

AWARD
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Name of Claimant

Mark Van Deusen

vs.

Case Number: 04-08683
Hearing Site: Chicago, Illinois

Name of Respondent

Dickinson & Co.

NATURE OF THE DISPUTE

Associated Person vs. Terminated Member

REPRESENTATION OF PARTIES

Mark Van Deusen ("Claimant") was represented by Otto K. Hilbert, II, Esq., Robinson Waters & O'Dorisio, P.C., Denver, Colorado.

Dickinson & Co. ("Respondent") did not appear.

CASE INFORMATION

The Statement of Claim was filed on or about December 15, 2004. The Amended Statement of Claim was filed on or about December 30, 2004. The Submission Agreement of Claimant was signed on or about December 9, 2004.

CASE SUMMARY

Claimant asserted the following cause of action: defamation. The causes of action related to the Claimant's assertion that Respondent mischaracterized facts on Claimant's Forms U-4 and U-5 at the time of Claimant's resignation. Claimant alleged that Respondent's actions effected his reputation and career opportunities.

RELIEF REQUESTED

Claimant requested an award in the amount of:

Other Monetary Relief
Expungement

Unspecified

OTHER ISSUES CONSIDERED & DECIDED

Upon review of the file and the representations made by/on behalf of Claimant, the undersigned Arbitrator determined that Respondent has been properly served with the Statement of Claim and Amended Statement of Claim, received due notice of the hearing, and that arbitration of the matter would proceed without said Respondent present, in accordance with the NASD Code of Arbitration Procedure (the "Code").

Respondent did not file with NASD Dispute Resolution a properly executed Uniform Submission Agreement but is required to submit to arbitration pursuant to the Code and is bound by the determination of the Arbitrator on all issues submitted.

Claimant submitted post-hearing submissions to the Arbitrator on December 18 and 19, 2006.

AWARD

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

- 1.) The Arbitrator recommends the expungement of all references to the conversion claim initiated by Dickinson & Co., relating to a \$71,000.00 loss on or about July 1, 1992, noted on Form U-4, Occurrence # 304959 from Mark Van Deusen's registration records maintained by the NASD Central Registration Depository ("CRD") based on the defamatory nature of the information;
- 2.) The Arbitrator recommends that Mark Van Deusen's CRD records be amended to reflect that he voluntarily resigned from Dickinson and Co.; and
- 3.) Any relief not specifically enumerated is hereby denied with prejudice.

FEES

Pursuant to the Code, the following fees are assessed:

Filing Fees

NASD Dispute Resolution will retain the non-refundable filing fee for each claim:

Initial Claim filing fee = \$ 250.00

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 event giving rise to the dispute. In this matter, the member firm is Dickinson & Co.

Member surcharge	= \$	1,500.00
Pre-hearing process fee	= \$	750.00
Hearing process fee	= \$	2,200.00

Forum Fees and Assessments

The Arbitrator has assessed forum fees for each hearing session conducted or each decision rendered on a discovery-related motion on the papers. 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:

Two (2) Pre-hearing sessions with a single arbitrator x \$450.00	= \$	900.00
Pre-hearing conferences: September 19, 2005	1 session	
May 10, 2006	1 session	
One (1) Hearing session x \$450.00	= \$	450.00
Hearing Date: December 18, 2006	1 session	
Total Forum Fees	= \$	1,350.00

The Arbitrator has assessed \$1,350.00 of the forum fees to Mark Van Deusen.

FEE SUMMARY

Claimant, Mark Van Deusen, is liable for:

Initial Filing Fee	= \$	250.00
Forum Fees	= \$	1,350.00
Total Fees	= \$	1,600.00
Less payments	= \$	1,250.00
Balance due NASD Dispute Resolution	= \$	350.00

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

ARBITRATOR

Alan E. Case, Esq. - Public Arbitrator, Presiding Chair

Arbitrator's Signature:

/s/ Alan E. Case, Esq.
Alan E. Case, Esq.
Public Arbitrator, Presiding Chair

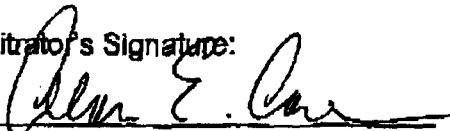
January 12, 2007
Signature Date

January 12, 2007
Date of Service (For NASD office use only)

ARBITRATOR

Alan E. Case, Esq. - Public Arbitrator, Presiding Chair

Arbitrator's Signature:



Alan E. Case, Esq.
Public Arbitrator, Presiding Chair

1/12/07
Signature Date

Date of Service (For NASD office use only)