

**NASD DISPUTE RESOLUTION AWARD**  
**NASD DISPUTE RESOLUTION**

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CASE: 05-02759

Oppenheimer & Co., Inc., (Claimant) vs. Mark R. Del Valle, (Respondent)

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**ATTORNEYS:**

For Claimant appeared in-house counsel, Eric J. Shames, Esq., New York, NY.

Respondent appeared pro se, Merrick, NY.

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**NATURE OF DISPUTE:** Member v. Associated Person

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**DATE FILED:** May 24, 2005 ,

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**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 financial loss.

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**Claim Data**

Claim: \$15,000.00  
Interest: Unspecified

Attorney Fees: \$3,00.00  
Filing Fees: \$1,050.00

**Award Data**

Award: \$15,000.00  
Interest: Granted at the rate of 9%  
per annum from 9/17/04-2/14/05.  
Attorney Fees: \$.00  
Filing Fees: \$1,050.00

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**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 \$15,000.00. 2) All requests for attorney fees are denied. 3) Respondent is liable and shall pay to the Claimant interest at the rate of 9% per annum from September 17, 2004 until February 14, 2005. 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 \$1,050.00 as reimbursement of the filing fee.

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**OTHER FEES:** Pursuant to Rule 10333 of the Code, Claimant has paid to NASD Dispute Resolution the \$425.00 Member Surcharge previously invoiced.

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Award 05-02759

Barry Quint

Sole Non-Public Arbitrator

AFFIRMATION

I, Barry Quint, 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.

Barry Quint  
Barry Quint

10-7-05  
(Signature Date)

October 10, 2005  
Date of Service (For NASD-DR office use only)