

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-00249

UBS Financial Services Inc., (Claimant) vs. Mark Futrell, (Respondent)

ATTORNEYS:

For Claimant appeared Brent A. Burns, Esq., of the firm Davidson & Grannum, LLP, Orangeburg, NY.

For Respondent appeared Mark S. Hellinger, Esq., of The Hellinger Law Firm, Houston, TX.

NATURE OF DISPUTE: Member v. Associated Person

DATE FILED: January 14, 2005

CASE SUMMARY: Claimant alleged that Respondent breached an Oral Settlement Agreement for payment of an NASD Arbitration Award in favor of Claimant regarding an outstanding balance of an advanced compensation agreement. Claimant maintained that due to Respondent's actions, the firm suffered a loss.

Claim Data

Claim: \$10,553.33
Interest: \$9,096.26
Attorney Fees: \$7,981.78
Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$10,553.33
Interest: \$.00
Attorney Fees: \$.00
Filing Fees: \$1,050.00
Other: \$.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 and shall pay to the Claimant \$10,553.33. 2) All requests for attorney fees are denied. 3) All requests for interest are denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$1,050.00 filing fee that the claimant deposited previously. 6) Respondent is liable and shall pay Claimant \$1,050.00 as reimbursement 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.

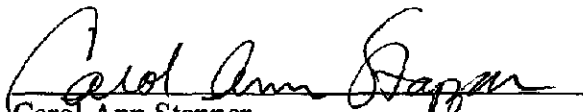
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Award 05-00249

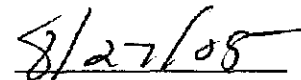
Carol Ann Stapper

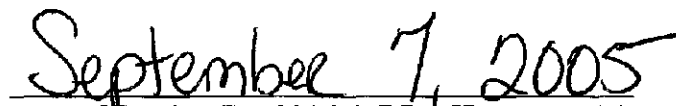
Sole Non-Public Arbitrator

AFFIRMATION

I, Carol Ann Stapper, 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.


Carol Ann Stapper


(Signature Date)


Date of Service (For NASD-DR office use only)