

NASD DISPUTE RESOLUTION AWARD
NASD DISPUTE RESOLUTION

CASE: 05-01698

Ryan Beck & Co., Inc., (Claimant/Counterclaim Respondent) vs. Robert Klein,
(Respondent/Counterclaim Claimant)

ATTORNEYS:

For Claimant/Counterclaim Respondent appeared in-house counsel Jeffrey B. Cohen, Livingston, NJ.

Respondent/Counterclaim Claimant appeared pro se, White Plains, NY.

NATURE OF DISPUTE: Member v. Associated Person

DATE FILED: March 28, 2005

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

COUNTER-CLAIM SUMMARY: Respondent/Counterclaim Claimant alleged that he paid to settle the remaining balance and should therefore be issued a refund.

Claim Data

Claim: \$506.50
Interest: Unspecified
Attorney Fees: Unspecified
Filing Fees: Unspecified
Other: Unspecified

Award Data

Award: \$506.50
Interest: \$.00
Attorney Fees: \$500.00
Filing Fees: \$112.50
Other: \$.00

Counterclaim Data

Claim: \$1,000.00

Award Data

Award: \$.00

AWARD: The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondent/Counterclaim Claimant is liable and shall pay to the Claimant/Counterclaim Respondent \$506.50. 2) Respondent/Counterclaim Claimant is liable and shall pay to the Claimant/Counterclaim Respondent \$500.00 for attorney fees pursuant to the terms of the Promissory Note. 3) All requests for interest are denied. 4) All other relief requests are denied. 5) NASD Dispute Resolution shall retain the \$225.00 filing fee that the Claimant/Counterclaim Respondent deposited previously. 6) Respondent/Counterclaim Claimant is liable and shall pay Claimant/Counterclaim Respondent \$112.50 as reimbursement of one half of the filing fee.

Page Two

Award 05-01698

COUNTERCLAIM 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 Respondent/Counterclaim Claimant are dismissed in their entirety. 2) All other relief requests are denied. 3) NASD Dispute Resolution shall retain the \$50.00 filing fee Respondent/Counterclaim Claimant deposited previously.

OTHER FEES: Pursuant to Rule 10333 of the Code, Claimant/Counterclaim Respondent has paid to NASD Dispute Resolution the \$150.00 Member Surcharge previously invoiced.


Page Three
Award 05-01698

Deborah A. Jackson, Esq.

Sole Non-Public Arbitrator

AFFIRMATION

I, Deborah A. Jackson, Esq., do hereby affirm, pursuant to Article 7507 of the Civil Practice Law and Rules, that I am the individual described herein, and who executed this instrument, which is my award.


Deborah A. Jackson, Esq.

August 8, 2005
(Signature Date)

August 16, 2005

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