

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 04-06238

CIBC World Markets Corp., Claimant v. Joseph Gomez, Respondent

ATTORNEYS:

For Claimant CIBC World Markets Corp. ("Claimant") appeared Michelle A. Murphy, Esq., in-house counsel, CIBC World Markets Corp., New York, NY.

Respondent Joseph Gomez ("Respondent") did not file a Statement of Answer in this matter.

NATURE OF DISPUTE: Member v. Associated Person.

DATE FILED: August 31, 2004.

CASE SUMMARY: Claimant alleged that Respondent failed and refused to repay Claimant monies owed pursuant to the express terms of a written Mutual Settlement Agreement and Release and a Promissory Note. Claimant maintained that due to Respondent's actions, it suffered financial losses.

Claim Data

Claim: \$25,000.00

Interest: @ 9%

Attorney Fees: Unspecified

Filing Fees: Unspecified

Award Data

Award: \$25,000.00

Interest: 9% p.a. from the date of the award through date of payment of the award.

Attorney Fees: \$0.00

Filing Fees: \$525.00

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 for and shall pay to Claimant \$25,000.00. 2) Respondent is liable for and shall pay to Claimant interest at the rate of 9% per annum from the date of the award through the date of payment of the award. 3) All requests for attorney fees are denied. 4) NASD Dispute Resolution shall retain the \$1,050.00 filing fee that the Claimant deposited previously. 5) Respondent is liable and shall pay Claimant \$525.00 as reimbursement of one-half of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Claimant has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

OTHER ISSUES: Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that Respondent was served notice of the Statement of Claim and Notification of Arbitrator by regular mail, and Overdue Notice by certified mail, as evidenced by the signed signature card on file and is therefore bound by the arbitrator's ruling and determination.

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Award 04-06238

Bernard Finger - Sole Non-Public Arbitrator

AFFIRMATION

I, Bernard Finger, 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.

Bernard Finger
Bernard Finger

2/10/05
Signature Date

February 23, 2005
Date of Service (For NASD-DR office use only)