

AWARD
NASD DISPUTE RESOLUTION

In the Matter of the Arbitration Between:

Wachovia Securities, LLC, (Claimant) vs. Richard Andrew Baker (Respondent)

Case Number: 04-08254

SITUS: Philadelphia, Pennsylvania.

NATURE OF DISPUTE: Member v. Associated Person.

REPRESENTATION OF PARTIES

Wachovia Securities, LLC ("Wachovia"), hereinafter referred to as "Claimant": Jonathan E. Levine, Esq., Law Office of Daniel S. Fiore, Arlington, Virginia.

Respondent did not enter an appearance in this matter.

DATE FILED: December 2, 2004.

CASE SUMMARY: Claimant alleged that Respondent breached the terms of an agreement regarding a promissory note.

CLAIM DATA: Claimant requested compensatory damages in the amount of thirty-five thousand dollars and zero cents (\$35,000.00), attorneys' fees, interest, costs, and any other further relief that the Arbitrator deems just and proper.

OTHER ISSUES:

By letter dated April 15, 2005 Claimant opted to proceed against Respondent Baker pursuant to Rule 10314(e) of the *NASD Code of Arbitration Procedure* ("Code"). The arbitrator determined that Respondent Baker was properly served notice of the Statement of Claim and Notification of the Arbitrator by certified mail, and that Respondent Baker is required to submit to arbitration pursuant to the Code and is bound by the determination of the Arbitrator on all issues submitted.

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 and shall pay to Claimant \$35,000.00; 2) All requests for attorneys' fees are denied; 3) All requests for interest damages are denied; and 4) All other relief requests are denied.

FEES:

The \$ 1000.00 filing fee previously deposited with NASD Dispute Resolution by Claimant shall be retained by NASD Dispute Resolution.

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. Accordingly, Wachovia is a party.

Member surcharge	= \$ 875.00
Pre-hearing process fee	= \$ 750.00


Forum Fees

The arbitrator assessed all forum fees against Claimant Wachovia in the amount \$ 900.00.

ARBITRATION PANEL

Michael D. Neft

Sole Non-Public Arbitrator


Michael D. Neft

MAY 6, 2005
Signature Date

Date of Service: May 6, 2005