

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Name of the Claimant

Mark A. Kockler

Case Number: 05-01839

Name of the Respondent

McLean Securities, LLC

Hearing Site: Washington, D.C.

Nature of the Dispute: Associated Person vs. Member.

REPRESENTATION OF PARTIES

Claimant, Mark A. Kockler, hereinafter referred to as "Claimant", was not represented by counsel and appeared *pro se*.

Respondent, McLean Securities, LLC, hereinafter referred to as "Respondent", was not represented by counsel. Dennis J. Roberts, Chairman, the McLean Group appeared at the hearing on behalf of McLean Securities, LLC.

CASE INFORMATION

Statement of Claim filed on April 5, 2005.

Claimant signed the Uniform Submission Agreement on April 4, 2005.

Statement of Answer filed by Respondent on May 27, 2005.

Dennis J Roberts executed the Uniform Submission Agreement on behalf of Respondent on May 27, 2005.

CASE SUMMARY

Claimant asserted a cause of action for breach of contract. The cause of action relates to the payment of referral fees associated with ICF Consulting.

Unless specifically admitted in its Answer, Respondent denied the allegations made in the Statement of Claim.

RELIEF REQUESTED

Claimant in his Statement of Claim requested:

Compensatory Damages

amount unspecified

Other Costs

amount unspecified

Attorneys' Fees

amount unspecified

Respondent in its Statement of Answer requested that it be released from any further obligation to Claimant with respect to referral fees, and that it be reimbursed for attorneys' fees and costs

associated with this arbitration.

OTHER ISSUES CONSIDERED AND DECIDED

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 Arbitration Panel (the "Panel") has decided in full and final resolution of the issues submitted for determination as follows:

1. All claims against Respondent are denied with prejudice in their entirety;
2. All claims for attorneys' fees are denied in their entirety;
3. The parties shall bear their respective costs, except as Fees are specifically addressed below; and
4. Any and all relief not specifically addressed herein is denied in its entirety.

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 = \$ 250.00

Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firms that employed the associated person(s) at the time of the events giving rise to the dispute. Accordingly, McLean Securities, LLC is a party.

Member surcharge	= \$1,500.00
Pre-hearing process fee	= \$ 750.00
<u>Hearing process fee</u>	<u>= \$2,200.00</u>
Total Member Fees	= \$4,450.00

Forum Fees and Assessments

The Panel has assessed forum fees for each session conducted. A session is any meeting between the parties and the arbitrator(s), including a pre-hearing conference with the arbitrator(s), that lasts four (4) hours or less. Fees associated with these proceedings are:

One (1) Pre-hearing session with a single arbitrator @ \$450.00 = \$ 450.00
Pre-hearing conference: November 11, 2005 1 session

One (1) Pre-hearing session with Panel @ \$1,000.00 = \$1,000.00
Pre-hearing conference: August 31, 2005 1 session

Two (2) Hearing sessions @ \$1,000.00 = \$2,000.00

Hearing Date : December 19, 2005 2 sessions

Total Forum Fees = \$3,450.00

1. The Panel has assessed \$1,725.00 of the forum fees to Claimant.
2. The Panel has assessed \$1,725.00 of the forum fees to Respondent.

EEE SUMMARY

1. Claimant is assessed and shall pay the following fees:

Initial Filing Fee	= \$ 250.00
Forum Fees	= \$1,725.00
Total Fees	= \$1,975.00
Less payments	= \$1,250.00
Balance Due NASD Dispute Resolution	= \$ 725.00

2. Respondent is assessed and shall pay the following fees:

Member Fees	= \$4,450.00
Forum Fees	= \$1,725.00
Total Fees	= \$6,175.00
Less payments	= \$4,450.00
Balance Due NASD Dispute Resolution	= \$1,725.00

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

ARBITRATION PANEL

John H. West, III, Esq.	- Non-Public Arbitrator, Presiding Chairperson
Bryon P. Fusini	- Non-Public Arbitrator, Panelist
Steven R. Bralove	- Non-Public Arbitrator, Panelist

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Concurring Arbitrators' Signatures

John H. West, III
John H. West, III, Esq.
Non-Public Arbitrator, Presiding Chairperson

12/23/05
Signature Date

Bryon P. Fusini
Non-Public Arbitrator, Panelist

Signature Date

Steven R. Bralove
Non-Public Arbitrator, Panelist

Signature Date

12/23/05
Date of Service (For NASD Dispute Resolution office use only)

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John H. West, III, Esq.
Non-Public Arbitrator, Presiding Chairperson

Signature Date

Bryon P. Fusini
Non-Public Arbitrator, Panelist

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Steven R. Bralove
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Concurring Arbitrators' Signatures

John H. West, III, Esq.
Non-Public Arbitrator, Presiding Chairperson

Signature Date

Bryon P. Fusini
Bryon P. Fusini
Non-Public Arbitrator, Panelist

27 Dec 2005
Signature Date

Steven R. Bralove
Non-Public Arbitrator, Panelist

Signature Date

Date of Service (For NASD Dispute Resolution office use only)