

**STIPULATED AWARD  
NASD Dispute Resolution**

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In the Matter of the Arbitration Between

Name of Claimant  
Stephens, Inc.

and

Case Number: 04-05020  
Hearing Site: Houston, Texas

Name of Respondent  
Robert Scott Anderson

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**NATURE OF CASE**

Member v. Associated Person

**REPRESENTATION OF PARTIES**

Stephens, Inc. ("**Claimant**") was represented by Jana Kim Keller, Esq., Stephens, Inc., Little Rock, Arkansas.

Robert Scott Anderson ("**Respondent**") of Corpus Christi, Texas, represented himself.

**CASE INFORMATION**

The Statement of Claim was filed on or about July 6, 2004. The Submission Agreement of Claimant was signed on or about June 28, 2004.

Respondent did not file a Statement of Answer or execute the Submission Agreement.

**CASE SUMMARY**

Claimant asserted the following cause of action: failure to repay a promissory note.

**RELIEF REQUESTED**

Claimant requested an award in the amount of:

Actual/Compensatory Damages	\$368,221.22
Interest	Unspecified
Attorneys' Fees	Unspecified
Other Costs	Unspecified
Other Monetary Relief	Unspecified

### **OTHER ISSUES CONSIDERED & DECIDED**

Respondent did not file with NASD Dispute Resolution a properly executed submission to arbitration but is required to submit to arbitration pursuant to Rule 10301 of the NASD Code of Arbitration Procedure (the "Code") is bound by the determination of the arbitration panel on all issues submitted.

The parties have entered into a binding Settlement Agreement and Consent to Award.

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered. In either case, the parties have agreed to receive conformed copies of the award while the original(s) remain on file with the NASD Dispute Resolution (the "NASD").

### **AWARD**

After considering the parties' submissions and representations, but without making any findings of fact or conclusions of law, the undersigned arbitrators order as follows:

- 1.) Award is issued against Respondent in favor of Claimant in the following amounts:

Principal	\$250,000.00
Interest as of 11/17/04	<u>49,085.62</u>
Total on Note	\$299,085.62
 Deficit Draw	 <u>\$74,635.60</u>
 Total due Stephens Inc.	 \$373,721.22
 Daily Interest Accrual on Note	 37.67

- 2.) That any relief not specifically enumerated, including punitive damages and attorney fees, is hereby denied with prejudice; and
- 3.) Other than Forum Fees which are specified below, the parties shall each bear their own costs and expenses incurred in this matter.

### **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 = \$1,000.00

#### **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. In this matter, the member firm is Stephens, Inc.

Member surcharge = \$1,700.00  
Pre-hearing process fee = \$ 750.00

### **Fee Summary**

Claimant, Stephens, Inc., is liable for:

Initial Filing Fee	= \$ 1,000.00
Member Fees	= \$ 2,450.00
Total Fees	= \$ 3,450.00
Less payments	= \$ 4,575.00
Refund Due to Claimant	= \$ 1,125.00

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

**ARBITRATION PANEL**

J. Michael Watson - Non-Public Arbitrator, Presiding Chair  
James E. Lane - Non-Public Arbitrator  
Teresa A. Oxford, J.D. - Non-Public Arbitrator

**Concurring Arbitrators:**

/s/ J. Michael Watson  
J. Michael Watson  
Non-Public Arbitrator, Presiding Chair

December 22, 2004  
Signature Date

/s/ James E. Lane  
James E. Lane  
Non-Public Arbitrator

December 27, 2004  
Signature Date

/s/ Teresa A. Oxford, J.D.  
Teresa A. Oxford, J.D.  
Non-Public Arbitrator

December 24, 2004  
Signature Date

December 27, 2004  
Date of Service (For NASD office use only)

**ARBITRATION PANEL**

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James E. Lane - Non-Public Arbitrator  
Teresa A. Oxford, J.D. - Non-Public Arbitrator

**Concurring Arbitrators:**

  
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Non-Public Arbitrator, Presiding Chair

12/22/04  
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Signature Date

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James E. Lane  
Non-Public Arbitrator

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