

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-01168

A.G. Edwards & Sons, Inc., (Claimant) vs. Dennis De Coite and Suzanne M. De Coite, (Respondents)

ATTORNEYS:

For Claimant appeared in-house counsel Clay Grumke, Esq., St. Louis, MO.

Respondents did not submit an Answer to the Statement of Claim.

NATURE OF DISPUTE: Member vs. Customers

DATE FILED: March 1, 2005

CASE SUMMARY: Claimant alleged that Respondents failed and refused to repay monies owed as a result of a debit balance in their account. Claimant maintained that due to Respondents' actions, the firm suffered a loss.

Claim Data	Award Data
Claim: \$8,066.75	Award: \$8,066.75
Interest: 6% per annum	Interest: 6% per annum from and after 3/1/05 until paid in full.
Attorney Fees: \$2,500.00	Attorney Fees: \$2,500.00
Filing Fees: Unspecified	Filing Fees: \$.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) Respondents are jointly and severally liable and shall pay to the Claimant \$8,066.75. 2) Respondents are jointly and severally liable and shall pay Claimant \$2,500.00 for attorney fees pursuant to Paragraph 10 of the A.G. Edwards Margin Agreement executed July 6, 2001 by Respondents. 3) Respondents are jointly and severally liable and shall pay Claimant interest at the rate of 6% per annum from and after March 1, 2005 until paid in full. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$750.00 filing fee that the Claimant deposited previously.

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OTHER FEES: Pursuant to Rule 10333 of the Code, Claimant has paid to NASD Dispute Resolution the \$325.00 Member Surcharge previously invoiced.

OTHER ISSUES: Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that Respondents Dennis De Coite and Suzanne M. De Coite were served notice of the Statement of Claim and Notification of Arbitrator by regular mail, and Overdue Notice by certified mail, and are therefore bound by the arbitrator's ruling and determination.


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Joseph C. Roberts

Sole Public Arbitrator

AFFIRMATION

I, Joseph C. Roberts, 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.



Joseph C. Roberts

June 27, 2005
(Signature Date)

July 15, 2005

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