

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-00567

Steven Craig Novotny, (Claimant) vs. Banc One Securities Corporation, Daniel Robert Deagan, Kenyon A. Warren, Jerry Allen Mladenik, Chad Carroll, and Lee McCormell, (Respondents)

ATTORNEYS:

Claimant appeared pro se, Scottsdale, AZ.

For Respondents appeared Marc H. Feldman, Esq., of the firm Ulmer & Berne LLP, Cleveland, OH.

NATURE OF DISPUTE: Associated Person v. Member and Associated Persons

DATE FILED: January 30, 2005

CASE SUMMARY: Claimant alleged that Respondents breached an employment contract by interfering with and failing to issue payments on earned commissions. Claimant maintained that due to Respondents' actions, he suffered financial losses.

Claim Data

Claim: \$6,794.00
Punitive: \$13,588.00
Filing Fees: \$425.00

Award Data

Award: \$.00
Punitive: \$.00
Filing Fees: \$212.50

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) The claims of claimant are dismissed in their entirety. 2) All requests for punitive damages are denied. 3) All other relief requests are denied. 4) NASD Dispute Resolution shall retain the \$425.00 filing fee that the claimant deposited previously. 5) Respondents are jointly and severally liable and shall pay claimant \$212.50 as reimbursement of one half of the filing fee.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent, Banc One Securities Corporation has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

Page Two
Award 05-00567

Charles Taylor

Sole Non-Public Arbitrator

AFFIRMATION

I, Charles Taylor, 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.

Charles Taylor
Charles Taylor

29 June 05
(Signature Date)

July 1, 2005
Date of Service (For NASD-DR office use only)