

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-01487

Wells Fargo Investments, LLC, (Claimant) vs. Brian A. Kath, (Respondent)

ATTORNEYS:

For Claimant appeared Diane C. Fischer, Esq., of the firm Kane & Fischer, Ltd., Chicago, IL.

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

NATURE OF DISPUTE: Member v. Associated Person

DATE FILED: March 18, 2005

CASE SUMMARY: Claimant alleged that Respondent breached a contract by failing to repay monies owed pursuant to the terms of a Promissory Note. Claimant maintained that due to Respondent's actions, the firm suffered a loss.

Claim Data

Claim: \$17,525.62
Interest: \$9.54 (during term)
Interest: 3.31% per annum from 7/7/04

Attorney Fees: Unspecified
Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$17,525.62
Interest: \$.00
Interest: 3.31% per annum from
7/7/04 to date of payment of award.
Attorney Fees: \$.00
Filing Fees: \$525.00
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 \$17,525.62. 2) All requests for attorney fees are denied. 3) Respondent is liable and shall pay Claimant interest at the rate of 3.31% per annum from July 7, 2004 to date of payment of the award. 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 \$525.00 as reimbursement of one half 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.

OTHER ISSUES: Pursuant to the By-Laws of NASD Dispute Resolution, the arbitrator determined that Respondent Brian A. Kath was served notice of the Statement of Claim and Notification of Arbitrator by regular mail, and Overdue Notice by certified mail, and is therefore bound by the arbitrator's ruling and determination.

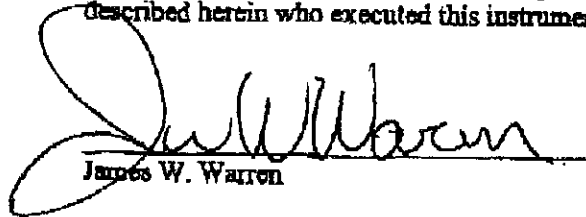
Page Two
Award 05-01487

James W. Warren

Sole Non-Public Arbitrator

AFFIRMATION

I, James W. Warren, 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.


James W. Warren

8-7-05
(Signature Date)

August 22, 2005
Date of Service (For NASD-DR office use only)