole Public Arbitrator

AFFIRMATION

I, Andrew R. Dick, 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.



Andrew R. Dick, Esq.



Signature Date

September 15, 2004
Date of Service (For NASD-DR office use only)