

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-00900

Larry A. Hamilton, (Claimant) vs. Leonard S. Chaikind, Andrew J. Martin, Mariel Christi Clemensen, IICC-TradeCo, Inc., and John Christopher Van, (Respondents)

ATTORNEYS:

Claimant appeared pro se, Houston, TX.

Respondents Mariel Christi Clemensen and IICC-TradeCo, Inc., appeared pro se through Mariel Christi Clemensen, Jersey City, NJ.

Respondent Andrew J. Martin appeared pro se, Houston, TX.

Respondent Leonard S. Chaikind appeared pro se, Houston, TX.

Respondent John Christopher Van appeared pro se, Nashville, TN.

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

DATE FILED: February 15, 2005

CASE SUMMARY: Claimant alleged that Respondents failed to repay monies owed pursuant to the terms of a Fee Agreement Contract. Claimant maintained that due to Respondents' actions, he suffered financial losses.

ARBITRATOR'S REPORT: See attached Exhibit A.

Claim Data	Award Data
Claim: \$14,678.00	Award: \$.00
Punitive: \$10,000.00	Punitive: \$.00
Other: Unspecified	Other: \$.00

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 the 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.

OTHER FEES: Pursuant to Rule 10333 of the Code, Respondent, IICC-TradeCo, Inc., has not paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

Page Two
Award 05-00900

Ruth Smith Jackson

Sole Non-Public Arbitrator

AFFIRMATION

I, Ruth Smith Jackson, 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.



Ruth Smith Jackson



(Signature Date)

SEPTEMBER 27, 2005

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

Exhibit A

I have thoroughly reviewed the documents submitted by both the claimant and the respondent regarding Case Number 05-00900.

In my opinion, this case does not fall under the jurisdiction of the NASD. Mr. Hamilton is an independent contractor not a customer or employee of a broker dealer. Furthermore, both parties did not sign the Uniform Submission Agreement.

Therefore, I am dismissing the case in its entirety.

Very truly yours,



Ruth Smith Jackson
Industry Arbitrator