

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Adam Vertes (Claimant) vs. Raymond James & Associates, Inc. (Respondent)

Case Number: 05-01143

Hearing Site: Cleveland, Ohio

Nature of the Dispute: Associated Person vs. Member

REPRESENTATION OF PARTIES

Claimant Adam Vertes hereinafter referred to as "Claimant": James A. DeRoche, Esq., Garson & Associates Co., L.P.A., Cleveland, OH.

Respondent Raymond James & Associates, Inc. hereinafter referred to as "Respondent": Matthew J. Morelli, Esq., Ulmer Berne LLP, Cleveland, OH. Previously represented by Leslie A. Reese, Esq., Raymond James & Associates, Inc., St. Petersburg, FL.

CASE INFORMATION

Statement of Claim filed on or about: March 1, 2005.

Claimant signed the Uniform Submission Agreement: February 24, 2005.

Statement of Answer filed on or about: June 7, 2005.

Amended Statement of Answer filed on or about: June 10, 2005.

Respondent signed the Uniform Submission Agreement: June 6, 2005.

CASE SUMMARY

Claimant asserted the following causes of action: defamation on Form U-5 and wrongful discharge.

Unless specifically admitted in its Answer, Respondent denied the allegations made in the Statement of Claim and asserted various affirmative defenses.

RELIEF REQUESTED

Claimant requested compensatory damages in an amount of not less than \$850,000.00, punitive damages equal to two times the compensatory damages, interest, attorneys' fees and costs. In addition, Claimant requested that any award issued by the Panel in this matter include a order requiring Respondent to amend the Form U-5 to state that

Claimant's employment was terminated for reasons unrelated to any conduct by him.

Respondent requested dismissal of the Statement of Claim in its entirety and costs.

OTHER ISSUES CONSIDERED AND DECIDED

At the hearing, Respondent made a Motion to Dismiss. After due deliberation, the Panel denied the Motion.

The parties have agreed that the Award in this matter may be executed in counterpart copies or that a handwritten, signed Award may be entered.

AWARD

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

1. Claimant's claims are hereby denied in their entirety.
2. Any and all relief not specifically addressed herein, including punitive damages, 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	= \$ 500.00
--------------------------	-------------

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. Accordingly, Raymond James & Associates, Inc. is a party.

Member surcharge	= \$ 2,800.00
Pre-hearing process fee	= \$ 750.00
Hearing process fee	= \$ 5,000.00

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 arbitrators including a pre-hearing conference with the arbitrators, that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with Panel @ \$1,200.00/session	= \$ 1,200.00
Pre-hearing conferences: September 14, 2005	1 session

Four (4) Hearing sessions with Panel @ \$1,200.00/session	= \$ 4,800.00
Hearing Dates: May 8, 2006 2 sessions	
May 9, 2006 2 sessions	<u>s</u>
Total Forum Fees	= \$ 6,000.00

1. The Panel has assessed \$3,000.00 of the forum fees to Claimant.
2. The Panel has assessed \$3,000.00 of the forum fees to Respondent.

Fee Summary

1. Claimant is solely liable for:

Initial Filing Fee	= \$ 500.00
Forum Fees	= \$ 3,000.00
Total Fees	= \$ 3,500.00
Less payments	= \$ 1,700.00
Balance Due NASD Dispute Resolution	= \$ 1,800.00

2. Respondent is solely liable for:

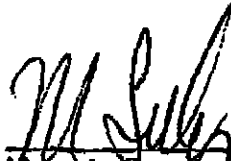
Member Fees	= \$ 8,550.00
Forum Fees	= \$ 3,000.00
Total Fees	= \$11,550.00
Less payments	= \$ 8,550.00
Balance Due NASD Dispute Resolution	= \$ 3,000.00

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

ARBITRATION PANEL

Marc A. Sanchez, Esq.	-	Public Arbitrator, Presiding Chairperson
Sanford Heiser	-	Public Arbitrator
Robert P. Weisberger	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures



Marc A. Sanchez, Esq.
Public Arbitrator, Presiding Chairperson

5-16-06

Signature Date

Sanford Heiser
Public Arbitrator

Signature Date

Robert P. Weisberger
Non-Public Arbitrator

Signature Date

May 19, 2006
Date of Service (For NASD Dispute Resolution use only)

ARBITRATION PANEL

Marc A. Sanchez, Esq.	-	Public Arbitrator, Presiding Chairperson
Sanford Heiser	-	Public Arbitrator
Robert P. Weisberger	-	Non-Public Arbitrator

Concurring Arbitrators' Signatures

Marc A. Sanchez, Esq.
Public Arbitrator, Presiding Chairperson

Signature Date


Sanford Heiser
Public Arbitrator

May 19, 2006
Signature Date

Robert P. Weisberger
Non-Public Arbitrator

Signature Date

May 19, 2006

Date of Service (For NASD Dispute Resolution use only)