
**Award
NASD Dispute Resolution**

In the Matter of the Arbitration Between:

Name of the Claimant
Alton Securities Group, Inc.

Case Number: 04-07907

Name of the Respondent
Keith Scott Perkins

Hearing Site: Chicago, Illinois

Nature of the Dispute: Member vs. Associated Person

REPRESENTATION OF PARTIES

Claimant, Alton Securities Group, Inc. ("Alton"), hereinafter referred to as "Claimant": Matt D. Maberry, Alton Securities Group, Inc., Alton, Illinois.

Respondent, Keith Scott Perkins ("Perkins"), hereinafter referred to as "Respondent": *Pro se*.

CASE INFORMATION

Statement of Claim filed on November 1, 2004.

Claimant signed the Uniform Submission Agreement on November 11, 2004.

Statement of Answer filed by Respondent on February 2, 2005.

Respondent signed the Uniform Submission Agreement on January 31, 2005.

Respondent filed a Motion for Dismissal on June 2, 2005.

Claimant filed a Response to the Motion for Dismissal on June 17, 2005.

Respondent filed a Reply to Claimant's Response to the Motion for Dismissal on June 25, 2005.

CASE SUMMARY

Claimant asserted the following causes of action: Perkins' failure to resolve a commission dispute in the NASD forum resulted in a small claims judgment in the amount of \$4,284.71 and attorney's fees incurred by Claimant in the California Superior Court.

Unless specifically admitted in its Answer, Perkins denied the allegations made in the Statement of Claim.

RELIEF REQUESTED

Claimant requested \$4,284.71 for reimbursement of a small claims judgment and costs associated with the case filed in California Superior Court.

Respondent requested denial and dismissal of all claims in the Statement of Claim.

OTHER ISSUES CONSIDERED AND DECIDED

A telephonic pre-hearing conference was held on June 2, 2005 and a telephonic hearing conference was held on August 16, 2005 on Perkins' Motion for Dismissal. After reviewing the parties' submissions and hearing oral arguments by the parties, the Arbitrator grants the motion to dismiss. The Arbitrator further states:

The papers reflect, both parties acknowledged and the Arbitrator finds that the issue of the U-4 arbitration agreement was presented to the Small Claims Court of California and De Novo to the Superior Court of California. Neither court stayed or dismissed Respondent's cause of action there, and entered judgment in favor of Respondent. For this Arbitrator to order Respondent Perkins to reimburse Claimant Alton for the amount of the judgment of the California Superior Court would be tantamount to reversing the Court's judgment, which the Arbitrator does not have the authority to do.

It may also be noted that Claimant Alton could have filed its claim for arbitration relative to its dispute with Perkins, as it did here, but prior to the court action taken by Respondent Perkins in California.

The parties agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

After considering the pleadings, the testimony and evidence presented at the telephonic hearing conference, the Arbitrator has decided in full and final resolution of the issues submitted for determination as follows:

1. Any and all claims asserted by Claimant, Alton Securities Group, Inc., are dismissed with prejudice in their entirety.
2. Except as otherwise specified herein, parties shall bear their own costs, including attorneys' fees.
3. Any and all relief not specifically addressed herein, including punitive damages, is 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 = \$ 400.00

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. Accordingly, Alton Securities Group, Inc. is a party to this matter and is assessed the following:

Member surcharge = \$ 200.00

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 and one (1) telephonic hearing session with a single arbitrator
@ \$125.00 = \$ 250.00

Pre-hearing conference: June 2, 2005 - 1 session

Telephonic hearing: August 16, 2005 - 1 session

Total Forum Fees = \$ 250.00

1. The Arbitrator assessed 100% of the total forum fees in the amount of \$250.00 solely to Claimant, Alton Securities Group, Inc.

SEE SUMMARY

1. Claimant, Alton Securities Group, Inc. is solely liable for:

Initial Filing Fee	= \$ 400.00
Member Fee	= \$ 200.00
Forum Fees	= \$ 250.00
Total Fees	= \$ 850.00
Less payments	= \$ 725.00
Balance Due NASD Dispute Resolution	= \$ 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

Robert S. Sugarman, Esq.

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Public Arbitrator, Presiding Chairperson

/s/ Robert S. Sugarman, Esq. _____

Robert S. Sugarman, Esq.

Public Arbitrator, Presiding Chairperson

10/5/05

Signature Date

10/5/05

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

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THE SUMMARY

1. Claimant, Alton Securities Group, Inc. is solely liable for:

Initial Filing Fee = \$ 400.00

Member Fee = \$ 200.00

Forum Fees = \$ 250.00

Total Fees = \$ 850.00

Less payments = \$ 725.00

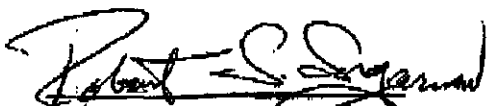
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ARBITRATION PANEL

Robert S. Sugarmen, Esq.

Public Arbitrator, Presiding Chairperson


 Robert S. Sugarmen, Esq.
 Public Arbitrator, Presiding Chairperson


 Signature Date

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