

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Names of the Claimants

Peter Robertson and Susan Robertson

Case Number: 05-00233

Names of Respondents

Triad Advisors, Inc.

Canterbury Investment Group, Inc.

Cliff Scott Golob

Hearing Site: Orlando, Florida

Nature of the Dispute: Customer vs. Member, Non-Member and Associated Person.

REPRESENTATION OF PARTIES

For Peter Robertson and Susan Robertson, hereinafter collectively referred to as "Claimants": Robert J. Winicki, Esq., The Winicki Law Firm, P.A., Jacksonville, Florida.

For Triad Advisors, Inc. ("Triad"), Canterbury Investment Group, Inc. ("Canterbury"), and Cliff Scott Golob ("Golob"), hereinafter collectively referred to as "Respondents": Robert Wayne Pearce, Esq., Robert Wayne Pearce, P.A., Boca Raton, Florida.

CASE INFORMATION

Statement of Claim filed on or about: January 18, 2005.

Claimants signed the Uniform Submission Agreement: January 13, 2005.

Statement of Answer filed by Respondents on or about: March 14, 2005.

Respondent Triad signed the Uniform Submission Agreement: March 22, 2005.

Respondent Canterbury signed the Uniform Submission Agreement: March 14, 2005.

Respondent Golob signed the Uniform Submission Agreement: March 11, 2005.

Amended Statement of Claim filed on or about: September 7, 2005.

Statement of Answer to Amended Statement of Claim filed by Respondents on or about: September 15, 2005.

Reply to Respondents' Statement of Answer to Amended Statement of Claim filed by Claimants on or about: September 22, 2005.

Motion to Dismiss Amended Statement of Claim filed by Respondents on or about: January 12, 2006.

CASE SUMMARY

Claimants asserted the following causes of action: 1) negligence in recommending unsuitable investments; 2) rescission; and, 3) violations of Florida Securities Laws, specifically Sections 517.12 and 517.211, Florida Statutes. The causes of action relate to Claimants' investments in the First Trust GNMA Trust and the First Trust Municipal Trust.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim and Amended Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimants requested damages and recovery against Respondents as follows: 1) compensatory damages of \$125,000.00; 2) prejudgment interest; 3) statutory interest; 4) costs of the proceeding; 5) recessionary damages; 6) attorney's fees; and 7) such further relief the Panel deemed appropriate.

Respondents requested that: 1) the Panel dismiss all claims with prejudice; 2) award Respondents their costs of the proceeding, including attorney's fees to be determined by a court of competent jurisdiction; and 3) such further relief the Panel deemed appropriate, including expungement of the NASD Central Registration Depository ("CRD") record of Respondent Golob.

OTHER ISSUES CONSIDERED AND DECIDED

Respondent Canterbury is not a member of NASD. Respondent Canterbury voluntarily submitted to arbitration and, having answered the claim, signed a Uniform Submission Agreement, and appeared and testified at the hearing, is bound by the determination of the Panel on all issues submitted.

On or about August 11, 2005, Claimants filed a Motion to Amend the Statement of Claim. On or about August 29, 2005, Respondents filed a response in objection to Claimants' Motion to Amend. On or about September 7, 2005, the Panel granted Claimants' Motion to Amend the Statement of Claim.

During the evidentiary hearing, Respondents renewed a Motion to Dismiss the Amended Statement of Claim at the conclusion of the Claimants' case. The Panel denied Respondents' Motion to Dismiss.

AWARD

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

1. Respondent Triad is liable on the claim for negligence in recommending unsuitable investments. Respondent Triad shall pay to Claimants compensatory damages in the amount of \$30,340.80, pre-judgment interest denied.
2. Respondent Canterbury is liable on the claim for negligence in recommending unsuitable investments. Respondent Canterbury shall pay to Claimants compensatory damages in the amount of \$30,340.80, pre-judgment interest denied.
3. Respondent Golob is liable on the claim for negligence in recommending unsuitable investments. Respondent Golob shall pay to Claimants compensatory damages in the amount of \$6,742.40, pre-judgment interest denied.
4. Claimants' request for attorneys' fees is denied.

5. Claimants' claims under Florida Statutes Section 517.12 and 517.211 are denied.
6. Respondent Golob's request for expungement is denied.
7. Any and all relief for claims not specifically addressed herein 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	= \$300.00
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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, Triad is a party and a member firm.

Member surcharge	= \$1,700.00
Pre-hearing process fee	= \$ 750.00
<u>Hearing process fee</u>	<u>= \$2,750.00</u>
Total Member Fees	= \$5,200.00

Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

There were no adjournment fees assessed during these proceedings.

Three-Day Cancellation Fees

Fees apply when a hearing on the merits is postponed or settled within three business days before the start of a scheduled hearing session.

There were no three-day cancellation fees assessed during these proceedings.

Injunctive Relief Fees

Injunctive relief fees are assessed to each member or associated person who files for a temporary injunction in court. Parties in these cases are also assessed arbitrator travel expenses and costs when an arbitrator is required to travel outside his or her hearing location and additional arbitrator honoraria for the hearing for permanent injunction. These fees, except the injunctive relief surcharge, are assessed equally against each party unless otherwise directed by the Panel.

There were no injunctive relief fees assessed during these proceedings.

Forum Fees and Assessments

The Panel has assessed forum fees for each 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(s), including a pre-hearing conference with the arbitrator(s), that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with a single arbitrator @ \$450.00 per session = \$ 450.00
Pre-hearing conference: September 15, 2005 1 session

One (1) Pre-hearing session with Panel @ \$1,125.00 per session = \$1,125.00
Pre-hearing conference: May 16, 2005 1 session

Six (6) Hearing sessions @ \$1,125.00 per session = \$6,750.00
Hearing Dates: January 31, 2006 2 sessions
February 1, 2006 2 sessions
February 2, 2006 2 sessions

Total Forum Fees = \$8,325.00

The Panel has assessed forum fees in the amount of \$4,162.50 to Claimants.

The Panel has assessed forum fees in the amount of \$2,081.25 to Respondent Triad.

The Panel has assessed forum fees in the amount of \$2,081.25 to Respondent Canterbury.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services beyond the normal administrative services. These include, but not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

There were no administrative costs assessed during these proceedings.

Fee Summary

Claimants are solely liable for:

Initial Filing Fee	= \$ 300.00
Forum Fees	= \$ 4,162.50
Total Fees	= \$ 4,462.50
Less payments	= \$ 1,425.00
Balance Due NASD Dispute Resolution	= \$ 3,037.50

Respondent Triad is solely liable for:

Member Fees	= \$ 5,200.00
Forum Fees	= \$ 2,081.25
Total Fees	= \$ 7,281.25
Less payments	= \$ 5,200.00
Balance Due NASD Dispute Resolution	= \$ 2,081.25

Respondent Canterbury is solely liable for:

Forum Fees	= \$ 2,081.25
Total Fees	= \$ 2,081.25
Less payments	= \$ 0.00
Balance Due NASD Dispute Resolution	= \$ 2,081.25

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

ARBITRATION PANEL

Stan West	-	Public Arbitrator, Presiding Chairperson
Susan Jefferbaum Beck	-	Public Arbitrator
David C. Lockhart	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

/s/

Stan West
Public Arbitrator, Presiding Chairperson

February 7, 2006
Signature Date

/s/

Susan Jefferbaum Beck
Public Arbitrator

February 7, 2006
Signature Date

/s/

David C. Lockhart
Non-Public Arbitrator

February 7, 2006
Signature Date

February 7, 2006

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

Feb. 7, 2006 10:46PM
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Public Arbitrator

2-7-06

Signature Date

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Signature Date



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2/7/06

Signature Date

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