

Award
NASD Dispute Resolution

In the Matter of the Arbitration Between:

Name of the Claimant
William B. Hall

Case Number: 05-02656

Names of the Respondents
Wachovia Securities, LLC
Timothy Vanderver

Hearing Site: Atlanta, Georgia

Nature of the Dispute: Customer vs. Member and Associated Person.

REPRESENTATION OF PARTIES

For William B. Hall, hereinafter referred to as "Claimant": David F. Rock, Esq., McGee & Oxford, LLP, Atlanta, Georgia.

For Wachovia Securities, LLC ("Wachovia") and Timothy Vanderver ("Vanderver"), hereinafter collectively referred to as "Respondents": Andrew Park, Vice President/Attorney, Wachovia Securities, LLC, Richmond, Virginia.

CASE INFORMATION

Statement of Claim filed on or about: May 10, 2005.

Claimant signed the Uniform Submission Agreement: January 30, 2006.

Statement of Answer filed by Respondents on or about: August 22, 2005.

Respondent Wachovia signed the Uniform Submission Agreement: August 12, 2005.

Respondent Vanderver signed the Uniform Submission Agreement: August 16, 2005.

CASE SUMMARY

Claimant asserted the following causes of action: negligence; breach of fiduciary duty; and, unauthorized trading. The causes of action relate to the liquidation of unspecified securities in Claimant's account.

Unless specifically admitted in their Answer, Respondents denied the allegations made in the Statement of Claim and asserted various defenses.

RELIEF REQUESTED

Claimant requested money damages in the amount of \$20,000.00, plus attorneys' fees, filing fees and forum fees.

Respondents requested that the Arbitrator dismiss Claimant's claims, order expungement of any reference to this matter from Respondent Vanderver's Central Registration Depository ("CRD") record and award any other relief as is just.

OTHER ISSUES CONSIDERED AND DECIDED

The parties have agreed that the Award in this matter may be executed in counterpart copies.

AWARD

After considering the pleadings, the testimony and evidence presented at the hearing, and the post-hearing submissions (if any), the undersigned arbitrator (the "Arbitrator") has decided in full and final resolution of the issues submitted for determination as follows:

The Arbitrator finds for Respondents on all claims asserted by Claimant in this case.

Each party shall bear their respective attorneys' fees and costs.

Respondents' request for an expungement of this matter from Respondent Venderver's CRD record is denied under Rule 2130.

Any and all claims for relief not specifically addressed herein are denied.

FEES

Pursuant to the NASD Code of Arbitration Procedure (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	= \$125.00
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Member Fees

Member fees are assessed to each member firm that is a party in these proceedings or to the member firm(s) that employed the associated person(s) at the time of the event(s) giving rise to the dispute. In this matter, the member firm is a party.

Member surcharge	= \$425.00
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Adjournment Fees

Adjournments granted during these proceedings for which fees were assessed:

No adjournment fees were assessed in this matter.

Three-Day Cancellation Fees

Fees apply when a hearing on the merits is postponed or settled within three business days before the start of a scheduled hearing session:

No three-day cancellation fees were assessed in this matter.

Injunctive Relief Fees

Injunctive relief fees are assessed to each member or associated person who files for a temporary injunction in court. Parties in these cases are also assessed arbitrator travel expenses and costs when an arbitrator is required to travel outside his or her hearing location and additional arbitrator honoraria for the hearing for permanent injunction. These fees, except the injunctive relief surcharge, are assessed equally against each party unless otherwise directed by the Panel.

No injunctive relief fees were incurred in this matter.

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: December 1, 2005 1 session	
Two (2) Hearing sessions @ \$450.00	= \$900.00
Hearing Date: January 30, 2006 2 sessions	
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Total Forum Fees	= \$1,350.00

The Arbitrator has assessed the total forum fees of \$1,350.00 to Claimant.

Administrative Costs

Administrative costs are expenses incurred due to a request by a party for special services beyond the normal administrative services. These include, but are not limited to, additional copies of arbitrator awards, copies of audio transcripts, retrieval of documents from archives, interpreters, and security.

No administrative costs were incurred in this matter.

FEE SUMMARY

Claimant is solely liable for:

Initial Filing Fee	= \$125.00
Forum Fees	= \$1,350.00
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Total Fees	= \$1,475.00
Less payments	= \$575.00
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Balance Due NASD Dispute Resolution	= \$900.00

Respondent Wachovia is solely liable for:

Member Fees	= \$425.00
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Total Fees	= \$425.00
Less payments	= \$425.00
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Balance Due NASD Dispute Resolution	= \$0.00

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

ARBITRATOR

John G. Manley, Esq.

Public Arbitrator, Presiding Chair

Arbitrator's Signature

_____/S/_____
John G. Manley, Esq.
Public Arbitrator, Presiding Chair

February 15, 2006
Signature Date

February 16, 2006
Date of Service (For NASD Dispute Resolution office use only)

Total Fees	= \$425.00
Less payments	= \$425.00
Balance Due NASD Dispute Resolution	= \$0.00

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

ARBITRATOR

John G. Manley, Esq.

Public Arbitrator, Presiding Chair

Arbitrator's Signature


John G. Manley, Esq.
Public Arbitrator, Presiding Chair

2-15-2006
Signature Date

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